

## Highlights of Progress: Thailand's commitment to combating IUU fishing

The Thai Government attaches high priority to eliminating IUU fishing and spares no effort to address the concerns by **reforming and modernizing its fisheries sector in compliance with international rules**. The Command Center for Combating Illegal Fishing (CCCIF) was set up in May 2015 to coordinate the efforts of all state agencies to carry out the reforms with a **clear objective to achieve sustainability in the Thai fisheries sector**. Tangible progress has been achieved over the past 2 years, highlights as follows:

### 1. Legal Framework and Enforcement

- The Thai Government overhauled its legal and policy frameworks governing Thai fisheries within the first 8 months of its reform. The passage of the **Royal Ordinance on Fisheries 2015** in November 2015 and the adoption of the **Fisheries Management Plan (FMP) 2015-2019** in December 2015, are two important landmarks in our reform.

- The new Royal Ordinance provides the legislative framework for Thailand to combat IUU fishing, including **strong penalties against infringements**. Since May 2015, 76 cases of wrongdoings have been brought against Thai vessels operating overseas, 773 cases against Thai vessels operating in Thai waters, 115 cases against foreign and stateless vessels, and 51 cases against seafood processing establishments.

- To expedite the above legal proceedings, a special taskforce, consisting of an inter-agency team, has been set up for better coordination and information-sharing in order to closely monitor the progress of these cases with the aim of having a **court ruling within 6 months after indictment, or within 1 year for cases of greater complexity**.

- The newly adopted FMP outlines key principles and policy priorities to tackle overcapacity of the Thai fishing fleet and overfishing as well as prevent the degradation of marine resources. An important development under the new FMP is the **introduction of the new "electronic fishing license scheme (E-license)"<sup>1</sup> and the "fishing-day scheme"<sup>2</sup> in April 2016, which mark a transition from open-access to limited-access fisheries**.

### 2. Fleet Management

- The Thai Government conducted a nation-wide survey of all existing Thai-flagged fishing vessels to confirm the actual number, vessel-type and fishing gear, as well as the validity of their vessel registration and fishing license. As a result, Thailand now has a **clear picture of its fleet structure with an up-to-date vessel database called "Fishing Info"<sup>3</sup>**, which provides real-time information. This integrated vessel database provides a strong basis for effective implementation of Thailand's fleet management and reduction strategy.

- As of 30 November 2016, the **Thai commercial fishing fleet<sup>4</sup> consists of 10,974 vessels with a valid fishing license to operate in Thai waters and 20 vessels with a valid fishing license to operate in foreign waters or the high seas**. Illegal fishing vessels (i.e.

<sup>1</sup> The number of fishing licenses granted will not exceed the level of the permitted Total Allowable Catch (TAC), calculated based on the Maximum Sustainable Yield (MSY).

<sup>2</sup> Vessels are allowed to fish within a limited number of fishing days per year (220-250 fishing days per year, depending on their gear-type).

<sup>3</sup> "Fishing Info" is an electronic database which integrates the vessel registration database and the fishing license database.

<sup>4</sup> The Royal Ordinance of Fisheries 2015 defines commercial fishing vessels as vessels that are greater than 10GT and artisanal fishing vessels are those less than 10GT.

those without a valid fishing license or a vessel registration) have been withdrawn from the Thai fishing fleet. In order to prevent illegal fishing vessels from engaging in fishing activities, the Government has issued an Order<sup>5</sup> requiring all owners of these illegal vessels to report their vessel location. These **illegal vessels have since been impounded, locked and painted with visible markings**, and their location monitored by the Vessel Monitoring System (VMS). Subsequently, owners who did not report their vessel location have been charged and are currently being investigated.

- Currently, the estimated catch from Thai licensed commercial fishing vessels and artisanal vessels **do not exceed the MSY and TAC level calculated in 2016**. Nonetheless, **fleet-reduction measures** have been adopted by the Thai Government to gradually reduce the number of the Thai fishing fleet to ensure that Thailand continues to operate at a sustainable level by using schemes such as “modify/change of vessel-type” (modify/change from fishing to non-fishing vessels) and the “Entry-Exit scheme” (based on a point system) which will be launched in early 2017.

### **3. Monitoring, Control and Surveillance (MCS)**

- Since 2015, MCS measures have been implemented to ensure that fishing activities comply with the new fisheries laws and regulations to prevent and combat IUU fishing. This includes **MCS measures at port, at sea and at seafood processing establishments** throughout the whole supply chain.
- Significant progress to improve MCS has been achieved, such as:
  - Improving **VMS technology** and training VMS officials to ensure proper monitoring and control of fishing operations. Automatic alert systems have been set up and are being further developed by improving the VMS software and hardware to better detect suspicious illegal fishing activities;
  - Upgrading the VMS center to the **Fisheries Monitoring Center (FMC)** which will be fully operational in 2017. The upgraded FMC is operated using a risk-based approach. Violations and suspicious activities are observed, recorded and used to determine the level of risk which, in turn, determines the intensity of MCS activities conducted by related inspectors at port and at sea;
  - Setting up and improving the efficiency of the **32 Port-In and Port-Out (PIPO) Control Centers** and **19 Forward Inspection Points (FIPs)** across Thailand’s 22 coastal provinces. All commercial fishing vessels greater than 30GT and all overseas fishing vessels must be equipped with VMS and are required to report to a PIPO Control Center upon porting-in (to check document, vessel, catch and crew) and porting-out (to check document, vessel and crew);
  - Improving the efficiency and increasing the frequency of **inspections at port (vessel, catch and crew), at sea (fishing activities and crew) and at factories (catch, raw material and labour)**, including hiring and training more inspectors, as well as increasing the number of patrol fleet;
  - Improving the **management of all piers** used for fisheries purposes, including registering private piers used as a catch landing site;
  - Training and deploying **observers-on-board** on Thai overseas fishing vessels. Thus far, 50 observers have been trained and some have been deployed on fishing vessels and carriers operating in the high seas of the Indian Ocean since July 2016;
  - Imposing **stricter rules for issuance of overseas fishing license**. Vessels are only allowed to fish in waters under the jurisdiction of coastal states that signed an MOU with

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<sup>5</sup> NCPO Order No.53/2559 dated 9 September 2016.

Thailand on fisheries cooperation or in areas that are under the control of a regional fisheries management organization (RFMO) or an international organization of which Thailand is a member. For areas not under the control of RFMO, the vessel owner must obtain a permission to fish from the Department of Fisheries;

○ Strengthening **transshipment control** measures. At-sea transshipment of aquatic animals is prohibited outside Thai waters with exceptions such as at-sea transshipment with observers-on-board. At-sea transshipment of seamen is prohibited outside and inside Thai waters, except when the safety of the seamen on board is at stake;

○ Applying **Port State Measures (PSM) for foreign-flagged vessels** (both fishing and carrier) wishing to land their catch at Thai ports in accordance with the guidelines from FAO and IOTC. After acceding to FAO's Port State Measures Agreement (PSMA), Thailand has designated 27 ports in 10 provinces for foreign vessels and applied strict import control measures, especially on foreign vessels whose catch, mainly tuna, are to be processed in Thailand.

#### **4. Traceability and Catch Certificate Scheme**

• To ensure a clean supply chain, Thailand has developed a **national traceability system** for both marine catch from Thai-flagged vessels and imported fish and fishery products to ensure that their origin and movements (from vessels, landing and transport, entry into factories, processing and export) are accurately tracked, monitored and inspected. With the improved traceability system, Thailand aims to ensure that **no IUU products caught or laundered after import, are processed in/or exported from Thailand to the EU.**

• Furthermore, **two new electronic databases** (for marine catch from Thai-flagged vessels and for imported fish and fishery products) have been developed and expected to be fully operational in April 2017. Once launched, this significant development will make a difference in helping Thai authorities to strengthen the level of accuracy and in cross-checking information to effectively trace and verify the origin of all marine catch before issuing the Catch Certificate and Processing Statement.

#### **5. Regional Cooperation**

• Thailand has established cooperation with 3<sup>rd</sup> countries and RFMOs on combating IUU fishing. As a flag state, Thailand is committed to **enhancing cooperation with other coastal states** to combat IUU fishing. Moreover, as a processing hub of fisheries products, Thailand has **strengthened cooperation with 3<sup>rd</sup> countries, including other flag states, to ensure the traceability of imported fish and raw materials** throughout the whole fisheries supply chain.

• Thailand is looking beyond our own border to take a leading role in the regional stage in promoting responsible fisheries. On 3 August 2016, Thailand hosted a High-level Consultation on Regional Cooperation in Sustainable Fisheries Development, where a Joint Declaration was adopted to combat IUU fishing and enhance sustainable fisheries in the region.

• Currently, ASEAN is exploring the possibility of developing a **Common ASEAN Fisheries Policy** to strengthen ASEAN's collective efforts in achieving sustainable and responsible fisheries. A first step in this direction took place when the Common ASEAN Fisheries Policy, introduced by Thailand, was discussed at the ASEAN Ministerial Meeting on Agriculture and Forestry (AMAF) in Singapore on 6 October 2016. In 2017, Thailand plans to host technical conferences to further develop the proposed idea.

## 6. Labour in the Fisheries Sector

• The Thai Government recognizes the important role of migrant workers in supporting the Thai fisheries sector. Over 180,000 undocumented migrant workers in the fisheries sector have been registered from November 2015 to August 2016. All documented workers are given extended work permits, welfare benefits, protection and greater job mobility. Additional measures have been implemented to combat forced labour and other forms of labour exploitation in the fisheries sector, these including the following:

- **Prohibiting the recruitment of workers** under 18 years of age on fishing boats and in seafood processing plants;

- **Allowing migrant workers to change employers.** As of 7 December 2016, the Ministry of Labour has processed 7,233 requests to change employers in fisheries and 19,705 in seafood processing establishments;

- **Eliminating illegal labour brokers** especially in the fishing and seafood industries through the enactment of the Royal Ordinance concerning Rules on Bringing Migrant Workers to Work with Employers in Thailand in August 2016;

- **Issuance of a “Seaman book” for migrant workers.** As of 30 November 2016, 46,002 migrant workers (from 4,687 fishing vessels) have applied for a Seaman book. These workers will be interviewed, fingerprinted and photographed and their biographical information kept on file to help protect them from falling victims to exploitation and abuse by vessel owners;

- **Prohibiting transshipment of crew at sea** and enforcing all commercial fishing vessels of 30 GT and above to return to a designated port every 30 days after porting out;

- **Improving the efficiency and increasing the frequency of inspections** of fishing vessels and seafood processing establishments. During the past year, hundreds of seafood processing establishments and thousands of fishing vessels have been inspected. To date, over 200,000 migrant workers have been inspected at port, at sea and at seafood processing establishments;

- **Increasing the number of labour inspectors and interpreters** to match the number of migrant workers working in fishing vessels and seafood processing establishments;

- **Combating human trafficking in the fisheries sector.** From May 2015 to 15 December 2016, Thailand has taken legal actions on a total of 77 **human trafficking cases in the fisheries sector**. 11 of these cases are at the inquiry official stage, 20 cases are with the public prosecutor, 37 cases are at court and 9 cases have been concluded.

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