# Regional Guidelines For Responsible Fishing Operations In Southeast Asia

The Regionalization of the Code of Conduct for Responsible Fisheries Phase 1

Southeast Asia Fisheries Development Center (SEAFDEC)

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## CHAPTER I. INTRODUCTION

The FAO Conference adopted the Code of Conduct for Responsible Fisheries (CCRF) in 1995. Following the Cancun Conference in 1992, four years of exhaustive effort by the interested countries of the world resulted in a consensus on the current comprehensive text of the CCRF. During the negotiation process, specific regional issues were diluted, or perhaps even avoided, with a view to finding acceptable global compromise and consensus on controversial issues.

Achievement of CCRF is epoch-making even if contained issues do not cover all areas of concern on sustainable fisheries in the world. This is a great achievement by the international fisheries society to rectify the current practices of fisheries, which have been proven to be not sustainable. Implementation of the CCRF is therefore very important for the achievement of sustainable fisheries in the region. It should be noted that global sustainable fisheries will not be achieved unless Southeast Asian countries who have contributed a major part of global fisheries production do not take appropriate action toward the achievement of sustainable fisheries. However, it might be appropriate to consider the specific fisheries situation in the region prior to the implementation of the CCRF.

At the Thirtieth Meeting of the Council of the Southeast Asian Fisheries Development Center (SEAFDEC) at Bandar Seri Begawan, Brunei Darussalam on 17-21 March 1998, the Council Directors fully supported the program for the Regionalization of the Code of Conduct for Responsible Fisheries. They unanimously agreed to implement it in SEAFDEC's prioritized program in view of the fact that 1) some part of the global Code of Conduct require modification to adjust to the regional specificity; and, 2) clear regional policy should be reflected in the Code. The Council also specified that SEAFDEC should make efforts to establish an Asian Code of Conduct for coastal fisheries and aquaculture, which may be expanded to cover the other ASEAN members. In addition, SEAFDEC Strategic Plan adopted at the same meeting emphasizes the importance of the program on the Code of Conduct for Responsible Fisheries.

Based on the recommendations made at the Council Meeting, SEAFDEC prepared a comprehensive program on "the Regionalization of the Code of Conduct for Responsible Fisheries" (http://www.seafdec.org). Since the program is a long term and wider commitment for SEAFDEC to implement the various required activities, the preparation of Regional Guideline for the Code of Conduct for Responsible Fisheries, Phase 1: Responsible Fishing Operations was selected as the primary and major activity under the program.

In June 1998, five regional core experts (Indonesia: Mr. Chairul Nastion, Malaysia: Mr. Rosidi Bin Ali, the Philippines: Mr. Jonathan O. Dickson, Thailand: Mr. Pirochana Salikliang, Vietnam: Dr. Nguyen Long) and four Advisors (Mr. Bundit Chokesanguan, Prof. Dr. Takafumi Arimoto, Dr. Frank Chopin and Dr. Yasuhisa Kato) were selected for the preparation of documents on the draft regional definition of terminology and draft Regional Technical Guidelines. A Pre-Meeting of Core Experts was organized to harmonize the approach for the preparation of documents.

Between 9-12 November, 1998, an Expert Consultation on the Regionalization of the Code of Conduct for Responsible Fisheries Phase 1:Responsible Fishing Operations" was organized in Chaing Mai, Thailand. The purpose being to discuss the Regional Guidelines for Article 8, Fishing Operations of the Code of Conduct for Responsible Fisheries. Also discussed were the required regional definitions of terminology prepared by the Core Expert Group. The context of this document is based on the outcome of the meeting.

# CHAPTER II. GENERAL PRINCIPLES

As a first step toward "The Regionalization of the Code of Conduct for Responsible Fisheries", the Regional Guidelines for Responsible Fishing Operations corresponding to the Article 8 of the CCRF was prepared. The following general principles will be applied to the whole document in order to clarify the nature, coverage and objectives of the Regional Guidelines.

# **Objectives of the Regional Guidelines**

The objectives of the Regional Guideline are 1) to clarify the requirements, 2) to prioritize the required action; and, 3) to identify the areas which require special consideration in the regional context, contained in each paragraph of the relevant CCRF when the regional States implement the relevant CCRF.

# Rationale of the Preparation of the Regionalization of the Code of Conduct

The CCRF is a comprehensive and global guiding principle to achieve sustainable fisheries. However, global and non discriminatory application of the global CCRF to the specific regions or countries may require some modification in order to be effectively implemented in specific circumstances. In the Southeast Asian Region, the three following specific regional situations must be fully considered for the modifications and applications.

1) Cultural Situation: The people in the Southeast Asian Region have greatly and historically depended on fish in their diet. Therefore, fisheries can not be replaced by an alternate system to secure protein in food including livestock products (Food security considerations). Methods to catch fish (Great numbers of traditional fishing gears and practices. More information will be required.), fish processing methodologies (Diversification of traditional fish processing methods including fermentation, boiled and dried, fish sauce, etc. More information will be required) and fish marketing systems that have traditionally and greatly diversified (Social, economic and cultural considerations). In this connection, the fisheries sector as a whole has been developed into a traditional and complex system compared with any other part of the world except the Far East. Special consideration on this cultural

aspect must be given if the global system such as CCRF, which is based on a more simple structure, is going to be applied in the region.

- 2) Fisheries Structure: Based on the long historical fisheries development in the region, the structure of fisheries differs from those of developed fishing nations that are mainly located in the Temperate Zone and are often used as a model of global fisheries agreements or instruments. In the region, while industrial fisheries was developed in addition to the traditional fisheries after 1960, following the transfer of modern technologies. This major fishing sector in terms of numbers of people involved can be categorized as small scale, coastal and subsistence fisheries. Although the structure differs country to county; more than 99% in the case of Thailand (1995) to 60% in the case of Malaysia (1997). A majority of the fisheries in the region can be categorized as non-industrial and small scale traditional fisheries. Social, economic and cultural consideration in addition to the scientific and environmental factors is essential in order to manage and modify these sectors. (More specific information in each countries will be required).
- 3) Ecosystem: In tropical waters, fisheries resources are of comparatively multispecies composition mainly in demersal stocks. It is a characteristic that more species compose demersal catches. In addition, (group of) dominant species does not compose the majority of catch, as in the fisheries in the Temperate Zone (dominant species compose 70-80% of the catch in the Temperate Zone, those of tropical fisheries compose 20-30% of the catch. More information to specify the multispecies composition is required.). The latter phenomena, especially, will show a significant difference in catch composition, gear selectivity and stock assessment methodologies developed in the fisheries that are comparatively simple.

Additionally, proper recognition of the difference between the developed and developing countries must be given during the implementation of the globally accepted international fisheries instrument in the region. The current CCRF was mainly prepared on the base of the situation in the developed fishing nations, many paragraphs of the Articles of CCRF can not be directly applied to the situation in the developing countries where basic structures are not yet developed. In line with the implementation of the CCRF in the developing countries, special efforts will be required for the current situation.

# **Area of Coverage**

The SEAFDEC program on the Regionalization of the Code of Conduct for Responsible Fisheries including Phase 1: the Regional Guidelines for Responsible Fishing Operations that is principally aimed at supporting the implementation of the CCRF by ASEAN Countries. However, it is hoped that the countries which share similar specific fisheries circumstances can use it as a relevant reference.

In the region, the inland fisheries are also a very important sub-sector in economic activities, the regional guideline have also tried to include the important elements and factors specific to this sub-sector. (More information specific to inland fisheries, is required.).

# International legal instruments

Many relevant regulations, principles and requirements under international law, Agreements and Conventions are referred to in the CCRF. While some of these have clear fisheries objectives, others have wider objectives including maritime affairs. Policy makers in each State should recognize the international concerns and to effectively use the relevant instrument, it is suggested that they should set up a working group composed of legal experts and relevant technical experts to verify the each article of relevant international instruments. They should clarify which articles should be applied to the fisheries sector in its country. States should also take appropriate legal action (creation of appropriate National laws, together with appropriate dissemination to the public and users and the setting up of an appropriate enforcing mechanisms).

It should be noted that the target group of such international instruments is generally the large-scale industrial sectors but small-scale fisheries, which are a major part of fisheries in the region, are hardly covered. Therefore, special consideration is required for the fisheries in the region, the major part of whom are categorized as small-scale. In applying the Convention, States must first clarify the target group and, if certain target groups are not covered, specific regulations to cover such groups must be elaborated.

The FAO and other relevant international organization have been requested to provide relevant information on the extent of the implementation of such international conventions and instruments to the respective authorities. It should be noted that the States in the Southeast Asia should provide appropriate information on the implementation of particular conventions and agreements on request by such organizations.

# CHAPTER III. REGIONAL DEFINITION OF THE TERMINOLOGY

Prior to the Regional Guidelines, clarification of the definition taking into account the regional specific fisheries situation mentioned in the General Principle, for the terminology used in the CCRF and Regional Guideline is required in order to have a common understanding on the issues contained therein.

#### **Target Catch**

Due to the multi-species composition of fisheries resources particularly coastal / demersal stocks, target catch (synonymous of target size or target species is less preferable in the region due to multi-species catch nature) is not generally used for regulation purposes and as a general concept of the fisher. Therefore, target catch will not be defined as a general term, but can be used for some industrial fisheries as follows.

"The component of the fish stock/resource (of a given size, species, etc.) primarily sought or aimed at by the industrial fisher."

#### By-catch

By-catch is a similar term to target catch. Since target catch is not a useful term applying to all fisheries in the region; the term of by-catch will be limited will be used for industrial fisheries as follows.

"A general term for the component of the catch, which is anticipated to be caught during an industrial fishing operation, in addition to the target catch."

#### **Incidental Catch**

"A general term for the catch, which is not anticipated to be caught during a fishing operation, but are incidentally caught."

Since the by catch will not be generally used in the region, specific components of by-catch can be defined as incidental catch which requires specific attention in gear selectivity and appropriate management action. In this connection, the incidental catch may be composed of 1) aquatic animals including mammals, turtles and sea birds. 2) debris including parts of coral reefs; and, 3) juveniles. Since the catch component of juveniles may not be categorized as incidental catch, juveniles can be treated separately. However, as the catch of juveniles is a serious problem in terms of resources and has bio-diversity implications in the region, inclusion of juveniles in the incidental catch will be an idea to clarify the target group upon which States requires specific action with a specific regional term.

#### **Retained Catch**

"That portion of the catch, which will be landed at the fishing base or distributed to the market."

A clear understanding of the difference between "Retained Catch" and "Catch Retained in the Fishing Gear" will be required especially for research and development work on gear selectivity.

#### **Total Catch**

"The Catch on board the vessel."

Total Catch is synonymous with "Retained Catch in the Fishing Gear".

#### Discarded Catch = Waste

"That portion of the catch returned to the sea (or otherwise thrown away) as a result of economic considerations – deemed to have none or even negative value to the catcher."

Discarded catch in the region is usually composed of unwanted catch (low or no value species and undersized commercial value species, sometimes referred to as "trash fish") and incidental catch such as debris and juveniles. Sometimes, due to the need for effective operation, limited space and capacity of preserving facilities, catch components with low commercial value are discarded to the sea. In addition, quite large amounts of catch have been discarded as catch with unacceptable quality mainly because of poor preservation capacity (lack of ice and limited capacity/space of the facilities for preserving catch) of the fishing vessel as well as on shore.

#### **Gear Selectivity**

Gear selectivity from the user point of view should be defined as having the property to select target species. However, as most of the fishers in the region do not clearly define their target species, it may be defined as follows.

"Gear selectivity is a property of fishing gear that reduces/excludes the capture of unwanted sizes of fish and incidental catch"

In tropical waters having multi-species catch compositions, it should be noted that the applied gear can only select the appropriate size of fish caught. However, fishers may further select their catch at the level of the group of species in their practice with a knowledge of various ecological factors including seasonal migration patterns, spawning seasons, feeding and distribution of fish etc.

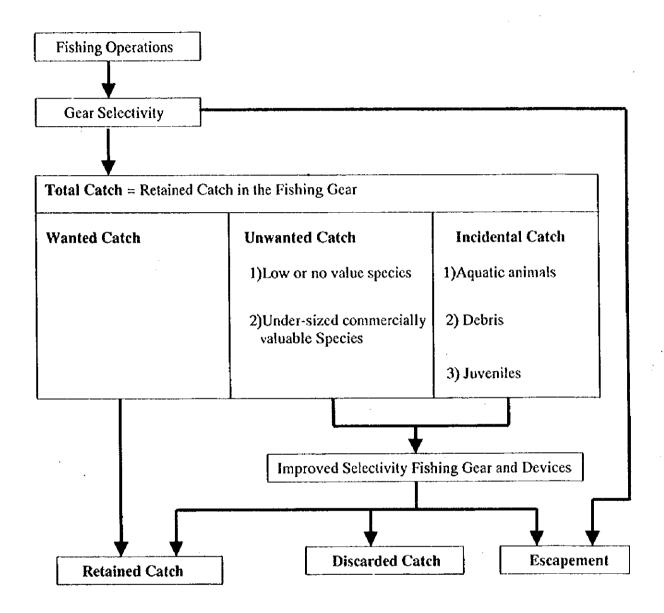
### Selective Fishing Gear

"Fishing gear, which have been designed to exclude/reduce the capture of unwanted sizes of fish and the incidental catch, and release these excluded fish from the fishing gear with a high survival rate."

## Escapement

"The behaviour of fish escaping, or the rate/amount of fish that escape through meshes or other devices after entering the fishing gear."

The following conceptual diagram shows the linkages among the above terminology for the activities during fishing operations.



There is some other terminology, which may require regional definition to achieve a common understanding on the CCRF and Regional Guidelines.

# **Destructive Fishing Gear and Practices**

"The fishing gear and practices that have a destructive effect on the environment."

# Illegal Fishing Gear and Practices

"The fishing gear and practices that are legally regulated by national law because of an unsustainable impact on the environment by their use."

The destructive fishing gear and practices are regulated as illegal fishing gear and practices in the national laws of most of the States in the region.

#### **Ghost Fishing**

"Fishing effect caused by abandoned or lost fishing gear."

#### **Abandoned Fishing Gear**

"Any fishing gear or part of fishing gear that is discarded into the aquatic environment."

#### FISHERIES STRUCTURE

It is not simple to define regional fishing structures such as coastal fisheries and industrial fisheries due to different legal definitions by each State in the region. The following table shows the fishing zones used by different types of fishing boat in selected countries in the region.

Countries	Fishing Zone 1	Fishing Zone 2	Fishing Zone 3	Fishing Zone 4
Brunei Darussalam	From shore out to 3 nm.	From 3nm to 20nm.	From 20nm to EEZ limit.	
Cambodia	From shore out to 20 m depth.	From 20 m depth to EEZ limit.		
Indonesia	From shore out to 3 nm.	Four nautical miles from the outer limit of first fishing zone or 7nm from shore.	Five nautical miles from the outer limit of second fishing zone or 12 nm from shore.	More than 12 nm from shore.
Malaysia	From shore out to 5 nm.	From 5 nm to 12 nm.	From 12 nm to 30 nm.	From 30 nm to FFZ limit.
Myanmar	From shore out to 3 nm in the northern area, 5 miles in southern area.	1		Table Inne.
Philippines	From shore out to 15 km.	From 15km to EEZ limit.		
Thailand	From shore out to 12 nm.	From 12 nm to EEZ limit.		

The following table shows the type of fisheries in their legislative base in selected countries in the region.

Countries	Coastal Fisheries	Industrial Fisheries
Brunei	Traditional Fisheries: Small scale	Commercial Fisheries: Trawlers less than 350HP,
Darussalam	fisheries operating in zones 2 & 3.	Purse Seiners less than 20m LOA operating in zone 2 Trawlers less than 700 Hp, Purse Seiner more than 20 m LOA operating in zone 3,
Cambodia	Coastal Fisheries: Small scale fisheries with/without engine (from 5 HP to 50 HP) operating in zone 1.	Commercial Fisheries: More than 50 HP operating in zone 2.
Indonesia :	Small Scale Fisheries: 1) Outboard engines <10 HP or < 5 GT operating in zone 1. Trawls, purse seines and gill nets are not allowed, except for purse seines with a head rope < 120 m.  2) Inboard engines < 50 HP or <25 GT operating in zone 2. Trawl and purse seines are not allowed, except purse seines with a head rope < 300 m.	Industrial Fisheries: 1)Inboard engine <200 HP or 100 GT operating in zone 3, Purse seining is not allowed except those with a head rope < 600 m.  2) All fishing boats and fishing gear operating in zone 4.
Malaysia	Traditional Fisheries: Small-scale fisheries with boats less than 10 GT operating in all zones concentrating in zone 1.	Commercial Fisheries: 1) With boats less than 40 GT operating in zone 2.  2) With boats from 40 GT to 70 GT operating in zone 3.  With boats above 70 GT operating in zone 4.
Myanmer	Coastal Fisheries: boats of less than 30 feet or using less than a 12 HP engine operating in zone 1	Industrial Fisheries: Boats more than 30 feet long or using more than 12 HP engines operating in zone 2
Philippines	Municipal Fisheries: Small scale fisheries with boats of less than 3 GT operating in zone 1.	Commercial Fisheries: 1) Small scale commercial fisheries; Less than 20 GT boats operating in zone 2. 2) Medium scale commercial fisheries; Less than 150 GT operating in zone 2. 3) Large scale commercial fisheries; More than 150 GT operating in zone 2.
Thailand	Small Scale Fisheries: With boats of less than 5 GT operating in zone 1.	Large Scale Fisheries: With boats of more than 5 GT operating in zone 2.

Using the above information, the following regional definitions of fishing structures (types of fisheries) can be summarized.

#### **Coastal Fisheries**

"Fishing units operating in coastal waters (from shore out to 3~5 miles)."

The coastal fisheries is a definition of the fisheries by fishing ground or area. There are some States that set a wider fishing range like Indonesia (12 nm), the Philippines (15 km) and Thailand (12 nm) or using different definitions like water depth (Cambodia; 20 m depth). In general, most of the countries regulate the area from the shore to 3 miles for the exclusive use of small-scale fisheries.

#### **Small-Scale Fisheries**

'Fishing units operating using small-scale boats, fishing gear and equipment."

Small-scale fishery is a definition of the fisheries using fishing boats, fishing gear and equipment as shown in the above table. The capacity of the equipment used varies with the States. The small-scale fisheries are defined and allocated by each State the fishing grounds most suited to the capacity of the boats used.

#### **Subsistence Fisheries**

Although there is no legal definition for subsistence fisheries in most of the State, it is understood as follows:

"Fishing units catching marine products mainly for their own and their family's consumption"

#### Fishing capacity (Over capacity)

"In the FAO SOFA Special chapter: Fisheries in 1994, it represented the term as the total size (in terms of GT or remaining values) of fishing vessels used in the particular areas."

#### Fishing effort

"Represents the amount of fishing gear of a specific type used in the fishing ground over a given unit of time or numbers of fishing units."

Fishing capacity, fishing effort and fishing pressure are used in a synonymous manner without defining the specific difference.

#### Sustainable Use

"Manner of exploitation at the rate that does not lead to the long term decline of the size and diversity of aquatic animals, thereby maintaining their potential to meet the needs and aspiration of present and future generation."

#### (Maximum) Sustainable Yield

"Technical term in population dynamics. It is a function of fishing effort. If the fishing effort on a fisheries species does not change over a certain length of time, fisheries production of a species is theoretically sustained. Maximum sustainable yield represents the point which produces the highest sustainable production for a certain fishing effort."

#### **Artificial Reef**

"Any man-made structure placed in a body of water to attract or lure aquatic animals by providing shelter, habitat or breeding areas, which at the same time have an effect to exclude some fishing operations from the areas."

Floating types of the artificial reef are called fish aggregating devices and as auxiliary fishing gear are composed of float, fish attracting device, line and sinker.

#### **Trans-Boundary Fish Stock**

Fisheries resources migrate freely across the national boundaries in their life cycle. The following four kinds of migration pattern are important for fisheries management under UNCLOS.

#### Highly migratory fish stock

"Species which undertake extensive migration between the EEZ and high seas, across oceans and across many EEZs."

#### Straddling fish stock

"Species which are distributed or migrate within and beyond the EEZs in their life cycle."

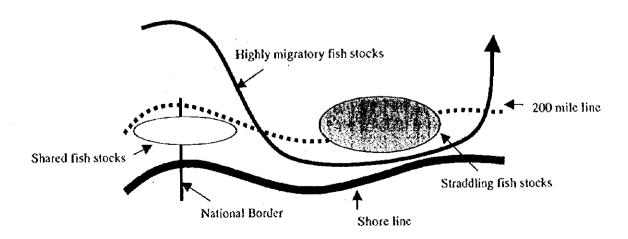
#### Shared fish stock

"Species that migrate within an EEZ but extend their migration to other nation's EEZs."

#### **High Seas Fish Stock**

"General term for "highly migratory fish stock and straddling fish stock"

High Sea related fish stocks are shown in the following diagram.



#### Habitat

"Can be defined as that part of the ecosystem, including biotic and abiotic components, upon which fish depend directly or indirectly in order to carry out their life process. These may refer to spawning grounds, nurseries, rearing and migration areas. Therefore, habitat is an important component in supporting fish life. Loss of habitat compromises the ability to maintain sustainable long term yield."

#### Flag State

"The State in which the vessel is registered and is entitled to fly the flag of that State."

#### **Port State**

"The State has obligations under international maritime law with regard to foreign flag vessels that are in any of its ports and/or at any of its offshore structures."

#### **Multi-Species Composition**

In tropical waters, the species composition in the ecosystem and fish catch is characterized as: 1) large numbers of species; and, 2) low rate of composition of a dominant species compared with those of the Temperate Zone. Large numbers of aquatic organisms co-exist in less productive waters by diversifying the ecological niches. Therefore, multi-species composition may be defined as follows.

" Population which is composed of large numbers of species without a single dominant species."

#### Responsible Fisheries

The concept "Encompasses the sustainable utilization of fisheries resources in harmony with the environment; the use of capture and aquaculture practices that are not harmful to ecosystems, resources and their quality; the incorporation of added value to such products through transportation processes meeting the required sanitary standards; the conduct of commercial practices so as to provide consumers access to good quality products." (Cancun,1992)

# CHAPTER IV. REGIONAL GUIDELINES FOR RESPONSIBLE FISHING OPERATIONS

The Regional Guidelines of the Responsible Fishing Operations was first drafted by the Regional Core Group and discussed and agreed at "Expert Consultation on the Regionalization of the Code of Conduct for Responsible Fisheries Phase 1:Responsible Fishing Operations" organized in Chaing Mai, Thailand between 9-12 November 1998, The current text is a compilation of the outcome of the meeting.

Since the Regional Guidelines for Responsible Fishing Operations was prepared based on the Article 8 Fishing Operations of the Code of Conduct for Responsible Fisheries, the original Article and paragraph numbers were retained in the Guidelines. The Regional Guidelines were prepared in line with the objectives stipulated in Chapter II above. The Guidelines are a mix of the composition of 1) general comments for paragraphs from regional points of view, 2) Specific considerations for regional application; and, 3) required follow up activities, if any. The left column is the original paragraph with numbers that are shown for easy reference, the modified regional guidelines are shown in the right column for consideration by the States for action.

As the implementation of the CCRF is a long-term commitment and process, the States and relevant Organization should note that the regional guidelines are an initial step toward the achievement of sustainable fisheries.

Where a Regional guideline is not provided means that the original CCRF can be applied without change. It should also be noted that the FAO Technical Guidelines for Responsible Fisheries (1) Fishing Operations may also be generally applied to the industrial fisheries in the region.

Article. 8 Fishing Operations	Regional Guidelines
8.1 Duties of all States 8.1.1. States should ensure that only fishing operations allowed by them are conducted within waters under their jurisdiction and that these operations are carried out in a responsible manner.	1) Within national waters, where fisheries should be conducted in other juridical waters including provincial, district or municipal waters in a harmonious and responsible manner.
8.1.2. States should maintain a record at regular intervals, on all authorizations to fish issued	1) States that do not have a system of authorizations to fish should urgently establish these to cover at least major fisheries.
by them.	2) States should investigate their authorization mechanisms to fish and identify areas for improvement. Then, States should also conclude a clear policy on the authorizations to fish and the way to practically implement them.
	3) Linkages of all Government agencies that separately issue Certificates of Registration and authorization to fish (giving licenses) should be properly

coordinated. Data required for each should be simplified and an exchange of information should be made in order to maximize the use of data. (The list of necessary information in FAO Technical Guidelines may be used although this is mainly for industrial fisheries.) 4) Authorizations to fish may also contain conditions, including: 1) areas to be fished. 2) Type of fishing gear allowed. 3) The class of fishing vessel and other requirements; such as, a) depending on the class of fishing vessel, log book, change of registration status, marking of fishing vessel and gear as far as practicable. 5) States should also elaborate policy on the enforcement of the authorization to fish by the kind of fisheries, or provincial, or district levels and implement as these as far as practicable. 8.1.3. 1) States should investigate and identify the current constraints of the fisheries States should maintain. accordance statistical system. The mechanisms to improve the system and regional recognized with compatibility and standardization should be sought, so as to meet the international standards and management requirements on transboundary fish socks. practices, statistical data, updated at regular intervals, on all fishing operations 2) Collection and compilation of catch statistics should be given priority. allowed by them. 3) States should elaborate practical reporting mechanisms on the required information provided by the fisher to the concerned agencies (central and local) of the Government. 4) SEAFDEC should initiate and maintain its service to improve the regional fisheries statistics mechanisms in collaboration with States and relevant Organizations. 8.1.4. States should 1) Monitoring, control, surveillance and enforcement for the high sea area can be maintain. in accordance considered by the relevant organizations. Methodology for monitoring, control, with recognized surveillance and enforcement for small-scale and coastal fisheries has to be international law, within the framework of sub-regional differentiated with one for industrial or off shore fisheries within national regional fisheries iurisdiction. management organizations or arrangement, cooperate to establish system for monitoring, control. surveillance enforcement of applicable measures with respect to fishing operations and related activities in waters outside their national jurisdiction. 8.1.5. States should ensure 1) It should be noted that the minimum requirements in relevant international that health and safety agreements including SOLAS which is only applicable to vessels larger than standards are adopted for 24m L.O.A.. Since the majority of fishing boats in the region is smaller than everyone employed fishing operations, - Such this size, States should be encouraged to elaborate special safety standards and standards should be not less policies with emphases on the smaller boats. FAO/ILO/IMCO Voluntary than the minimum Guidelines for the Design, Construction and Equipment of Small Fishing requirements of relevant international agreements on Vessels (1980) may be used as a reference for this paragraph. conditions of work and 2) Regional Organizations, including SEAFDEC, should support the States to

urgently formulate such standards for smaller fishing vessels in the region. 8.1.6. States should make None. arrangements individually, together with other States or with the appropriate international organization integrate fishing operations into maritime search and rescue systems. 8.1.7. States should 1) Considering the importance of the small-scale fisheries sub-sector in the region. enhance through education education, training, extension should proportionally cover these sectors in and training programmes addition to those for the industrial fisheries sub-sector. Important and relevant the education and skills of fishers and, where provisions of the Code of Conduct for Responsible Fisheries, including the appropriate, their subject on the Responsible Fishing Practices, should be institutionalized and professional qualifications, conducted systematically (both central and local tevels) in the existing National Such programmes should take into account agreed Educational Institutions. Target groups for education and training should be not international standard and only be professional fishers, but also the young generation and newcomers to guideline. fisheries. 2) States should define the target groups and develop the appropriate training issues, materials and mechanisms 3) Since fishing operation is closely related to fisheries management, such education should be conducted to not only educate on how to operate the required fishing practices, but on the required fisheries management measures to accompany fishing operations. 4) In addition to education to be conducted at the permanent institutions, fraining should be conducted in areas closer to the fishers including as refresher courses. fishers who wish to renew their licenses. Training in local dialects is another consideration if the language is a barrier to full understanding by the participants. Education and training programs should take into account the educational level of targeted fishers. Training subjects should not be limited to fishing technology, but should also cover the areas of relevant fisheries management and local rural development programs. 5) Awareness building exercises including the importance of Responsible Fishing Practices, sustainable use of resources and environmental considerations should be conducted more frequently. 6) As it becomes clear, the international standards or agreements are not always applicable in the regional situation, appropriate regional strategy should be elaborated in the fields of education and training. In this connection, the Regionalization of the Code of Conduct for Responsible Fisheries, especially the Regional Guidelines can be used as a base for the formulation of regional strategies on education and training for fisher under the new situation. 8.1.8. States should, as appropriate, การโกเลโก fisher may be considered in addition to those for industrial fisheries. records of fishers which

should, whenever possible, contain information on their service and qualifications, including certificates of competency in accordance

- 1) However, establishment of a similar information base on the coastal/small-scale
- 2) States should ensure that certificates should be issued for all training offered. These certificates should be gazetted so that it can be a valid document. States should maintain records of certificates issued and that these records should be

with their national laws.	stored in a readily retrievable format.
	3) Certificates should be detailed with the information not only of the name of the issuing authority, personal data, but also its validity and conditions such as size and type of fishing vessels, capacity and areas of operation, possibly related to the authorizations to fish.
	4) States should be encouraged to gradually adopt the provisions in ensuring that only trained and certified persons are allowed to engage in fishing, especially in commercial fisheries.
	5) The International Convention on Standard of Training, Certification and Watch keeping for Seafarers 1978 may be used as a reference.
8.1.9. States should ensure that measures applicable in respect of masters and other officers charged with offence relating to the operation of fishing vessels should include provisions which may permit, interalia, refusal, withdrawal or suspension of authorizations to serve as masters or officers of a	1) In addition to the industrial fisheries (refer to those relevant paragraphs of the FAO Technical Guidelines), practical mechanisms to authorization to fish for small-scale fishers with corresponding responsibility on their conduct may need to be elaborated in National registration systems.
fishing vessel.  8.1.10. States, with the assistance of relevant international organizations, should endeavour to ensure through educational and training that all those engaged in fishing operations be given	1) Regional organizations, such as SEAFDEC, shall consider formulating training materials and promoting appropriate staff development plans to facilitate the most important provisions of the Code in order to ensure responsible fishing operations in the region. Regional Guidelines will be used as bases for the preparation.
information on the most important provisions of this Code, as well as provisions of relevant international conventions and applicable environmental and other standards that are essential to ensure responsible	2) Target groups should not only be limited to all those engaged in fishing operation but should include all stakeholders.
fishing operations.  8.2 Flag State duties 8.2.1. Flag States should maintain records of fishing vessels entitled to fly their flag and authorized to be used for fishing and should indicate in such records details of the vessels, their ownership and authorization to fish.	1) Flag States should create and maintain mechanisms to collect the required information on their vessels operating in waters of States other than those of the flag State, or on the high seas. FAO technical guideline can be referred to for more detailed information.
8.2.2. Flag States should ensure that no fishing vessels entitled to fly their flag fish on high seas or in waters under the jurisdiction of other States unless such vessels have been authorized to fish by the competent authorities.	1) There are currently a few competent authorities to authorize fishing on the high seas in the region, and these are only for tuna species. Therefore, there may be a need for States whose vessels have operated, or are going to start tuna fisheries, especially tuna fisheries in the Indian Ocean, or for Bluefin tuna, both in the Indian Ocean and the Southern part of the Pacific Ocean, to join IOTC in the former case and CCSBT in the latter case.

Such vessels	should	carry
on board the		
Registry		their
authorization		. 11

- Fishing vessels 8.2.3 authorized to fish on the high seas or in the waters under the jurisdiction of other States, should be marked in accordance with uniform and internationally vessel recognizable marking systems such as FAO Standard Specification Guidelines for Marking and Identification of Fishing Vessels.
- 1) None for the contexts. However marking and identification of fishing vessels is also an important issue for the management of fisheries within national jurisdiction. The issue is, therefore, mentioned together with marking fishing gear in the following paragraph 8.2.4.

- 8.2.4. Fishing gear should be marked in accordance with national legislation in order that owner of the gear can be identified. Gear marking requirements should take into account uniform and internationally recognizable gear marking systems.
- 1) It is a prerequisite to the implementation of both the of marking fishing vessels and fishing gear that the establishment of policies that national authorizations (including license, appropriate registration and fishing rights for coastal fisheries), should be required for all fisheries. Without such policy decisions and required mechanisms, the enforcement of the issues will be extremely difficult.
- 2) Not only fishing gear and fishing vessels but also fish aggregating devices (FADs) such as payaos should be marked.
- 3) In order to establish the above policy and the necessary regulatory measures, Government agencies should consult the concerned fisheries sub-sectors including awareness building on the necessity to mark the fishing vessels and fishing gear. Without a good consultative process, problems of cooperation and compliance are likely to increase.
- 4) International Organizations such as FAO and SEAFDEC may develop the appropriate mechanisms on the authorization to fish as more detailed guidelines and policy papers.
- 5) The consultation process should extend to not only the fisheries sector, but also concerned Government structures including local Government authorities.
- 6) The Government agencies will prepare the required regulations (legal instruments) on the mechanism of the authorizations to fish and the required detailed guidelines on marking reflecting the outcome of their consultations.
- 7) States should study the existing marking systems, and where applicable may adopt them into national legislation. Research into gear design, operation and installation which can prevent/reduce gear loss, or which may aid recovery of lost gear should be promoted.
- 8) The small-scale fishing vessels should also be marked with conforming and nationally recognized marking systems. The provincial code in lettering and/or numbering can be applied to national standard marking systems. Different marking systems between international and national standards will be important to monitor whether the industrial fishing vessels enter coastal waters.

	9) Intensive Nationwide Information dissemination on the legal provisions and guidelines on the marking of fishing vessels and gear should be conducted
	10) States, prior to the issuance of authorizations to fish, should ensure the owners, managers and fishers comply with the appropriate marking of fishing vessels and gear.
8.2.5. Flag States should	Mentioned already in 8.1.5.
ensure compliance with	••••••••••••••••••••••••••••••••••••••
appropriate safety	
requirements for fishing vessels and fishers in	
accordance with	
international conventions,	
internationally agreed code	
of practices and voluntary	
guidelines. States should	
adopt appropriate safety	
requirements for all small vessels not covered by such	
international conventions,	
code of practice or	
voluntary guidelines.	
8.2.6. States not party to	None.
the Agreement to Promote	
Compliance with	
International Conservation	
and Management by Vessels Fishing in the High	
Seas should be encouraged	
to accept the Agreement	
and to adopt laws and	
regulations consistent with	
the provisions of the	
Agreement.  8.2.7. Flag States should	None
take enforcement measures	None.
in respect of fishing vessels	
entitled to fly their flag	
which have been found by	
them to have contravened	
applicable conservation and	
management measures, including, where	
appropriate, making the	
contravention of such	
measures on offence under	
national legislation.	
Sanctions applicable in	
respect of violations should be adequate in severity to	
be adequate in severity to	
compliance and to	
discourage violations	
wherever they occur and	
should deprive offenders of	
the benefits accruing from	
their illegal activities. Such sanctions may, for serious	
violations, include	
provisions for refusal	
withdrawal or suspension	
of the authorization to fish.	
8.2.8. Flag states should	1) None. However, the insurance for the operation of smaller boats is an area of

promote access to insurance	consideration in view of either private initiatives or part of social security
coverage by owners and	systems.
charterers of fishing	
vessels. Owners or	
charterers of fishing vessels	
should carry sufficient	
insurance cover to protect	
the crew of such vessels	·
and their interests, to	
indemnify third parties	
against loss or damage and	
to protect their own	
interests.	
8.2.9. Flag States should	1) However, it should be noted that international Conventions, where they cover
ensure that crew members	the fisheries sector, generally only cover the sub-sector of large-scale fisheries.
are entitled to repatriation,	
taking account of the	Therefore, special consideration is required for the fisheries in the region, the
principles laid down in the	major part of which is categorized as small-scale. In applying the Convention,
"Repatriation of Seafarers	States must first clarify the target group and, if certain target groups are not
Convention (Revised),	
1987, (No.166).	covered by it, specific regulations in order to cover such groups should be
	elaborated.
8.2.10. In the events of	None.
accident to a fishing vessel	
or persons on board a	
fishing vessel, the flag State	
of fishing vessel concerned	
should provide details of	
the accident to the State of	
foreign national on board	
the vessel involved in the	
accident. Such information	
should also, where	
practicable, be	
communicated to the	
International Maritime	
Organization.	
8.3 Port State duties	None.
8.3.1. Port State should	
take, through procedures	
established in their national	
legislation, in accordance	
with international law,	
including applicable	
international agreements or	
arrangements, such	
measures as are necessary	
to achieve and to assist	
other States in achieving	
the objectives of this Code,	
and should make known to	
other States details of	
regulations and measures	
they have established for	
this purpose. When taking	
such measures a port State	
should not discriminate in	
from or in fact against the	
vessels of any other State.	
8.3.2. Port States should	1 1 10 110.
provide such assistance to	
flag States as is appropriate,	
in accordance with the	
national laws of the port State and international law,	

when a fishing vessel is voluntary in a port or at the offshore terminal of port State and the flag State of the vessel requests the port State for assistance in respect of non-compliance with sub-regional, regional or global conservation and management measures or with internationally agreed minimum standards for preservation of pollution and for safety, health and conditions of work on board fishing vessels 8.4 Fishing operations

- 8.4.1. States should ensure that fishing is conducted with due regard to the safety of human life and the Maritime International Organization, Regulations for Preventing Collisions at Sea, as well as International Organization Maritime requirements relating to the organization of marine traffic, protection of the maritime environment and the prevention of damage to or loss of fishing gear.
- 8.4.2. States should prohibit and dynamiting comparable destructive fishing practice.
- 1) States should make sure to what extent the benefits and responsibilities of fishers both industrial and small-scale are covered in the international regulations. If these are not covered, special action will be required for the fishers in their countries, especially for the small-scale industrial and coastal fisheries sector.

- 1) The States should review the existing laws prohibiting dynamiting, poisoning and other comparative destructive fishing practices including electric stunning. The State should carefully consider the extent of the impact on the environment and take appropriate action for the formulation of a consolidated strategy and provide legal instruments against such destructive fishing gear and practices.
- 2) In addition, the States should prepare a Comprehensive Program together with legal instruments to eradicate and minimize illegal fishing activities including destructive fishing practices.
- 3) The States should identify criteria to identify fishing gear and practices to be prohibited including the following:
  - -Habitat destruction.
  - -High incidental catches including juveniles.
  - -High spawners catch.
  - -Conflict with small scale fisheries.
- 4) SEAFDEC may develop a regional program on illegal fishing practice to assist and facilitate national action.
- 5) All the destructive fishing and illegal fishing gear and practices should be listed and should be announced to the public. This could be done through printed material including posters, pamphlet or other means.
- 6) The implementation of the program should be strictly pursued in full cooperation of local Governments. In order to strictly enforce the

implementation of the program, certain mechanisms including a team of informants can be created. Whoever contravenes the laws and regulation should be taken to court and inflicted with heavy punishment with a view to daunting them from doing such again, especially in the case of the illegal use of destructive fishing gear and practices.

- 7) Effectively dissemination of the information, public awareness building and education on environmentally friendly fishing practices (Responsible Fishing Practices) should be conducted in extension work and at every opportunity.
- 8) Since misconduct is, in many cases, fueled by the no-alternative situation in the coastal areas for fishers to survive. Community-based management programs should be mounted to eradicate such problems with collaborative efforts including identification of diversified employment opportunities in the communities and the establishment of more clear ownership concepts for the fishers.
- 9) States must ensure that only licensed fishing gear and practices operate in their waters to minimize the use of illegal fisheries practices, as far as practicable.
- States should consider the evolving needs for information on fishing operations
  in addition to the statistical data. Required information may cover not only
  fishing operations and fish stock but also socio-economic data including
  number of boats and potential catch effort.
- 2) The competent government authorities in coordination with the fishing industry and competent units of the Government offices in charge of coastal fisheries or appropriate organizations dealing with the management of coastal fisheries should jointly establish the baseline data identified above and implement mechanisms to continuously produce the required data and information.
- 3) Required information includes various management measures, conflicts between commercial and coastal fisheries, by-catch, retained catch, waste, incidental catch, fishing gear inventory and other problem areas.
- 4) In responsible fishing operation it becomes important to record discards as all fishing operations are required to minimize discards not only for maintaining bio-diversity but also for conserving aquatic resources. The fishers and the industrial fishing companies should realize the importance of discards and they should be willing, as far as possible, to record discards during harvesting. In this connection, fishing logbooks should be simplified so that the crew can fill it out. In small-scale fisheries, it may not be possible, but in certain medium-scale fisheries, the logbook system may be appropriate.
- 5) An enumerator and scientific observer program should be implemented in certain important fishing bases. The enumerators will collect catch data from the fish auction hall, fishery markets or fishers villages in their areas. Since the enumerators do not go fishing, data on discards will still not be covered. From the scientific observer program, where the observers collect catch data onboard, the discards can be accurately recorded. When the fishing licenses are authorized, an appropriate clause of the obligation for accurate records of

8.4.3. States should make every effort to ensure that documentation with regard operation, fishing. retained catch of fish and non-fish species and, as the regards discards. information required for stock assessment as decided by relevant management bodies, is collected and forwarded systematically to those bodies. States should, as far as possible, establish programmes observer and inspection scheme, in order to promote compliance with applicable measures

discards and performance can be strictly monitored.

- 6) Qualitative and quantitative information of the composition of discards is vital for fisheries management and conservation of bio-diversity.
- 7) Research activities to assess the volume, and the composition of discards, should be promoted. In addition, States should promote research on gear design and devices, which could reduce the volume of discards in the total catch.
- 8) SEAFDEC can further clarify the required specific information which States should produce periodically, in consultation with its member countries.
- 1) States should encourage food safety and quality management systems throughout their seafood industries to ensure quality, profitability and to reduce waste.
- 2) Change to more selective fishing gears and the use of some selectivity devices may cause additional cost to the fisher and at the same time they may reduce the target catch. Therefore, states should ensure that selectivity fishing gears and related devices to be introduced should not introduce too much economic burden to the fishers. When promoting the adoption of appropriate technology, in particular selective fishing gear and practices, it should be carefully carried out and based upon the results of thorough research, and applying a comprehensive, mainly socio-economic analysis.
- 3) The program should be bound up with cooperative efforts to facilitate the required changes in technology.
- 4) In addition, comprehensive awareness building exercises including appropriate training for the fishers should be conducted in order to make them understand the necessity of these applications.
- 5) Incentives can be considered to encourage fishers to use selective fishing gear.
- 6) Coastal fishers have been only engaged in the harvesting of fish and not involved in the processing and marketing. In order to retain the optimum benefits from fisheries, create job opportunities in the communities and have wider views on the business, the Government agencies should encourage and support the fishers to expand the scope of their fisheries business at the community level.
- States which have the technology and equipment for conducting research on the issues should assist other countries that do not have the capability to develop them within the regional framework.
- 2) Research effort in relation to fishing technology and equipment should be closely coordinated with the users (fishers). In addition, socio-economic consideration should be fully taken into account when developing responsible fishing gear and practices in view of effective use of the developed methods in reality.
- 3) In developing selective fishing gear and devices, the survival rate in escape

8.4.4. States should promote the adoption of appropriate technology, taking into account economic conditions, for the best use and care of the retained catch.

8.4.5. States, with relevant groups from industry, should encourage 1he development and implementation ∩ſ technologies and operational methods that reduce discard. The use of fishing gear and practices that lead to the discarding should catch discouraged and use of fishing gear and practices that increase survival rates of escaping fish should be promoted.

should also be taken into consideration.

- 4) Unwanted catch and incidental catch sometimes may be reduced if the fishing gear is operated in the correct season and in the right area. Therefore, states should promote research to understand the temporal and spatial distribution of unwanted catch (Juveniles of certain species.)
- 5) Once the selective fishing gear, selectivity devices, spatial and temporal distribution have been determined, required rules and regulation should be formulated and implemented.
- 6) Regional organizations, such as SEAFDEC should cooperate in developing fishing technologies that allow the minimization of unwanted catch and incidental catch and increase the survival rates of escaped fish.
- 8.4.6. States should cooperate to develop and apply technologies, materials and operational methods that minimize the loss of fishing gear and ghost fishing effects of lost and abandoned fishing gear.
- 1) With respect to offshore fisheries and avoidance of navigational hazards, technology development will be required. In designing fishing gear, technologists must consider that parts of the gear (connection ropes with sinkers, entrance parts of traps) should be replaced with biodegradable materials.
- 2) Since any improvement will eventually be subject to the good maintenance of fishing gears by fishers, systematic dissemination of the information and awareness building exercises including the training on reasons for such gear and maintenance are required, including the impact of gear loss and ghost fishing on resources and the environment.
- 3) States should attempt to establish methods of identifying owners of abandoned fishing gear and obtain reasons why the gear was abandoned.
- 4) Dumping old gear at sea should be prohibited. States should provide dumping stations at ports or appropriate places in the fishing bases.
- 5) Those who encounter lost or abandoned fishing gear should, to the extent possible, recover it and take it to port. If the gear recovery fails, details of the gear and the position should be reported to the competent authorities.
- 6) States can establish a recycling program of used fishing gear in order to reduce gear dumping and encourage incidentally retrieved gear or gear parts. However, in pursuing such programs, the economic and local technological level should be fully considered.
- 7) To avoid the lost or abandoned netting fishing gear being influenced by the current, the utilization of appropriate design parameters of netting (mesh size, twine diameter, hanging coefficient and dimension) and also rigging system (floats, ballasts, and ropes) are required with a view to minimizing the net resistance so that the fishing gear can withstand the pressure of the current, if the oceanographic situation is known.
- 8) A fishing vessel should conduct its own operation so as not to interfere with the operation of other fishing vessels or fishing gear already set. A fishing vessel

should also not dump in the sea, any substance, which may interfere or obstruct or cause damage to fish, fishing gear, other fishing vessels or the aquatic environment. 8.4.7. States should ensure 1) States should establish a systematic communications link with representatives that assessment of the of industrial fisheries for various consultations not only on their new activities implications of habitat but also various consultations in achieving sustainable fisheries in the countries. disturbance are carried out prior to the introduction on a commercial scale of new 2) In order to monitor and rehabilitate degraded coastal habitats including coral fishing gear, methods and reefs, mangrove forests, sea-grass beds, The Government at both central and operation to an area. local levels should initiate strategies and action plans. These programs should include research, low enforcement, education, information dissemination and public awareness building activities. 3) Many important habitats are located in shallow water areas, therefore, assessment in this area should be given higher priority. 4) When evaluating the inputs of a new fishing technology, habitat disturbance is one of the environmental and ecosystem factors which should be taken into account, beside other factors such as bio-diversity, contamination and pollution, generation of debris and rubbish, direct mortality and predator-prey relationships. 5) Habitat disturbance may easily occur in demersal fisheries. Therefore, the States should be encouraged to initiate research into the extent of habitat disturbance caused by such active demersal fishing gear as bottom trawls. 8.4.8. Research on the 1) Considering the sensitivity of bio-diversity in the multi-species composition in environmental and social tropical waters, special consideration should be given to destructive fishing gear impacts of fishing gear and, which has serious effect upon the bio-diversity in the fragile ecosystem. in particular, on the impact of such gear on biodiversity coastal fishing 2) Considering the economic disadvantages of the small-scale/coastal fishers, communities should promotional programs including Governmental incentives will have to be promoted. considered if their fishing gear has to be changed to environmentally friendly alternatives. 3) Assessment on fishing gear and fishing practices should be integrated and use the multidisciplinary approach so that it can cover the various aspects of its impact. Formulation of a working group or team among researchers from various related fields should be promoted. Findings and suggestions of the group should be properly used or implemented by the appropriate competent authority. Necessary funding should be allocated. 4) The operation of a fishing gear, particularly in coastal waters, may cause social conflicts between different users of the same aquatic resources. The social conflicts occur due to the different productivity of fishing gear, where the active fishing gear catch a lot more than inactive fishing gear and in turn influences the income of fishers. The social changes as the consequence of the operation of one fishing gear against another fishing gear should be assessed as to whether it leads to social conflict between fishers of different fisheries.

8.5 Fishing gear selectivity 8.5.1. States should require

that fishing gear, methods

1) In tropical fisheries, States should develop and introduce fishing gear that can

reduce/exclude the incidental catch to the extent practicable. Prior to the

and practices, to the extent practicable, are sufficiently selective so as to minimize waste, discards catch on non-target species, both fish and non-fish species, and impacts on associated or dependent species and that the intents of related regulations circumvented by technical devices. In this regard, fishers should cooperate in development the selective fishing gear and methods. States should ensure that information on development and requirements is made available to all fishers.

- approval of licenses or authorizations to fish, the appropriate agency of the Government should check whether applying fishers are using the appropriate selective and environmentally friendly fishing gear and practices both for new and existing methods of fishing.
- 2) The introduction of new fishing gear, techniques and methods should first be studied to assess the impact on the environment and fisheries resources.
- 3) Research results of selective fishing gear must be disseminated to the potential users. The selective fishing gear, methods and practices should be promoted to the fishers by informing them the advantages and disadvantages of selectivity. The fishers should be persuaded to actively participate in developing the selectivity.
- 4) SEAFDEC, as a regional organization may actively coordinate with various national institutes and promote the introduction of the fishing gear selectivity within the region.
- 5) In order to minimize incidental catch, unwanted catch which is bound to become discarded, special consideration should be paid to economic and marketing research for the discards especially for the catch by shrimp trawl fishing. Research activities including those hereunder will be considered to solve the problems:
  - 1) Fish behaviour studies
  - 2) Development of selective fishing gear.
  - 3) Marketing study on target and non-target species.
  - 4) Study on operational parameters (duration of fishing trip, mother boat operation).
  - 5) Investigation of facilities on the vessels (facility and capacity of the preservation of catch, size of fish-hold etc.).
  - 6) Study on the survival of escaped fish
  - 7) Study on the economic effect of using selective fishing gear and devises.
- 6) The community based approach could be used when introducing new selective fishing gear and methods to the fishers.
- 7) Fish behaviour study should be given higher priority. Special consideration should also given the areas where abundant juveniles exist and appropriate action including declarations of closed areas and seasons to fish should be taken. In general, States should set a clear policy on the minimization of incidental catch including juveniles and aquatic animals.
- 8) Demonstrations of the use of selective fishing gear and devices should be continuously carried out to gain confidence among the fishers. Giving incentives to the volunteers could be considered.
- 8.5.2. In order to improve selectivity, State should, when drawing up their laws and regulations, take into account the range of
- 1) Provision of selective but viable fishing gear should be made to ensure sufficient income of the fishers to improve their standard of living and sufficient to allow conservation and management measures.

selective fishing gear, methods and strategies available to the industry.

- 2) Representatives of the relevant fisheries sector such as fisher's organizations and industrial fishing companies (associations) should be invited to participate in the process of drawing up laws and regulations. Because of such laws and regulations for the proper protection and management of the fisheries resources and aquatic environment sustainable production within the ecological limit will be ensured.
- 3) Finalizing and issuing laws and regulations is solely the State's responsibility, However, the State should consider the involvement of all stakeholders in the planning and drafting procedure of laws and regulations.
- 4) States should consider a special article in its legal instruments on gear selectivity with respect to reducing, in general, the incidental catch and giving special consideration to the trawl fisheries with respect to reducing waste, with appropriate policies on sustainable fishing operations. The following are examples for consideration:
  - Laws on allowable mesh size.
  - Laws on the limit of juveniles and endangered species composition in the retained catch in the net.
  - Laws on the prohibition of fishing operation of the species during spawning periods.
  - Laws on the demarcation of fishing areas in accordance with the employed types of fishing boats and gear.
- 5) Developing selective fishing gear, methods and strategies does not always means developing new ones that have already been invented in developed countries. To some extent, the selective fishing gear, methods and strategies may exist in the national fisheries in the region. These can be found through a comprehensive inventory of the existing traditional fishing gear and methods. The performance of some or all existing traditional fishing gear should be inventoried aiming at obtaining the current selectivity level of the fishing gear and methods.
- 6) The current main objectives of the inventory such as efficiency and productivity should be changed and used as a tool for fisheries conservation and management. States should be encouraged to initiate evaluation of selectivity of existing traditional fishing gear and practices.
  - 7) The selectivity of fishing gear and methods should be considered from the aspect of multidisciplinary, i.e., biological, technological, socio-economic, techno-economic, and legal aspects. Among these aspects, to the fishers and industrial companies, the socio-economic aspect is the most important. The socio-economic aspects are dealing with economic performance and employment.

8.5.3. States and relevant institutions should collaborate in developing standard methodologies for research into fishing gear selectivity, fishing methods and strategies.

International

8.5.4.

None.

1) Regional organizations such as SEAFDEC should take the initiative to develop

cooperation should be standard methodologies for research into fishing gear selectivity, fishing encouraged with respect to methods and required strategies in collaboration with the ASEAN member research programmes for countries (Concerned fisheries agencies in collaboration with academic and fishing gear selectivity, and fishing methods other relevant institutions in each countries). In preparing standard strategies, dissemination of methodologies and strategies, the regional specific situation should be fully the result of such research taken into account. programmes and transfer of technology. 2) While cooperation with countries in the Temperate Zone who have a great amount of experience and technology will be continued, it should be noted that the application of technologies and adoption of strategies developed in the Temperate Zone might require critical assessment. Gear technology requires a great amount of knowledge on fish behaviour and other ecological factors that are specific to tropical ecosystems. 3) Research on the multi-species composition in the catch and resources will be the area of important technical/policy research to clarify the specific situation of tropical fisheries. 4) States should encourage the establishment of a communication network between researchers in the region. 5) For the promotion of responsible fishing operations, research on selective fishing gear and methods including required devices should be encouraged. 6) Research on the selectivity of trawls and purse seines should be given priority. 8.6 Energy optimization States should 1) States should set up guidelines to use appropriate engines for various types and promote the development sizes of fishing vessels this is particularly applicable to small fishing boats of appropriate standards and guidelines which leads which comprise the majority of fishing vessels in the region. to the more efficient use of energy in harvesting and post barvest activities within the fisheries sector. 8.6.2. States should None. promote the development and transfer of technology relation to energy optimization within the fisheries sector and, in particular, encourage owners and managers of fishing vessels to fit energy optimization devices to their vessels. 8.7 Protection of aquatic environment None. 8.7.1. States should introduce and enforce laws and regulation based on the International Convention for the Prevention of Pollution | from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL. 73/78). 8.7.2. Owners charterers 1) When necessary, States can elaborate their programs in consultation with

and managers of fishing	industry for promoting and facilitating the relevant technology and equipment
vessels should ensure that	in the medium term.
their vessels are fitted with	in the median term.
appropriate equipment as	
required by	
MARPOL.73/78 and	
should consider fitting a	
shipboard compactor or	
incinerator to relevant classes of vessels in order	
to treat garbage and other shipboard wastes generated	
during the vessel's normal	
service.	
8.7.3. Owners charterers	None.
and managers of fishing	None.
vessels should minimize the	
taking aboard of potential	
garbage through proper	
provisioning practices.	
8.7.4. The crew of fishing	None.
vessels should be	
conversant with proper	
shipboard procedures in	
order to ensure discharges	
do not exceed the levels set	
by MARPOL 73/78. Such	
procedures should as a minimum, include the	
disposal of oily waste and	
the handling and storage of	
shipboard garbage.	
8.8 Protection of the	
atmosphere	27
8.8.1 States should adopt	None.
relevant standard and	
guideline which include	
provisions for the reduction	
of dangerous substances in	
exhaust gas emission.	
8.8.2. Owners, charterers	1) When necessary, States can elaborate their programs in consultation with
and managers of fishing	industry for promoting and facilitating the relevant technology and equipment
vessels should ensure that	in the medium term.
their vessels are fitted with equipment to reduce	m my myanana toma
equipment to reduce emissions of ozone	
depleting substances. The	
responsible crew members	
of fishing vessels should be	
conversant with the proper	
running and maintenance of	
machinery on board.	
8.8.3. Competent	1) SEAFDEC as a regional fisheries organization may initiate appropriate training
authorities should make	programs on refrigeration systems using appropriate refrigerants in order to
provision for phasing out of	
the use of	provide a clear understanding of the problems involved for further promotional
chlorofluorocarbons	work in each participant's country.
(CFCs) and transitional	
substances such as	2) When necessary, States can elaborate their programs in consultation with
hydorofluorocarbons (NCECs) in the	
(HCFCs) in the refrigeration system of	industry for promoting and facilitating the relevant technology and equipment
fishing vessels and should	in the medium term.
ensure that the shipbuilding	
industry and those engaged	
in the fishing industry are	
informed of and comply	

with such provision. 1) States should establish close linkages with domestic and foreign manufacturers 8.8.4. Owners or managers of fishing vessels should and engineering firms to establish more practical strategies on the installation take appropriate action to and importation of refrigeration and fire fighting equipment into the country refit existing vessels with and take more proactive action to solve the problem. alternate refrigerants to CFCs and HCFCs and alternatives to Halons in fire fighting installations. Such alternatives should be used in specifications for all new fishing vessels. 8.8.5. States and owners. charterers and managers of fishing vessels as well as fishers follows international guidelines for the disposals of CFCs, HCFCs and Halons. 8.9 Harbours and landing places for fishing vessels 1) States should further elaborate the Code of Conduct in order to take appropriate 8.9.1. States should take actions for sustainable fisheries development taking into account the specific into account, inter alia, the situation in the county. Such as more comprehensive requirement of supplies 2) following in the design and construction of harbours and fundamental facilities which have to be identified i.e. cleaning water, ice and landing places: etc. 1) safe havens for fishing vessels and adequate 2) Sustainable development of inland fisheries which is a very important subservicing sector in the region, has to be fully taken into account not only for this facilities paragraph but for other elements which are relevant to inland fisheries. vessels, vendors and buyers are provided; 2) adequate freshwater supplies and sanitation arrangement should be provided; disposa!s 3) waste systems should be introduced, including for the disposal of oil, oily water and fishing gear. from 4) Pollution fisheries activities and external sources should be minimized;and 5) Arrangement should be made to compat the effects of erosion and siltation. 1) Criteria for site selection for the construction of harbours and landing places should 8.9.2 States an institutional establish must be carefully elaborated including protection and avoidance of erosion and framework for selection or silting, ideal locations where port facilities are fully utilized etc. improvement of sites for harbours for fishing vessels 2) For the planning and construction of harbours, consultation with all users and which allows for consultation among the stakeholders will be required. authorities responsible for

coastal area management. 8.10 Abandonment structores and other materials 1) States in coordination with concerned Government agencies, should prepare 8.10.1. States should ensure that the standards guidelines for the removal of artificial structures such as artificial reefs, FADs and guidelines for the and stationary nets, installed and abandoned in offshore as well as inshore removal of redundant waters. Fisheries authorities should include in their regulations the installation offshore structures issued the International and abandonment of such structures. The owners should inform the authorities Maritime Organization are whenever structures are installed or abandoned for the sake of navigation and followed States should also fishing operations and the avoidance of accidents. Penalties should be imposed ensure that the competent fisheries authorities are by coastal states to ensure compliance with the regulations. consulted prior to decisions being made Ωħ the abandonment of structures and other materials by the relevant authorities. 8.11 Artificial reefs and fish aggregation devices 1) In addition to the development of national policy, Regional organizations such 8.11.1. States, where as SEAFDEC should initiate regional policy and guidelines on Artificial Reefs appropriate, should develop policies for increasing stock and Fish Aggregating Devices in collaboration with its member countries, since population and enhancing the topological and ecological situation of the aquatic environments are opportunities fishing different to the Temperate Zone. through the use of artificial structures, placed with due regard to the safety of 2) Research work should be promoted with the objectives of coastal fisheries navigation, on or above the management. Considering the effect of structures, target areas should not be seabed or at the surface. Research into the use of limited only to Artificial Reefs and Fish Aggregating Devices but also to such such structures, including facilities as mari-cultures and stationary nets and other artificial structures in the the impacts on living aquatic environment which have one or more effect on the following: marine resources and the environment, should be promoted. 1) Effect to aggregate fish schools. 2) Effect to attract spawners. 3) Effect to limit certain fishing activities in the areas. 4) Effect to promote the ownership concept over the water surface by the fishers. 3) It should be understood that Artificial structures may have relatively positive effects on resource enhancement and fisheries management in view of the scarcity of natural reefs in the waters of the region. 8.11.2. States should ensure None. that, when selecting the materials to be used in the creation of artificial reefs as well as selecting the geographical location of such artificial reefs, the provisions of relevant international conventions concerning the environment and safety of navigation are observed. 8.11.3. States should within 1) States should prepare legal frameworks to regulate and manage both Artificial the framework of coastal Reefs and Fish Aggregating Devices in collaboration with end users/fishers. area management plans, Areas of concern should be concentrated on navigational hazards, excessive establish management systems for artificial reefs numbers of Fish Aggregating Devices (Payaos) which lead to over-fishing and and fish aggregation catch of juvenile tuna and environmental impact including change of water devices. Such management systems should require approval for the construction and development of such reefs and devices and should take into account the interests of fishers, including artisanal and subsistence fishers.

flows and erosion.

- 2) The Fish Aggregating Devices (FADs) placed in the high seas, exclusive economic zones (EEZs) or archipelago seas, also needed to be marked to identify its owner and position. For owner identification, a FAD should be marked with an International Telecommunication Union Radio Call Sign (IRCS) which identifies the name and address of the owners. For position identification, a FAD should be marked with an electronic device (transponder or radio beacon), a radar reflector, or lamp as well as flags and/or shapes.
- 3) Consultation processes with fishing communities on the deployment of artificial reefs should be undertaken because of the impact of these structures on their fishing activities and livelihood.
- 8.11.4. States should ensure that the authorities responsible for maintaining cartographic records and charts for the purpose of navigation, as well as relevant environmental authorities, are informed prior to the placement or removal of artificial reefs or fish aggregating devices.
- 1) With Respect to artificial reefs placed in coastal waters, the coastal communities, in particular fisher organizations, should be well informed through notification of the existence of such structures. Where necessary, the establishment of reasonable safety zones around the artificial reefs, not exceeding a distance of 500 m can be applied. This safety zone does not mean a closed fishing area, but to warn the fisher not to operate certain fishing gear that are easily damaged by the structure.
- 2) With respect to FADs, the local fisher's organizations should be well informed through notification about the existence of FADs in their fishing areas so that they can avoid such devices for the safety of their fishing operations.
- 3) Information on the deployment of artificial reefs and FADs should be given to the appropriate agencies. These agencies should also be informed when the FADs have been lost or have been removed with view to updating the records.
- 4) SEAFDEC may initiate regional information on the location of Artificial Reefs and Fish Aggregating Devices through its ATLAS upon request and collaboration by the State.

# CHAPTER V. FOLLOW UP ACTIVITIES

# The Network of Fishing Technologist

During the Expert Consultation on the Regionalization of the Cod of Conduct for Responsible Fisheries, the establishment of a Regional Network of Fishing Technologists (with its sub Regional Network of the Network of Fishing Gear Technologist) was agreed as a mechanism to expedite regional research and related work through E- mail connection among the researchers in each technical subject. The list of the members of the Network is attached in Annex 1.

# Follow up Activities

As mentioned above, the regional guidelines for Article 8 of the CCRF is a first step in the long process toward achievement of sustainable fisheries in the Southeast Asian region. States may take necessary action to appropriately manage the fisheries in their countries utilizing the regional guidelines as a base. These may include: 1) to set up various working groups for the required areas further clarifying the issues. 2) to appropriately improve the national legal instruments. 3) to promote the required research in order to identify more detailed information. 4) to prepare technical guidelines to further clarify the specific subjects; and, 5) to initiate various action identified in the process of the preparation of the regional guidelines.

Among the various activities, the States may take immediate action on the required research providing each State with a more clear understanding and detailed information on the issues and may eventually facilitate prioritized State action toward the achievement of sustainable fisheries. The following are a list of research in support of the implementation of the CCRF in the region, identified through the process of the preparation of the regional guidelines.

#### **Policy Research**

General Principles. Verification of each article of the relevant international instruments,

- 8.1.2. Authorization mechanisms to fish
- 8.2.1. Identification of required information other than fisheries statistics data
- 8.4.4. Socio economic analysis on the adaptability of selective fishing gear.
- 8.4.5. Exchange of research capability in the region
- 8.4.7. Research on degraded coastal habitats.
- 8.10.1. Guidelines for the removal of artificial structures
- 8.11.1. Research work on artificial reefs in line with coastal fisheries management.

#### Technical Research

- 8.1.3. Improvement of the fisheries statistical system.
- 8.2.4. Review of the existing marking systems
- 8.4.2. Criteria to identify illegal fishing gear and practices
- 8.4.3. Qualitative and quantitative information of the composition of discards
- 8.4.3. Promotion of selective fishing gear designs and devices
- 8.4.4. Improvement of survival rate of escaping fish in the designing of gear
- 8.4.6. Research to avoid ghost fishing.
- 8.4.6. Research on the extent of habitat disturbance caused by fishing gear
- 8.5.1. Research on the discard from shrimp trawl fishing
- 8.5.1. Fish behaviour studies
- 8.5.2. Reviews of traditional fishing
- 8.5.4. Research on multi-species composition
- 8.5.4. Research on the selectivity of trawls and purse seines

SEAFDEC, as a regional organization, in collaboration with its member countries, will further develop programs to facilitate the implementation of the CCRF in

the region. Among which, the following can be the potential areas for SEAFDEC programs identified through the process of the preparation of Regional Guidelines.

Improvement of fisheries statistics (Para. 8.1.3.): Existing SEAFDEC Programs on the Fisheries Statistics can be further improved.

Safety standards of small scale fishing boats (Para. 8.1.5.): Appropriate Programs can be developed in collaboration with the regional core group.

Development of training material in line with the CCRF (Para.8.1.10.): Preparation of training materials in line with the CCRF is already planned.

Authorizations to fish (Para.8.2.4.): Existing mechanisms as the Working Group for Policy Formulation can take the subject as an initiative in collaboration with the FAO. In addition, existing programs on "Sustainable Management for Coastal Fisheries (MSCF)"can take the issue into its program.

Illegal fishing (Para.8.4.2.): Programs on the preparation of fishing gear monographs can be expanded.

Specific contents of fishing information (Para.8.4.3.): Existing mechanisms as the Working Group for Policy Formulation can take the subject as an initiative.

Minimization of unwanted and incidental catch (Para.8.4.5.): Existing programs to promote "Juvenile and Trash Fish Excluder Device (JTED) can cover this issue.

Promotion of Fishing Gear Selectivity (Para 8.5.1.): Through the Network of Fishing Gear Technologists and Cooperative Research for Fishing Gear Technology in Asia (CRAFT), research work on fishing gear selectivity will be promoted.

Standard methodologies for research on gear selectivity (Para. 8.5.4.): Through the Network of Fishing Gear Technologist and Cooperative Research for Fishing Gear Technology in Asia (CRAFT), standardization of methodology on fishing gear selectivity will be promoted.

Environmentally friendly refrigeration training (Para. 8.8.3.): Appropriate training courses can be programmed into the regular program activities.

Regional policy on Artificial reefs (Para.8.11.1.): Existing mechanisms as the Working Group for Policy Formulation can take a leading role in collaboration with MFRDMD of SEAFDEC and member countries.

Utilization of the digitized ATLAS for the location of Artificial reefs (Para 8.11.4.): Existing Program on the Regional ATLAS can be expanded to cover the issues upon request and in cooperation with member countries.

At the conclusion of the "Expert Consultation on the Regionalization of the Code of Conduct for Responsible Fisheries Phase 1: Responsible Fishing Operations" from 9-12 November 1998 in Chaing Mai, Thailand. States participating and SEAFDEC have confirmed the commitment of their Governments and its organizations for the implementation of the CCRF through their activities including the foregoing.

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Phase 1: Responsible Fishing Operation
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IV.添付資料 s 理地収集資料リスト

番号	地収集資料リスト	形態 (図書・ビデ オ・地図・写真 等)	収集 資料	專門家 作成資料	JICA 作成资料	テキスト	<b>発行機関</b>
タイ					·- <u>-</u> -		
1	Eliminating World Poverty	簡易製本図書	0				Department for Internatinal Development (DfID)
2	Fisheries and Aquatic Resources Sectot Strategy and Programme	簡易製本図書	0				Department for International Development (DfID)
2	INDUCED SPAWNING OF SOME ECONOMICS FRESHWATER FISH SPECIES	M4	0				National Inland Fisheries Institute Department of Fisheries
3	THAI MARINE FISHERIES RESEARCH BULLETIN (VOLUME 2-6)	図書	0				Eastern Marine Fisheries Development Centre (EMDEC)
4	COMMUNITY-BASED FISHERIES MANAGEMENT IN PHANG-NGA BAY, THAILAND	図書	0				FAO
5	Report of the 22nd meeting of the Advisory Committee	図書	0				FAO
	FAO/GOVERMENT COOPERTATIVE PROGRAMME	図書	0				FAO
7	The Asian Fisheries Society 1998	図書	0				Asian Fisheries Society
.8	ANNUAL REPORT 1997	図書	0				South Asian Fishereis Development Centre (SEAFDEC)
9	Fishery Statistical Bulletin for the South Chaina Sea Area	図書	0				South Asian Fishereis Development Centre (SEAFDEC)
マレ	イシア						
1	Aquaculture Development in Malaysia in the 1990's	図書	0	-			Jabatan Perikanan Kementrerian Pertanian Malaysia
2	AquaculturePractices In Malaysia	図書	0				Malaysia Fisheries Society
3	SEPINTAS LALU LKIM	図書	0				Fisheries Development Authority of Malaysia (FDAM)
4	ANNUAL FISHERIES STATISTICS 1995	図書	0				Department of Fisheries Malaysia Malaysia
5	マレイシア水産資源・環境研究計画	簡易製本図書	0				JICA/UPM Technical Collaboration

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# カウンターパート日本研修受入実績

# タイ水産物品質管理研究計画

研修員氏名/研修科目	· 研修期間	研修先
① 1994/95年度		
貝毒分析/塩素系農薬分析	(FIQD)	東北大学 <b>農</b> 学部
Ms. Supapun Brillantes	1994. 10. 24 - 12. 28	(明) 日本冷凍食品検査協会
抗生物質検査/食中毒菌検査	(FIQD)	東京都立衛生研究所
Ms. Kanokphan Srimanobhas	1995. 02. 07 - 03. 15	
食品包装技術/品質変化検査	(FTDI)	京都大学農学部
Ms. Varatip Somboonyarithi	1995. 02. 07 - 04. 15	(株) マルハ中央研究所
② 1995/96年度		
缶詰の添加物分析法	(FTDI)	 
Ms. Porathip Kiatkungwalkrai	•	· · · · · · · · · · · · · · · · · · ·
いか 製品検査技術/工場検査	(FIQD)	 
Ms. Suwimon Keerativiriyap.	1995. 10. 17 - 12. 20	
重金属/抗生物質分析	(FIQD)	 
Ms. Supanoi Suntipiriyaporn	1996. 01. 30 - 05. 03	東京都立衛生研究所
③ 1996/97年度		
食品添加物/栄養成分分析	(FTDI)	 
Ms. Pantip Suwansakornkul	1996. 05. 07 - 08. 07	高知大学農学部
すり身の品質検査	(FTDI)	長崎大学水産学部
Ms. Orawan Kongpun	1996. 05. 28 - 08. 20	高知大学農学部
残留農薬分析	(FTDI)	千葉県衛生研究所
Ms. Sunee Vicharnnikornkit	1996. 08. 06 - 11. 02	

研修員氏名/研修科目	研修期間	研修先
④ 1997/98年度		
病原性菌同定検査法	(FTDI)	千葉県衛生研究所
Ms. Supaporn Warotaipan	1997. 05. 27 - 08. 23	東京都立衛生研究所
キチン・キトサンの精製と応用	(FTDI)	北里大学水産学部
Mr. Bordin Ittipong	1997. 07. 29 - 10. 08	ļ
官能検査	(FIQD)	(財) 日本冷凍食品検査協会
Ms. Krissana Soponpong	1998. 03. 31 - 07. 02	(財) 食品環境検査協会
		お茶の水女子大学生活科学部
⑤ 1998/99年度		
ウィルス検査法	(FTDI)	東京都立衛生研究所
Ms. Niracha Wongchinda	1998. 06. 30 - 09. 30	
 	(FTDI)	お茶の水女子大学生活科学部
Ms. Jirawan Yamprayoon	1998. 09. 01 - 11. 14	·
   魚介類毒性検査	(FIQD)	(財) 日本冷凍食品検査協会
Ms. Wararat Samosorn	1998. 09. 29 - 12. 29	鹿児島大学水産学部

## 3 C/Pの日本研修リスト

3 C/Pの日本研修リスト	
氏名	期間 内容
Ms. Pulsti Vongstadsakul	1989.2.28-1989.6.13 資源解析
Mr. Tanin Singhagraiwan	1989.3.12-1989.7.12 アワビ類種苗生産
Mr. Manoch Roongratti	1989. 3. 19-1989. 6. 13 イカ類の分類と初期生活史
Mr. Anucha Songjitsawat	1989.8.21-1989.11.26 魚群行動と漁具の漁獲効率
Ms. Patchara Petpitoon	1989.8.28-1989.12.20 水銀濃度測定
Mr. Vichan Ingstisawang	1989.8.28-1990.1.25 人工魚礁と海洋牧場
Mr. Urupun Boonprakob	1989.10.27-1989.11.12 準高級研修旅行 (視察)
Mr. Joompol Sanguansin	1990.8.12-1990.12.17 海洋観測、マクロベントス
調査	
	1990.8.20-1990.11.10 小規模漁業の管理
	1990. 8. 20-1990. 12. 21 海草增殖、電気泳動法
	1991. 8. 26-1991. 12.5 稚魚の年齢査定、骨格研究
法	The state of the s
	1991.8.26-1991.11.16 人工魚礁
	1991. 8. 26-1992. 1. 21 海洋環境の化学分析
· · · · · · · · · · · · · · · · · · ·	1992. 9. 6-1993. 1. 12 海洋環境の化学分析
Mr. Michmin Charuchiada	
Mr. Sommai Yoosooksawat	• • • • • • • • • • • • • • • • • • • •
Mr. Kamoaphaa AWAIWANONT	
Me. Pravin WUDTHISIN	
MI. Supawat KAN-ATIREKLAP	1993.11.24-1993.2.15 海洋環境
Mr. Gridsada DEEIN	
	1994. 8. 23-1994. 11. 13 海洋環境
Mr. Komaet CHAROENPANICH	1994.11.14-1994.12.7 海洋環境視察研修
Ms. Suthida SOWANAGOSOOM	1995. 9. 27-1995. 12. 27 海洋環境
Mr. Runawon BOONPRAKOB	1995. 9. 21-1995. 12. 27 海洋環境
Mr. Pairoj Karnchanamawin	
	(海難救助:神戸)
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