

### Thailand's Reform of Fishing License Regime

Thailand revolutionizes its fishing license regime as part of the sweeping reform of the country's fisheries management. The latest step marks another milestone in the Thai Government's battle against illegal fishing, with the goal of ensuring the long-term sustainability of living marine resources.

All existing fishing licenses, issued under the old fisheries law, will expire at the end of March 2016. The new fishing licenses are required from 1 April 2016 onwards and valid for two years. Fishing operators can request new fishing licenses during 1-15 March 2016.

The issuance of new fishing licenses shall be consistent with the **maximum sustainable yield (MSY)** stipulated in the Marine Fisheries Management Plan (FMP). This practice, mandated by Section 36 of the Royal Ordinance on Fisheries B.E. 2558 (2015), signifies a science-based approach to fisheries management in line with international standards.

As such, the number of fishing licenses granted will not exceed the level of catch permitted by the MSY. Hence, the new fishing license regime marks a transition from open-access to limited-access fisheries. It will **eliminate overcapacity of the fishing fleet and overfishing**, thereby preventing the degradation of fishery resources.

In this regard, the Government has prepared a **buy-back scheme** for vessels that are not granted new fishing licenses (because the limit set by the MSY has been reached). As these vessels will be decommissioned from the system, the Government will provide **assistance to affected fishermen**, including a financial compensation package and training for new jobs.

To obtain a fishing license, commercial fishing vessels need to have all required documents. Vessels above 30 gross tonnage (GT) are also obligated to have a **vessel monitoring system (VMS) equipment** installed.

Once given a fishing license, each Thai-flagged commercial fishing or carrier vessel is required to keep onboard a **booklet** which contains all key data relating to that vessel, such as the vessel registrar and fishing/carrier license in Thai or foreign waters.

Such data are integrated and recorded in the **e-license system**, which is accessible electronically to the Marine Department and the Department of Fisheries offices in Bangkok and all coastal provinces. The e-license system also permits cross-checking of data, with a view to ensuring consistency between the data on vessel registrars and fishing licenses.

In addition, every vessel with a fishing license will be given a **QR Code**, to be attached to the vessel's control room, along with a **marking**, to be written at the front part of the vessel's hull. The marking indicates the vessel's size, fishing gear and designated fishing area (clear and distinct markings for vessels eligible to fish in the Gulf of Thailand and the Andaman Sea). Failure to display the marking is a violation of Section 81(4) of the Royal Ordinance on Fisheries, which imposes a maximum fine of 4 million baht (100,000 euros). Falsification, concealment or modification of the marking is a violation of Section 165 and could lead to a maximum fine of 30 million baht (760,000 euros).

The e-license system, together with the QR Codes and markings, will bolster the **monitoring and at-sea inspection** of fishing vessels and facilitate the **detection of illegal fishing activities**.

Fishing without a valid fishing license is considered a **"serious infringement"** under the Royal Ordinance on Fisheries. **Sanctions** will be strictly applied, including a fine of:

- 200,000 – 600,000 baht (5,000 – 15,000 euros) for vessels of 20-60 GT
- 600,000 – 6,000,000 baht (15,000 – 150,000 euros) for vessels of 60-150 GT
- 6,000,000 – 30,000,000 baht (150,000 – 760,000 euros) for vessels of 150 GT and above
- 5 times the total value of the catch (if this value exceeds the relevant fine)

Every Thai-flagged fishing vessel wishing to operate in foreign waters need to obtain an **overseas fishing license** from the Department of Fisheries. To be eligible for the license, the vessels need to adhere to strict rules and fulfil all requirements designed to strengthen the monitoring of commercial fishing vessels operating in foreign waters. Key requirements for obtaining an overseas fishing license include:

- Vessels are allowed to fish only in the water under the jurisdiction of a **coastal state with which Thailand has signed an MoU** on fisheries cooperation. The cooperation between Thailand, as the flag state, and the coastal states where Thai-flagged vessels operate, will ensure effective monitoring of Thailand's overseas fishing fleet.
- If the vessels wish to operate in the high seas, they can only do so in the areas under the control of a **regional fisheries management organization (RFMO) or international organization of which Thailand is a member**.
- Vessels are required to have an **"IMO number"**, a ship identification number assigned by the International Maritime Organization (IMO) under the International Convention for the Safety of Life at Sea (SOLAS Convention). The use of the IMO number improves the transparency and monitoring of the Thai fleet fishing internationally.
- Vessels need to have valid **sanitation certificates**, and have in place arrangements to secure the **health, safety and welfare of the crew**.
- Vessels must be equipped with VMS and must not use prohibited fishing gears.

The Ministry of Labour will also conduct a survey of licensed fishing vessels and their respective fishing gears, in order to ensure consistency between the number of **sea fishery migrant workers needed** in the fishing industry and the size of the fishing fleet.

The above measures amount to a fundamental reform of Thailand's fishing license regime. The improved fisheries oversight is designed to deter and eliminate IUU fishing and slavery at sea in Thailand's overseas fishing fleet. This is a major step in the Thai Government's effort to find lasting solutions to deep-rooted problems in the fisheries sector.

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Department of European Affairs  
Ministry of Foreign Affairs of Thailand  
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