

## **DRAFT**

# **Thailand National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (Thailand NPOA-IUU) 2015 – 2019**



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## ABBREVIATIONS

<b>APEC</b>	ASIA-PACIFIC Economic Cooperation
<b>APFIC</b>	Asia-Pacific Fishery Commission
<b>ASEAN</b>	Association of South East Asian Nations
<b>ASWGFi</b>	ASEAN Working Group on Fisheries
<b>BIMSTEC</b>	Bay of Bengal Initiative Multi-Sectoral Technical and Economic Cooperation
<b>CCAMLR</b>	Commission for the Conservation Antarctic Marine Living Resource
<b>CCCC</b>	Catch Certification Coordination Center
<b>CCRF</b>	Code of Conduct for Responsible Fisheries
<b>COFI</b>	Committee on Fisheries
<b>EEZ</b>	Exclusive Economic Zone
<b>FAO</b>	Food and Agriculture Organization of the United Nations
<b>GDP</b>	Gross Domestic Product
<b>ICCAT</b>	International Commission for the Conservation Antarctic Tunas
<b>IMD</b>	Import Movement Document
<b>InfoFISH</b>	The Intergovernmental Organization for Marketing Information and Technical Advisory Services for Fishery Products in the Asian and Pacific Region.
<b>IORA</b>	The Indian Ocean Rim Association
<b>IOTC</b>	Indian Ocean Tuna Commission
<b>IPOA</b>	International Plan of Action
<b>IUU</b>	Illegal, Unreported and Unregulated
<b>MCPD</b>	Marine Catch Purchasing Document
<b>MCS</b>	Monitoring, Control and Surveillance
<b>MCTD</b>	Marine Catch Transshipping Document
<b>MoU</b>	Memorandum of Understanding
<b>MRC</b>	Mekong River Mission
<b>MSC</b>	Marine Stewardship Council
<b>NACA</b>	Network of Aquaculture Centres in Asia-Pacific
<b>NPOA</b>	National Plan of Action
<b>OFWG</b>	Ocean and Fisheries Working Group
<b>PIPO</b>	Port In Port Out Control Center
<b>PNA</b>	Parties to the Nauru Agreement
<b>PSM</b>	Port State Measure
<b>RFMO</b>	Regional Fisheries Management Organization
<b>RFVR</b>	Regional Fisheries Vessel Record
<b>RPOA</b>	Regional Plan of Action
<b>SEAFDEC</b>	Southeast Asian Fisheries Development Center
<b>UN</b>	United Nations
<b>VMS</b>	Vessel Monitoring System
<b>WCPFC</b>	Western and Central Pacific Fisheries Commission

## **EXECUTIVE SUMMARY**

Marine fisheries are important both socially and economically for Thailand. Fish are very important to the food security and self-sufficiency of Thailand. Based on a recent survey (July 2015), a total number of 45,805 Thai fishing vessels caught approximately 1.34 million tonnes in 2014. This catch supports the livelihoods, incomes and employment for about 172,430 fishermen (82% migrants) and about 515,000 people employed in supporting industries, mostly women (e.g. fish processing industry, ship building industry, canned and frozen fisheries product factories, fish meal factories). For rural Thailand, fish constitutes a generally affordable source of protein, contributing significantly to dietary health and food security, particularly the more than 2,500 villages of artisanal fishing communities along the coasts. Thailand is also a major seafood producer and exporter. In 2014, exports totaled 1.7 million tonnes, valued at USD6,749 million and imports totaled 1.6 million tonnes valued at USD2,740 million. (DOF, Thailand 2015).

The sustainable management of the fisheries resources of Thailand is, however, threatened by illegal, unreported and unregulated (IUU) fishing which is now universally recognized as one of the most severe problems affecting world fisheries and the main obstacle in achieving sustainable fisheries globally. Globally, it is estimated that IUU fishing accounts for almost one third of the total catch in some important fisheries.

The international community has recognized the need for global, regional and national actions to combat IUU fishing since the late 1990s, resulting in the development of International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) on 2000.

At the Southeast regional level, the Regional Plan of Action RPOA to Promote Responsible Fishing Practices including Combating illegal, unreported, and unregulated (IUU) Fishing in the Region (RPOA-IUU) was approved by Fisheries Ministers, including Thailand on 5 May 2007 to provide a regional mechanism for the implementation of the IPOA-IUU.

This national Plan of Action is a recognition by Thailand that IUU fishing is a serious international and national threat to marine fisheries resources and that concerted global, regional and national actions are required to be taken urgently to address the challenge.

## **1. INTRODUCTION**

### **1.1 Back ground**

The long term sustainability of the marine fisheries resources of Thailand and its fisheries exports are threatened by IUU fishing. At the global level the major impacts of IUU fishing include loss of marine biodiversity and habitats, reduction in food security and economic loss to coastal States. Globally, economic loss from IUU fishing globally have been estimated to be between \$10 billion and \$23.5 billion annually. A recent estimate of the cost to Thailand of IUU fishing is USD230 million annually. Furthermore, as marine resources are an important source of protein for world population, IUU fishing is a severe threat to food security of the world. IUU fishing has also been associated with organized transnational maritime crime such as people smuggling, marine wild-life tracking, drug trafficking and weapons trafficking in some parts of the world.

Thailand recognizes that IUU fishing is a critical problem at the global the level, regional and national levels, particularly for developing countries whose coastal communities are dependent on fishing for their sustainable livelihoods. Accordingly, Thailand's *National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* (NPOA-IUU), represents Thailand's official policy response and commitment to concerted global efforts to prevent, deter, and eliminate illegal, unreported, and unregulated (IUU) fishing. The NPOA-IUU has been developed in accordance with the principles and provisions of the FAO International Plan of Action to Prevent, Deter and Eliminate IUU fishing (IPOA-IUU). Thailand's NPOA-IUU also gives effect to the Regional Plan of Action (RPOA) to Promote Responsible Fishing Practices including Combating IUU Fishing in the South-East Asia Region. The Plan elaborates and recommends solutions to Thailand's IUU fishing concerns.

### **1.2 International actions to combat IUU fishing**

Global concerns about continuing IUU fishing and its devastating impacts on the sustainability of fisheries resources have resulted in concerted international action through the FAO *International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing* (IPOA-IUU) which was adopted by consensus at the Twenty-fourth Session of COFI on 2 March 2001 and endorsed by the Hundred and Twentieth Session of the FAO Council on 23 June 2001.

The objective of the IPOA-IUU is to combat illegal, unreported and unregulated (IUU) fishing by providing all States with comprehensive, effective and transparent measures by which to act, including through appropriate regional fishery management organizations (RFMOs) or arrangements established in accordance with international law. The IPOA-IUU called on States to develop and implement NPOAs-IUU by June 2004, to further achieve the objectives of the IPOA-IUU and to give full effect to its provisions as an integral part of their fisheries management programmes and budget. The IPOA-IUU serves as a comprehensive "toolbox" of measures to address IUU fishing in a range of situations and contexts. The IPOA-IUU

contains general measures targeted at all States, as well as measures targeted specifically at flag States, coastal States and port States. It also contains market-related measures, ways to support the special requirements of developing countries in their achievement of the objectives of the IPOA–IUU and measures to be taken by States through RFMOs. Some of the IPOA–IUU provisions reflect obligations that many States have accepted as binding, either through internationally agreed instruments, RFMOs or through national legislation.

The IPOA-IUU is a “voluntary and non-legally binding instrument”. However, it draws on core principles from other international legally binding instruments and consensus fisheries instruments for promoting responsible fishing practices (Box 1 below).

### **Box 1 Relevant International Instruments for Combating IUU Fishing**

- United Nations Convention on the Law of the Sea 1982 (UNCLOS).
- Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (1994).
- Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December (1982) Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1995) (UN Fish Stocks Agreement).
- Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (2009) (FAO Port State Measures Agreement);
- The Code of Conduct for Responsible Fisheries (1995).
- FAO International Plans of Actions for the Conservation and Management of Sharks (1999); the Management of Fishing Capacity (1999); Reducing the Incidental Catch of Seabirds in Longline Fisheries (1999).

### **1.3 Regional concerns about IUU fishing**

Southeast Asian regional concerns about IUU fishing resulted in the development of the Regional Plan of Action (RPOA) to Promote Responsible Fishing Practices including Combating illegal, unreported, and unregulated (IUU) Fishing in the Region by the Ministers of Republic of Indonesia, Australia, Brunei Darussalam, Cambodia, Malaysia, Papua New Guinea, The Philippines, Singapore, Thailand, Timor-Leste and Vietnam on 5 May 2007 at Bali. The RPOA was designed to enable effective regional implementation of the IPOA-IUU.

The objective of the RPOA is to enhance and strengthen the overall level of fisheries management in the region, in order to sustain fisheries resources and the marine environment, and to optimize the benefit of adopting responsible fishing practices. The actions adopted under the RPOA cover conservation of fisheries resources and their environment, managing fishing capacity, and combating IUU fishing in the areas of the South

China Sea, Sulu-Sulawesi Seas (Celebes Sea) and the Arafura-Timor Seas. The key measures adopted in the Brunei NPOA-IUU are the:

- adoption of measures consistent with international instruments;
- continuous participation in the work of regional organization;
- improvement of the national fisheries data collection system;
- continuous monitoring and assessment of fisheries resources and fishing capacity;
- adoption of catch and landing documentation schemes; and
- strengthening of the national inter-agency linkages for monitoring, control, and surveillance purposes.

#### **1.4 Concept and definitions of IUU fishing**

IUU fishing as defined in Paragraph 3 of the IPOA-IUU consists of three-interrelated activities. This definition, which is followed by Thailand, is presented in Box 2 below:

1. Illegal Fishing refers to activities:

- (i) Conducted by Thai or foreign vessels in waters under the jurisdiction of a state, without the permission of that state, or in contravention of its laws and regulations or;
- (ii) Conducted by vessels flying the flag of states that are parties to a relevant Regional Fisheries Management Organizations (RFMOs) but operate in contravention of the conservation and management measures adopted by that organization and by which the states are bound, or relevant provisions of the applicable international law; or
- (iii) In violation of national laws or international obligations, including those undertaken by cooperating states to a relevant regional fisheries management organization (RFMO).

2. Unreported Fishing refers to fishing activities:

- (i) Which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws or regulations;
- (ii) Undertaken in the area of competence of a relevant regional fisheries management which have not been reported or have been misreported, in contravention of the reporting procedures of that organization.

3. Unregulated Fishing refers to fishing activities:

- (i) In the area of application of a relevant regional fisheries management organization that are conducted by vessels without nationality, or by those flying the flag of a state not party to that organization, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organization; or
- (ii) In areas of for fish stocks in relation to which there are no application conservation in a manner inconsistent with state responsibility for the conservation of living marine resources under international law.



## 1.5 Thailand's fisheries profile

Fisheries are important both socially and economically for the food security and self-sufficiency of Thailand. Thai marine fishery can be divided into two categories consisting of the artisanal and the commercial fishery. Based on a recent survey (July 2015) of Thai fishing vessels, the total number of active Thai fishing vessels was 45,805 vessels; 34,762 are artisanal vessels and 11,043 are commercial vessels. The total capture marine fisheries production was estimated approximately 1.34 million tonnes in 2014 (about 10.4% from the artisanal fishery; 82.1% were from commercial fishery and 7.5% from outside Thai waters. Export fishery products are from commercial fishery, but the products from artisanal were for the local market. For rural Thailand, fish constitutes a generally affordable source of protein, contributing significantly to dietary health and food security, particularly in coastal areas. Thailand is also a major seafood producer and exporter. In 2014, exports totaled 1.7 million tonnes, valued at USD6,749 million and imports totaled 1.6 million tonnes valued at USD2,740 million.

### Marine fisheries categorized in Thailand

#### Capture fisheries

1) Artisanal fisheries means fishing operation take place near a shoreline by using small boat with out engine and with engine such as inboard and outboard engine (long tail boat). Mostly fishing use a household labor with small number of traditional fishing gears. Fishes caught partly will be sold in local markets while remains for household consumption as a subsistence.

2) Commercial fisheries mean fisheries using boat with engines and auxiliary fishing gear for increase fishing efficiency. The labors are employment. Fishing ground mostly operates off shore areas including outside Thai waters. There are moving in different areas base on seasonal and target species. Fish caught use for domestic consumption and as a raw material for processing for export.

#### Transshipment

- 1) Transshipment in Thai waters, there are no transshipment vessel as a mother boat for fishing in Thai waters. However there are fish's transfers from one fishing vessel to the other fishing vessel for landing especially trawl fisheries.
- 2) Transshipment vessels outside Thai waters are transshipment vessels with a vessel capacity of over 60 gross tonnages and operating outside Thai waters. A freezing system is used to store and preserve the fish transshipped.

Vessels importing fish into Thailand consist of four types:

- 1) Thai vessels fishing in the EEZ of another State under an agreement or authorization of that State and bring fish back to Thailand;
- 2) Thai vessels fishing in the EEZ of another State and flying that State's flag;
- 3) Foreign fishing vessels that bring fish for sale in Thailand; and

- 4) Artisanal fishing vessels of neighboring States that land fish in Thailand for sale.

### **1.6 IUU Fishing in Thailand**

Thailand's fisheries in the past have been essentially open access fisheries. Although there are some rules and regulations (see below) to limit capacity and fishing effort these have not been complied with or enforced. IUU fishing is a major problem in both Thai waters and outside of Thai waters. These IUU fishing challenges which have been collected from previous incidents, are addressed by this National Plan of Action, are summarized in Box 3 below:

- Unauthorized fishing by Thai vessels in Thai waters
- Encroachment into prohibited areas and seasons;
- Unauthorized and unlicensed use of fishing gear in Thai waters
- Unauthorized fishing and transshipment of fish outside of Thai waters
- Fishing by Thai vessels without a valid licence, authorisation or permit issued by Thailand or coastal States
- Fishing by Thai vessels without Vessel Monitoring System (VMS) equipment on-board in the high seas and in coastal States where VMS is a requirement for all foreign flagged vessels
- Falsification by Thai vessel operators of information regarding fishing areas to obtain validation of catch certificates from the Thai authorities and importation of the products into the EU;
- Falsification or concealed their markings, identity or registration by Thai fishing vessels
- Obstruction of the work of coastal State officials in the exercise of their duties in inspecting for compliance with the applicable conservation and management measures
- Failure by Thai vessel operators to fulfil their obligations to record and report entry, exit and catch data to the coastal states authorities.
- Inaccurate use by operators of national documentation schemes developed by the authorities for the purpose of traceability; thus exposing the system to potential abuse by allowing operators to over declare
- Sub-standard sanitary and labour conditions on Thai fishing vessels

Many of these issues lead to IUU fishing problems arise from a combination of factors, including:

- Ineffective monitoring, control and surveillance (MCS) measures
- Weak law enforcement
- Weak collaboration among relevant agencies
- Unclear rules governing registration of vessels and licencing
- Lack of control of imported tuna by the Customs authorities.

- The absence of VMS coverage in the majority of the fleet; demonstrating the inability to monitor fishing operations at sea to effectively enforce rules applicable to the different sea areas concerned.

All these IUU fishing issues have been compounded by the excess fishing capacity and fishing effort of the Thai fishing fleet. The Fisheries Management Plan of Thailand (20015-20019) provides a comprehensive response to address the overfishing and excess fishing capacity issues in Thailand.

## **1.7 Fisheries management arrangements**

### **Main agencies responsible for management, compliance and enforcement.**

According to the structure of the Royal Thai's administration, Thailand has designated the power of Thailand's fishery control and management into two as follows:

Management of fishing vessels and shipmasters: Management of fishing vessels and shipmaster in Thailand is under the Thai Vessel Act B.E. 2481 (1938) and the Act on Navigation in Thai Waters B.E. 2456 (1913), which are enforced by the ministerial regulations/announcements of the Ministry of Transport. The management is conducted by central and provincial agencies under Marine Department, who are responsible for fishing vessel registrations.

Management of fisheries, fishing gears and fishing areas: Thailand has utilized the Fisheries Act B.E. 2490 (1947) as a tool to manage fishery resources since 1947. A new Fisheries Act was promulgated in B.E. 2558 (2015) and an amendment is currently being drafted. The management was enforced by employing the virtue of various Sections, Announcements of the Ministry of Agriculture and Cooperatives, Provincial Announcements, and relevant law. The management is conducted by central and provincial agencies under the Ministry of Agriculture and Cooperatives, Department of Fisheries (DOF), in collaboration with other government agencies, such as the Ministry of Natural resources and Environment, Department of Marine and Coastal Resources (DMCR).

Compliance and enforcement is carried out through joint efforts of the Royal Thai Navy, the Marine Police Division, the Customs Department, DOF, the Marine Department, and DMCR.

### **Coordination among relevant agencies within country**

- The Thailand Maritime Enforcement Coordinating Center (THAI-MECC) headed by the Royal Thai navy is a control center, with several Provincial Offices, which coordinates the Marine Police Division, the Customs Department, DOF, the Marine Department and DMCR to safeguard coastal and marine resources.
- The Department of Fisheries (competent authority in granting fishing licenses) and the Marine Department (competent authority in registering fishing vessels and granting vessel permits) have had an agreement to cooperate to ensure the accuracy of fishing

vessels registration since 2011. Department of Fisheries has conducted researches and cooperated with the Marine Department in terms of Thai fishing vessel registration, sharing, and linking information of fishing vessels since 2010.

### **Coordination with international agencies/organizations**

Thailand as a Member or Cooperating Non-Member has coordinated and cooperated in exchanging relevant information with a number of global and regional organizations.

- Thailand is a Member of the Food and Agriculture Organization of the United Nations (FAO), Indian Ocean Tuna Commission (IOTC), Southeast Asia Fisheries Development center (SEAFDEC), Association of Southeast Asian nations (ASEAN) and the Regional Plan of Action against IUU fishing RPOA-IUU.
- Thailand is a Cooperating Non-Member Country of the Western and Central Pacific Fisheries Commission (WCPFC).

The Department of Fisheries sends representatives to attend the annual meetings of international organizations and agreements, including IOTC, WCPFC, SEAFDEC, ASEAN and RPOA-IUU in order to jointly consider on fisheries management and specify the measures for preventing IUU fishing.

### **1.8 National laws, policies and plans**

#### ***National Fisheries Act B.E. 2558 (2015)***

The Fisheries Act B.E. 2490 was repealed and the Fisheries Act B.E. 2558 (2015) was enacted as a result of a change in fishing situation and international standards, rules and regulations. The Fishing management in the Thai waters shall be in accordance with the new Fisheries Act and Notifications of the Ministry of Agriculture and Cooperatives. Fishermen or any person who conducts any activity relating to fishing shall register or register and submit a permission application to the Competent Officials before conducting such fishing activity.

It also prescribes the formation of a National Fisheries Policy Committee to supervise and prescribe the policy on fishery development in Thai waters in accordance with the amounts of aquatic animals and fishing capacity by taking into account the basis of sustainable fishing.

Fisheries Act also requires a series of The Provincial Fishery Committees for that develop guidelines for the promotion of fisheries management, conservation, restoration and utilization fishery resources and to determine Fishery Zones in their Provinces.

#### ***National Economic and Social Development Plan***

The current National Economic and Social Development Plans (NESDP) (2012-2016) provide an excellent foundation for the development of this Fisheries Management Plan (FMP) and fisheries policies. NESDP (2012-2016) recognises that natural resources have been depleted and the environment is degraded. It also recognises that past attempts at management of natural resources and the environment have not been effective. One of the main objectives of

the plan is to “Preserve natural resources and environment to be sufficient for maintaining the ecology and a secure foundation for development”. Strategies to realize this objective include engaging in regional and international cooperation frameworks, especially the ASEAN economic community, and conserving, restoring and creating security of the natural resource and environment base. It specifically highlights the need for reforms in the management of marine and coastal resources.

### **1.9 The framework and scope of the NPOA-IUU**

Thailand’s NPOA-IUU structure is based on the FAO IPOA-IUU. The NPOA-IUU fishing of Thailand provides the guidelines on 5 areas: (i) all State responsibilities, (ii) Thailand’s Coastal State Responsibilities, (iii) Thailand’s Responsibilities as a Flag State, (iv) Thailand Measures as a Port State and (v) Internationally-agreed Market Related Measures.

The NPOA-IUU covers all marine fishing activities in Thai waters and outside Thai waters (EEZ of other Coastal State and in the high seas) by complying with acceptable fishing laws, policies, and regulations as agreed by internal law and agreed international legal instrument and/or binding conventions.

Thailand has also prepared a detailed NPOA-IUU Implementation Work Plan that specifies (i) key performance indicators (KPIs), (ii) the procedure for implementation, (iii) the obligations/Laws/relevant policies, (iv) responsible organizations, and (iv) timelines for each management action and measure.

## **2. OBJECTIVES**

1. Thailand develop and implement National Plan of Action to Prevent, Deter and Eliminate illegal, Unreported and Unregulated Fishing (NPOA-IUU) to assist it in combatting IUU.
2. To specify actions and measures to assist in addressing the challenge of degradation of the fish resources caused by overcapacity and overfishing.

Fishing capacity and fishing effort reduction measures, including controls on fishing licenses need to be back up with compliance with the laws, policies, and regulations as agreed by internal Thai law and international legal instrument and/or binding conventions to prevent, deter and eliminate illegal, unreported and unregulated fishing both inside and outside Thai waters (EEZ of other coastal State and in the high seas).

### 3. ALL STATE RESPONSIBILITIES

As a State, Thailand's policies for the use of marine resources strive to balance the health of the marine living marine resources, the health of the marine environment and the economic, social well-being of major stakeholders and consumers. It also supports and cooperates in implementing obligations and international agreement, including the fisheries regulations and rules of Regional Fisheries Management Organizations to achieve sustainability of the living marine resources and their environment consistent with the conditions or agreed arrangements as follows:

#### 3.1 International Instruments

IPOA – IUU provides that

States should give effects to relevant norms of international law, in particular as reflected in the 1982 UN Convention , in order to prevent , deter and eliminate IUU fishing

States are encouraged, as a matter of priority, to ratify, accept or accede to, as appropriate, the 1982 UN Convention, the 1995 UN Fish Stocks Agreement and the 1993 FAO Compliance Agreement

States should implement fully and effectively all relevant international fisheries instruments which they have ratified, accepted or acceded

States should fully and effectively implement the Code of Conduct and its associated International Plan of Action

States should fully implement their obligations under Part VII of the 1982 UN Convention to take measures with respect to their nationals as mat be necessary for the conservation of the living resources of the high seas

Thailand has ratified the 1982 UN Convention on the Law of the Sea (UNCLOS), the Convention on Biological Diversity (CBD), the Ramsar Convention on Wetlands of International Importance (Ramsar), the UN Framework Convention on Climate Change (FCCC) and the Kyoto Protocol. Thailand is a party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and attend CITES meetings.

Thailand is has also set up a Working Group to consider becoming a party to the Agreement for the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks 1995 (UNFSA) and the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSM).

Thailand's practices are consistent with the framework for the international Agreement, in particular the provisions of the UN Convention on the Law of the Sea to prevent, deter and eliminate IUU Fishing. Thailand has revised its Fisheries Act B.E. 2490 in accordance to the provisions of the Convention on the Law of the Sea for preventing, deterring and eliminating IUU fishing, and (ii) Thailand adopted the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA –IUU) in March, 2005.

Thailand as a member State of the Indian Ocean Tuna Commission accepts the resolutions from the IOTC meeting , including resolution 10/11 on Port State Measures to Prevent, Deter and Eliminate Illegal, unreported and Unregulated Fishing by designating port for the foreign fishing vessels and authorized the competent authority for inspection the foreign fishing vessel under the Fisheries Act.

Thailand signed the Regional Plan of Action to Promote Responsible Fishing Practices including Combating Illegal, Unreported and Unregulated Fishing in South East Asia (RPOA-IUU). Thailand also signed MOU with SEAFDEC on ASEAN's Regional Plan of Actions of Sea Turtle Management Foraging Habitats in South East Asia waters and 2 as a member of SEAFDEC joined is involved with the Regional Management of Fishing Capacity, where each member countries should undertake National Plan of Action for Management of Fishing Capacity.

As a member country of FAO, Thailand adopted the FAO Code of Conduct of Responsible Fisheries 1995 on 31th October B.E. 2538 and translated it into Thai language and distributed to fishermen and people concerned for understanding and cooperation including amend legislation by issuing the Ministry Notifications to monitor and control the fishing gears and methods for the responsible fisheries.

Other international cooperation includes:

- Thailand cooperates as a member country of Southeast Asian Fishery Development Center (SEAFDEC) to support the implementation of the ASEAN-SEAFDEC Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region Towards 2020 (Res/POA).
- Thailand as cooperating non- member of RFMOs reports and transmits the information on species, quantities and source of tuna to these RFMOs, and attends the meeting as an observer of the Western and Central Pacific Fisheries Commission (WCPFC) , the Commission for the Conservation Antarctic Marine Living Resource (CCAMLR) and the International Commission for the conservation Antarctic Tunas (ICCAT) and cooperates with international agencies such as the Asia-Pacific Fishery Commission (APFIC) and Network of Aquaculture Centers in Asia-Pacific (NACA).
- Thailand as one of the coastal countries surrounding the Bay of Bengal, has signed the Bay of Bengal Large marine Ecosystem Strategic Action Plan that has a vision of the healthy ecosystem and the sustainable use of marine resources for the benefit of all countries. Its ecosystem objectives include (i) Fisheries and other living marine resources have been restored and are managed sustainably, (ii) Degraded, vulnerable and critical habitats are restored, conserved and maintained, (iii) Coastal and marine pollution and water quality are controlled to meet agreed standards for human and

ecosystem health, (iv) Socio-economic constraints are addressed, leading to increased resilience and empowerment of coastal people.

- Thailand participated in the 1st Ministerial meeting on Blue Economy at Mauritius to adopt the draft Mauritius Declaration on Blue Economy. One of the Declaration is regional cooperation on fisheries management and sustainable aquaculture in Indian Ocean and the member countries have to comply and cooperate with.
- Furthermore, as a member of the cooperation framework at sub-regional levels such as APEC, BIMSTEC, the Indian Ocean Rim Association (IORA), the Department of Fisheries plays a key role in and participates in the activities project under those cooperation framework.

Thailand has adopted all related international fishery instruments that it has ratified, accepted or acceded including developing the new Fisheries Act that applies international standards, and has issued regulations and measures to implement Thailand’s National Plan of Action for Conservation and Management of sharks.

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Ratify the international agreements on combating IUU Fishing:					
	1.1 UN Fish Stock Agreement		✓			
	1.2 FAO Port State Measures Agreement	✓	✓			
	1.3 Others			✓	✓	✓
<b>2.</b>	Improvement of the drafted National Plan of Action on Shark (NPOA-Sharks)	✓	✓			
<b>3.</b>	Cooperate and Develop the Regional Management of Fishing Capacity Policy with SEAFDEC	✓	✓			
<b>4.</b>	Implementation Enforcement of the fishing control in according to Part 7 of UNCLOS (and RFMOs regulations)	✓	✓	✓	✓	✓



### 3.2 National Legislation

IPOA – IUU requires that States adopt suggests States to conduct as follows  
National legislation to address in an effective manner all aspect of IUU fishing  
National legislation to address, *inter alia*, evidentiary standards and admissibility including, as appropriate, the use of electronic evidence and new technologies

#### 3.2.1 Legislation

Thailand has revised and amended its Fisheries Act (see earlier Section for details) to promote sustainable fisheries development consistent with the development guidelines and in line with international standards including the cooperation framework with other countries on marine management.

Thailand will also be reviewing and amending its national law, including other related law on IUU fishing. Currently, the Thai Vessels Act, B.E. 2481 (1938) and Navigation in Thai Waters B.E. 2456 (1913) are being revised by Marine Department by taking the principles and responsibilities of Thai and foreign fishing vessels as a Flag States, Port States and Coastal State to appropriately adopt in order to prevent IUU and the result study of such draft is complete.

The Thai Vessels Act, B.E. 2481 (1938) covers fishing vessel registration by the Marine Department and for fishery vessels registered under section 8 of this Act. It also gives the power to revoke the registration certificate and discharges the registration book by the registrar under Thai vessel act in the following cases (i) if the registration certificate has been lost, captured by the enemy, destroyed in fire, sunk, damaged or abandoned, (ii) the desire of owner of vessel for revocation made in writing, and (iii) the registered vessel has not received a license to use vessel or if the license has expired for three consecutive years.

The Navigation in Thai Waters Act , B.E. 2456 (1913) under the Marine Department designates the regulations concerning mandatory installation the vessel monitoring system (VMS) for the commercial fishing vessels > 60 GT or 30 – 60 GT by DOF under the Fisheries Act.

Thailand also periodically revises and amends national laws and regulations concerning fisheries to improve law enforcement suitable for the fishery situations changes etc. National Park Act B.E. 2504 (1961), Wildlife Conservation and Protection Act B.E. 2535 (1992), Enhancement and Preservation of Natural Environmental Quality Act B.E. 2535 (1992), Act Organizing the Activities of the Fish Market B.E. 2496 (1953) and Promoting Marine and Coastal Resources Management Act B.E. 2558 (2015).

In terms of law enforcement the DOF is responsible for monitoring the fishing gears and methods and Marine Department is responsible for monitoring the fishing vessel registration

and its license. The DOF entrusted its authorities of law enforcement under the fisheries law to other government agencies under the THAI-MECC headed by the Royal Thai Navy, that coordinates the Marine Police Division, DOF, DMCR, the Custom Department, the Marine Department and the other supporting agencies, such as the Ministry of Interior (the governor of coastal provinces) Department of National Parks, Wildlife and Plant Conservation.

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Improvement of the national fisheries legal framework to be consistent with the international agreements and regulations of which Thailand is a party	✓	✓	✓	✓	✓
<b>2.</b>	Improvement of the fisheries legal and other relevant legal of Thailand	✓	✓	✓	✓	✓

### **3.2.2 State Control over Nationals**

IPOA – IUU requires that

States should take measures or cooperate to ensure that nationals subject to their jurisdiction do not support or engage in IUU fishing.

All States should cooperate to identify those nationals who are the operators or beneficial owners of vessels involved in IUU fishing.

States should discourage their nationals from flagging fishing vessels under the jurisdiction of a State does not meet its flag State responsibilities

Thailand recognizes the importance of preventing IUU fishing outside Thai waters and requires the operators or beneficial owners of vessels with Thai nationality to submit their fishing plans, prior to fishing outside Thai waters and to comply with conditions under the regulations, national laws and international rules and sanction for revocation fishing license in case of infringement of these rules or offenses committed outside Thailand. (Clause 18 IPOA)

Thailand cooperates with third States concerned to inspect their vessels suspected of involvement or supported IUU fishing and to share the inspection information of vessels that are involved or committed IUU fishing. For Thai vessels that are involved or support IUU fishing their fishing license will be revoked or suspended and a penalty applied for an offense. Thailand also discourages Thai nationals for using stateless vessels or flag of convenience vessels as maybe the case and considers such conduct as a serious offence. (Clause 18 IPOA).

Thailand is considering to improve the Marine Fisheries Administrative Section under the DOF Fisheries Management Division by develop six Marine Fisheries Management Centers and

twelve Marine Fisheries Management Units as core agencies responsible for inspection, monitoring, control, and surveillance fishing activities of Thai fishing vessels within and outside Thai waters. It has started to implement Port In – Port Out Control Centers (PIPO) that are responsible for inspection fishing activities of Thai fishing vessels within and outside Thai waters. These will be expanded and strengthened.

Thailand has recently established a Vessel Monitoring System (VMS) Control Center at DOF headquarters and planned to establish regional VMS centers responsible for surveillance of fishing activities of Thai fishing vessels within and outside Thai waters and report to Center for MCS, PIPO and other related agencies.

Thailand will develop a Traceability and Catch Certification system to prevent IUU fishing and its responsibilities for coordination and issuing the catch certificate of Thai fishing vessels and the processing certificate from raw materials (fish) imported from foreign countries.

Thailand will establish a Control and Inspection Section to strengthen the inspection of foreign vessels consistent with Port State Measures, as an operational coordination mechanism between related agencies etc (Department of Fisheries, Marine Department, Custom Department, Department of Marine and Coastal Resources, Marine Police Division and Royal Thai Navy and its responsibilities for inspection and surveillance fishing activities at sea and transshipment at port).

Future activities will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Develop appropriate measures to build cooperation at the national level to prevent and deter IUU fishing	✓	✓	✓	✓	✓
<b>2.</b>	Monitor and cooperate with the other countries to develop fishing information sharing to be a global information of IUU fishing vessels	✓	✓	✓	✓	✓
<b>3.</b>	Monitor and increase surveillance on illegal fishing operations in Thai waters through port in-port out control, VMS, and improvement of documentations scheme for fishing operation in Thai waters	✓	✓	✓	✓	✓

### **3.2.3 Vessel without Nationality**

IPOA – IUU requires that

States should take measures consistent with international law in relation to vessels without nationality on the high seas involved in IUU fishing

Thailand currently undertakes the following measures (i) denial of transshipment in port to fishing vessels whose nationality cannot be identified (ii) cooperation by sharing the information on fishing vessel without nationality with the neighboring countries and the RFMOs including FAO and its member countries, and (iii) inspection consistent with the port state measures Agreement.

Future activities will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Cooperate with other countries on information sharing on Stateless fishing vessels	✓	✓	✓	✓	✓

### **3.2.4 Penalty/Sanctions**

IPOA – IUU requires that

States should ensure that sanctions for IUU fishing by vessels and, to the greatest extent possible, nationals under its jurisdiction are of sufficient severity to effectively prevent, deter and eliminate IUU fishing and to deprive offenders of the benefits accruing from such fishing.

States should ensure the consistent and transparent application of sanctions.

Thailand has establish an effective sanctions framework under Fisheries Act B.E. 2558 (2015), Navigation in Thai Waters Act B.E. 2456 (1914), the Thai Vessel Act B.E. 2481 (1938), Promoting Marine and Coastal Resources Management Act B.E. 2558, and Wildlife Preservation and Protection Act B.E. 2535 (1992) for infringement of national and international conservation and management measures.

Dissuasive penalties/fines have been introduced as a Flag State and Coastal State to prevent, deter and eliminate IUU fishing under the Fisheries law such as where a foreign fishing vessels on IUU listing enters Thai port illegally, (ii) as a Port State Thailand imposes sanction under Navigation in Thai waters law and Fisheries law. Sanctions under market-related measures are also imposed under Fisheries law.

Future actions include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Develop sanction with appropriate penalty to prevent IUU fishing	✓	✓	✓	✓	✓

### **3.2.5 Non Cooperating State**

IPOA – IUU requires that

All possible action should take , consistent with international law, to prevent, deter and eliminate the activities of non-cooperating States to a relevant Regional Fisheries Management Organization which engage in IUU fishing

Thailand is firmly determined to comply with IOTC Resolutions and is willing to cooperate with the WCPFC in exchanging necessary information as a cooperating non- member state. Thailand will also not cooperate with or support any State, which is not a member or cooperating non-member of an RFMO or a member State that is engaging in IUU activities.

Future activities include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Adopt and implement IOTC Resolutions as a party and cooperate and comply with WCPFC as a cooperating non member	✓	✓	✓	✓	✓

### **3.2.6 Economic Incentives**

IPOA –IUU enjoins States to

- Avoid provide economically support, including giving subsidies to companies, vessels, or persons that are engaging in IUU fishing.

Thailand will not support or assist vessels that are engaging in IUU fishing by giving them tax exemption that are available to legal operations.

Thailand, will, however supports artisanal fishers by providing responsible fishing technology and capacity building in selective fishing, and the rehabilitation of marine resources by building artificial reefs and networking of voluntary fisher for coast watching program (Pramong Arsa). The industries related to artisanal fisheries are supported through the Investment Act B.E. 2520 (1977) including provision of soft loans, opening of new markets and production lines and a reduction in fishing taxes.

Thailand will continue to provide financial support for research on responsible fisheries, reduction of fishing effort, rehabilitation of marine resources. Thailand also facilitates the exhibition of fisheries products by participating in related exhibitions.

### **3.2.7 Monitoring Control and Surveillance (MCS)**

IPOA –IUU requires States to

- Undertake comprehensive and effective Monitoring, Control and Surveillance (MCS) of fishing from its commencement, through the point of landing, to reach its final destination.

Thailand has recently established a Monitoring, Control and Surveillance Center to improve practical actions for implementation of MCS systems for managing IUU fishing. Thailand has implemented effective law enforcement, legal procedures, and justified penalties against illegal fishing in Thai waters, vessels flying the Thai Flag in the waters of other coastal States or high sea. Thailand provides support for international networks and data exchange regarding MCS of fishing activities that might be associated with illegal fishing, consistent with the Fisheries Act B.E. 2558 (2015). In addition, work plan and budget allocation are available to support training on MCS for relevant sectors. This includes awareness raising of the importance of MCS and its principles for fishermen, fishing communities, the commercial industry and related industries.

Thailand is a member State of the RPOA-IUU that includes establishing procedures for listing and blacklisting of countries that promote IUU fishing. This also includes the development of the regional vessel database (RFVR-SEAFDEC).

Monitoring of catch per unit effort (CPUE) is carried out by the DOF and a number of ports and landing sites around Thailand. CPUE of artisanal fisheries are collected from local fish distributors. The number of licensed vessels is monitored by DOF and the number of registered vessels is monitored by the Marine Department. These inputs allow the calculation of the total catch and fishing effort by vessel categories and species groups. However, prior to the vessel survey of June-July 2015, the number of unregistered and unlicensed vessels was unknown, and needed to be estimated, leading to uncertainty in total catch and effort figures. Under the new licensing and registration scheme, this will be rectified in the future. DOF also gathers catch data from Fishing Logbook. It is a requirement to submit catch report for an effective and systematic traceability.

The Department of Fisheries maintains a database including data on fishers, fishing vessels, fishing gears, crews and fishing license as well as a record of violations. THAI-MECC acts as a focal point to share the information and provide updates. Marine Catch Transshipment Document (MCTD) is used to monitor the amount of fish transshipped.

Controls are specified through subsidiary legislation of Regulations and Rules that spell out what is legal and what is illegal. At Ministerial level, regulations are empowered by the Minister of Agriculture and Cooperatives, while the rules and notifications related to fishery activities are empowered by the Director General of Department of Fisheries. Regulations are communicated through notifications and rules are part of the licensing and permit system.

Surveillance is carried out by a number of authorized agencies in THAI-MECC. PI-PO surveillance can be used to check vessel registration, vessel licensing, unlicensed gears, illegal gears, illegal specification of gears such as mesh size and illegal catches. The PI-PO Centers in

Thailand will be expanded to have a greater geographic coverage and also to strengthen inspections. A better system, for the inspection of vessels and fishing licenses and control catch landing at port will be implemented. Under PSM, port inspections are carried out on foreign vessels.

VMS is used to track vessels in terms of their position with respect other Coastal States, high seas, as well as prohibited areas/zones and seasons in Thai waters. Thailand also has 104 patrol vessels that can be used for fisheries MCS which consist of 68 patrol vessels of the DOF Patrol Vessel Unit and 36 patrol vessels of THAI-MECC Navy Patrol Task Force.

Community based voluntary fisher coast watching program (Pramong Arsa) and community-based fisheries management is an effective surveillance tool for artisanal fisheries and also for encroachment of commercial vessels into restricted areas/zones.

Enforcement can be carried out staff of the agencies under the THAI-MECC, which will require providing the integrated authority of related institutions through a MOU in order to exercise their authority in arrest, carry out legal proceedings, penalties, training arrangement and co-working of staff from related agencies e.g. the DOF, the Customs, the Royal Thai Navy, the Marine department, the Marine Police, the Department of Marine Coastal Resources and the Department of Labor. The official members of the co-working teams are the designated authorities but staff of the team can be substituted by officials from one of these cooperative agencies when necessary.

There is also a need to promote cooperation among local institutions/communities by empowering them as authority or allow them to involve/assist in surveillance and arrests the violators.

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Strengthening implementation of MCS	✓	✓	✓	✓	✓

### **3.2.8 Cooperation between States**

IPOA –IUU requires States to

- Coordinate their activities and cooperate directly, and as appropriate through relevant regional fisheries management organizations, in preventing, deterring and eliminating IUU fishing.
- In the light of Article VI of the 1993 FAO Compliance Agreement, flag States should make available to FAO and, as appropriate, to other States and relevant regional or international organizations, information about vessels deleted from their records or whose authorization to fish has been cancelled and to the extent possible, the reasons therefor.

- In order to facilitate cooperation and exchange of information, each State and regional or international organization should nominate and publicize initial formal contact points.
- Flag States should consider entering into agreements or arrangements with other States and otherwise cooperate for the enforcement of applicable laws and conservation and management measures or provisions adopted at a national, regional or global level.

Thailand is developing mechanisms to address IUU fishing issue through bilateral and/or multilateral agreements.

Thailand also collects and shares information with international and regional organizations, such as IOTC as a contracting party and with WCPFC as a Cooperating Non Member. In addition, under the framework of ASEAN Regional Fishing Vessel Record (RFVR), the information of 24-100 GT vessels is shared. The RPOA-IUU requires cooperation and sharing fisheries information and investigation of fisheries to prevent the IUU fishing of the region.

Thailand also reports the discovery of IUU vessels to relevant authorities and exchanges knowledge, skills, experiences and expertise as well as the technology of practices between officials of other countries/organizations on:

- (1) Port State Measures
- (2) Traceability of domestic and imported fish/fish products
- (3) Preventing the imported fish/fish products from the IUU vessel
- (4) Safety at Sea

Thailand recognizes the need to harmonize policies and measures among States including:

- (1) Inspection of the fishing and carrier vessels based on the authority of Port State to eliminate the IUU fishing;
- (2) Monitoring the fishing information of the eight countries of the PNA (Parties to the Nauru Agreement) including Kiribati, Marshall Island, Nauru, Palau, Papua New Guinea, Solomon Islands, Tuvalu, Micronesia that bring their catch to unloading in Thailand;
- (3) Promoting the cooperation of the States of the region in monitoring the vessel while they are on fishing grounds.

### **3.2.9 Publicity**

IPOA –IUU requires States to

- publicize widely, including through cooperation with other States, full details of IUU fishing and actions taken to eliminate it, in a manner consistent with any applicable confidentiality requirements.



Thailand has built public awareness on the IUU fishing and its impacts, both domestic and through international outreach using a range of media e.g. network of coastal radios, websites, social media and printed media of booklet, newspaper, poster and etc. The budget for this activity is earmarked in the regular budget for continuing awareness raising.

#### 4. THE RESPONSIBILITIES OF THAILAND AS A FLAG STATE

As Flag State, Thailand has the obligation to control the vessels flying Thai Flag to comply the national, regional and international laws and regulations in order to prevent the IUU fishing and related illegal activities.

##### 4.1 Fishing Vessel Registration

Under the Fishing Vessel Registration, IPOA –IUU requires that

- States should ensure that fishing vessels entitled to fly their flag do not engage in or support IUU fishing.
- A flag State should ensure, before it registers a fishing vessel that it can exercise its responsibility to ensure that the vessel does not engage in IUU fishing.
- Flag States should avoid flagging vessels with a history of noncompliance
- All States involved in a chartering arrangement, including flag States and other States that accept such an arrangement, should, within the limits of their respective jurisdictions, take measures to ensure that chartered vessels do not engage in IUU fishing.
- Flag States should deter vessels from reflagging for the purposes of non-compliance with conservation and management measures or provisions adopted at a national, regional or global level.
- States should take all practicable steps, including denial to a vessel of an authorization to fish and the entitlement to fly that State’s flag, to prevent “flag hopping”; that is to say, the practice of repeated and rapid changes of a vessel’s flag for the purposes of circumventing conservation and management measures or provisions adopted at a national, regional or global level or of facilitating non-compliance with such measures or provisions.
- Flag States should ensure appropriate links between the operation of their vessel registers and the record those States keep of their fishing vessels. Where such functions are not undertaken by one agency, States should ensure sufficient cooperation and information sharing between the agencies responsible for those functions.
- A Flag State should consider making its decision to register a fishing vessel conditional upon its being prepared to provide to the vessel an authorization to fish in waters under its jurisdiction, or on the high seas, or conditional upon an authorization to fish being issued by a coastal State to the vessel when it is under the control of that flag State.

The DOF and the Marine Department control the activities of both fishing vessels and support vessels with Thai flag in Thai waters and the waters of other Coastal States and in the high seas. There is a need to strengthen arrangements through MOUs with other coastal States to

exchanging information of vessels e.g. fishing permit, vessel registrations. The new Fisheries Act , B.E. 2558 (2015) states that the vessels flying Thai flag have to have a permit to fish prior to fishing outside the Thai Water, and they have to comply with requirements under the law. Severe penalties are imposed for the violators.

Thailand denies the registration of vessels with evidence of engaging in IUU fishing or reflagging without authorization. This will require better registration information to be collected as a reference.

#### 4.2 Record of Fishing Vessels

The fishing vessel history record of Thai vessels which operate in both Thai and overseas waters shall comprise the following information on physical appearances, vessel history, and fishing activities;

- 1) Name of the vessel and registration number
- 2) Vessel type
- 3) Vessel body material
- 4) Length, width, and depth of vessels (meter)
- 5) Engine power (horsepower or kilowatt)
- 6) Registered displacement (gross tonnage)
- 7) Internationally-recognized name (if any)
- 8) Picture depicting full side of a vessel
- 9) Picture depicting vessel after structural modification
- 10) Name, address, and nationality of person or juristic person who registered as an owner
- 11) Name, address, and nationality of person or juristic person who holds responsible for vessel use (if any)
- 12) Name, address, and nationality of person or juristic person as an interested person
- 13) Location and year built
- 14) Former vessel name and past registered nationality (if any)
- 15) Previously used flags (if any)
- 16) Past record of owners
- 17) Type of gears and fishing methods
- 18) Past record of fishing permit or fishing gear license
- 19) IUU fishing record

The survey and inspection of current fishing vessel registers will be conducted.

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Fishing vessel registration and a record of all fishing vessels	✓				

### 4.3 Authorization to Fish

As a flag state, Thailand does not allow vessels sailing under its flag to conduct fishing activities in its jurisdictional waters and outside Thai waters unless the following requirements are met.

- The Fishing Act (2015) specifies that fishing vessels must have a fishing license. Thai-flagged vessels shall also be registered and receive a fishing permit to fish outside of Thai waters. The vessel owner or operator shall carry the document declaring the rights to conduct fishing activities and shall comply with the regulations as dictated in the fishing permit.
- The Fishing Act specifies that Thai-flagged vessel conducting fishing activities overseas shall comply with the condition under the fishing license of the third countries.
- To implement these laws a competent authority will be appointed to grant permissions for fishing vessels to operate overseas, to inspect fishing vessels that operate overseas, and to establish fishing tracking system of fishing vessels that are allowed to operate overseas.

For a chartering arrangement, Thailand, is required to, within the limits of its jurisdictions, undertake measures to ensure that carrier vessels do not engage in IUU fishing. (No existing law)

As a flag State, Thailand will take measures to ensure that fishing vessels, carriers and support vessels are legally permitted to transship fish from fishing vessels and report the transshipment activities to the DOF including:

- Date, time and place of transshipment (at sea or at port)
- Weights by species and fishing grounds
- Name, registration number, nationality of fishing vessels as well as of carriers
- Port of transshipment

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Fishing license Issuance System, number of licenses will be limited based on the scientific data analysis on fishery resources	✓	✓	✓	✓	✓
<b>2.</b>	Fishing fleet management based on fishery resources available	✓	✓	✓	✓	✓

#### 4.4 Measure to control transport and resupply vessel

Thailand takes the measures in regulating carriers and support vessels in order to prevent them from engaging in or assisting IUU fishing. The Fisheries Act 2015 (B.E. 2558) states that fishing vessels, fish carriers and supporting vessels have to:

1. Arrange the transshipment logbook and submit to the port of landing
2. Report the departure and arrival to the port-in and port-out center for vessels over 30 GT)
3. Equip with VMS and report vessel positions every 1-2 hr.
4. Penalties are addressed for the violators are stated in the Fisheries Act B.E. 2558 (2015).

There are still difficulties in controlling vessels in the high sea and the cooperation with other coastal States and organization is required e.g. RFMOs, RPOA-IUU member and RFVR.

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Prohibit IUU fish transshipment in Thai waters	✓	✓	✓	✓	✓
<b>2.</b>	Increasing capacity to control transshipment in Thai and oversea waters. Increasing sanction level for violent IUU fishing	✓	✓	✓	✓	✓

## 5. THAILAND'S COASTAL STATE RESPONSIBILITIES

IPOA –IUU requires States to:

- Implement measures to prevent, deter and eliminate IUU fishing in the exclusive economic zone.
- Cooperate with and exchange of information with other States, where appropriate, including neighboring coastal States and with regional fisheries management organizations;
- Ensure that no vessel undertakes fishing activities within its waters without a valid authorization to fish issued by that coastal State;
- Ensure that an authorization to fish is issued only if the vessel concerned is entered on a record of vessels;
- Ensure that each vessel fishing in its waters maintains a logbook recording its fishing activities where appropriate;
- Ensure that at-sea transshipment and processing of fish and fish products in coastal State waters are authorized by that coastal State, or conducted in conformity with appropriate management regulations;
- Regulate fishing access to their waters in a manner which will help to prevent, deter and eliminate IUU fishing; and
- Avoid licensing a vessel to fish in its waters if that particular vessel has a history of IUU fishing, taking into account the provisions of paragraph 36 of the IPOA.

### 5.1 Measures to prevent, deter and eliminate IUU fishing in the Thai EEZ

The Department of Fisheries will prepare and compile the records of all types of fishing vessels before granting fishing license. The Department of Fisheries will also appoint a responsible agency to control and monitor IUU fishing with the aim of systematically decreasing the number of IUU fishing vessels until all of them are eliminated from Thailand. Details of these actions are as follows:

- Assign competent authority to control and monitor IUU fishing.
- Create a database of all types of fishing gears.
- Create a database of all types of fishing licenses.
- Revise and issue regulations to control and change destructive fishing gears to other fishing gears that are suitable for the state of marine resources and can be used for sustainable fisheries.
- Implement closed area measure that covers addition spawning areas and seasons, as well as expand conservation zones of marine resources in order to protect spawning areas along the coasts of Thailand.
- Discourage fishermen to use fishing gears out of an official list before obtaining the research outcome on the impact from such fishing gears.
- Encourage fishermen to comply with the fisheries rules and regulations by being given the instructions and services from government. Stakeholders are

provided the opportunity to participate in the development of fisheries regulations, as well as to raise consciousness in complying these regulations. Moreover, archives of news and information that can be easily practiced by fishermen should also be established. In the case of regulation infringement, proper penalty must be executed. The capability to survey, monitor and inspect fishing vessels, in the case of presumed IUU fishing should be improved and effectively implemented.

- Register all types of fishing vessels, as well as issue a record of each vessels as an evidence. Fishing vessels with unaccounted record of the change in vessel's nationality should not be registered. All the countries that such vessels were registered in must also be notified.
- Prior to permitting foreign fishing vessels to operate in Thailand's territorial waters, those vessels must be verified for their permission to operate outside the territory of their flag state.
- Coordinate the implementation of the national plan between other related agencies and people with interest at the national, sub-regional, regional, and global scale.
- Monitor the implementation of the NPOA-IUU, so that the plan is integrated and the budget is allocated accordingly.
- Assign an agency responsible for coordination and integration of NPOA-IUU.

Main future activities include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Establish a unit for regulating and controlling IUU fishing in Thailand	✓				
<b>2.</b>	Set up database of fishery resources, fishing vessels, including social and economic status	✓	✓	✓	✓	✓
<b>3.</b>	Revise laws and regulations including any measures to reduce fishing efforts aimed at achieving an optimal fishery resources status	✓	✓	✓	✓	✓

## 5.2 Monitoring Control and Surveillance in the Thai EEZ

MCS in the Thai EEZ is under the responsibility of the Royal Thai Navy, the Marine Police Department under the umbrella of the THAI-MECC. The area of operation is divided into three regions: the upper Gulf of Thailand, the lower Gulf of Thailand and the Andaman Sea.

To enhance the MCS in the Thai EEZ, laws and regulations are amended to empower the THAI-MECC to integrate agencies that have the capacity against IUU fishing. Thailand is fully committed to continue to adhere to the recommendations of the IPOA and the NPOA.

Future actions include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Effectively enforce IUU fishing in Thai waters	✓	✓	✓	✓	✓
<b>2.</b>	Coordinate with other agencies to monitor and enforce laws and regulations to combat IUU fishing	✓	✓	✓	✓	✓

## 5.3 Exchange information with RFMOs

Thailand shares fisheries data and information with range of regional and global organization e.g. SEAFDEC, IOTC, WCPFC, CCAMLRE, ICCAT and FAO.

## 5.4 Authorization to fish for Thai local vessels

Fishing vessels have to have valid fishing permits before departure for fishing. There are two levels of permits; one issued by the Provincial Fisheries Committee and one issued by the Director General of the DOF. The conditions for artisanal fisheries are clearly defined, including penalties for infringements, the fishing logbook and benefits for fisheries statistics. The permission to operate the vessel and vessel registration are under the authority of the Marine Department, including permission for the helmsman and engineer and the safety certificate. In the case of infringement under Fisheries Act 2015 (B.E.2558), Thai Vessel Act 1938 (B.E. 2481) or the Navigation in Thai Waters Act, 1913 (B.E. 2456), the penalties could be both civil and criminal punishment.

## 5.5 Authorization to fish for foreign vessels

Thailand support fishing of foreign vessels with required condition. This requires amending the Act Governing the Right to Fish in Thai Waters 1939 (B.E. 2482).



## 6. THAILAND'S PORT STATE MEASURES

IPOA –IUU requires that

- States should adopt measures, in accordance with international law, for port State control of fishing vessels in order to prevent, deter and eliminate IUU fishing.

Thailand as a port State is obliged to determine the measures, regulations and controls as a Port State in accordance to conditions and international laws and principles under the sovereignty and national laws. When the new Fisheries Act and subordinate legislation are put into force, IUU fishing will be prevented more effectively.

Thailand has assigned certain fishing ports for foreign fishing vessels. The vessel owner and captain will be required to cooperate in having the fishing vessel inspected when landing fish at port based on Port State Measures (PSM).

Thailand will improve the effectiveness of controlling imported fish and fishery products from foreign fishing vessels in the compliance with law and international standards. Fish inspection offices at ports of entry will be enhanced and the efficiency of their operations strengthened through Fish Inspection Offices, procedures for the inspection of fish and fishery products and enforcement. There are currently six fish inspection offices under DOF, including: (i) Bangkok; (ii) Songkhla; (iii) Phuket; (iv) Samut Sakorn; (v) Chonburi; and (vi) Ranong.

Foreign fishing vessels and transshipment vessels require permission prior to disembarkation by declaring information, vessel's description, fishing activities performed on those vessels, species and quantities of fish on the vessels and other relevant information or documents. If foreign fishing vessels and transshipment vessels are suspected of IUU fishing activity, relevant information must be checked prior to the issuance of the permission to disembark. If there is clear evidence that the suspected vessel has engaged in IUU fishing activity, the permission to disembark will be denied.

If there is reasonable suspicion that a fishing vessel or a transshipment vessel having granted access to Thai ports has engaged in IUU fishing activity, that vessel is not allowed to land or transship fish in ports or perform any activities at ports. Moreover, the matter should be informed to the flag State of the vessel. If there are reasonable grounds to suspect the vessel has performed illegal fishing activity in waters of other States or in waters belonging to RFMOs, this matter should also be informed to the relevant states and organizations.

Cooperation for the enforcement of any measures against fishing vessels or operators should be provided with the consent of, or upon the request of, the flag State.

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Designate ports for landing of foreign fishing vessel	✓				
<b>2.</b>	Improve effectiveness of ports inspections for IUU fishing and traceability	✓	✓	✓	✓	✓

### **6.1 Notice of Access**

IPOA –IUU requires that

- A vessel should be provided port access, in accordance with international law, for reasons of force majeure or distress or for rendering assistance to persons, ships or aircraft in danger or distress.
- Prior to allowing a vessel port access, States should require fishing vessels and vessels involved in fishing related activities seeking permission to enter their ports to provide reasonable advance notice of their entry into port, a copy of their authorization to fish, details of their fishing trip and quantities of fish on board, with due regard to confidentiality requirements, in order to ascertain whether the vessel may have engaged in, or supported, IUU fishing.

Foreign fishing vessels and transshipment vessels are requested to ask for permission prior to disembarkation, as well as to be randomly inspected by officials.

### **6.2 Inspection of fishing at port**

IPOA –IUU requires that

- In the exercise of their right to inspect fishing vessels, port States should collect the relevant information and remit it to the flag State and, where appropriate, the relevant regional fisheries management organization.

The monitoring system for fishing activities at port will be established by creating a working manual for the inspection of foreign fishing vessels entering the ports in accordance with rules, procedures and measures to prevent IUU fishing. The relevant officials will be trained on how to inspect foreign fishing vessels. Press Statement on Port State Measures will be issued to the trading partners.

### 6.3 Procedures for foreign vessels in port found to be IUU vessels

IPOA –IUU requires that

- Port State should immediately report any matters of the vessel having engaged in or supported IUU fishing to the flag State of the vessel and, where appropriate, the relevant coastal States and regional fisheries management organization. The port State may take other action with the consent of, or upon the request of, the flag State.

Inspection of foreign fishing vessels shall be conducted based on law and international agreements. The integrated operation among relevant agencies (e.g. Marine Department, Customs, and DOF) shall be conducted in order to obtain clear inspection procedures. There is also a system in place for exchange of information between relevant agencies, particularly the information on the list of IUU fishing vessels. Penalties will be imposed for such fishing vessels, if they violate Thai law.

### 6.4 Denial of port access

IPOA –IUU provides that

- Where a port State has clear evidence that a vessel having engaged in IUU fishing activity, the port State should not allow the vessel to land or transship fish in its ports, and should report the matter to the flag state of the vessel.

Thailand needs to create the procedure for denying port entry and access to facilities, which is in line with international standards.

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Establish law and regulation for foreign fishing vessels to land in Thai ports	✓	✓	✓	✓	✓

### 6.5 Cooperation with port State/RFMOs

IPOA –IUU provides that

- States should cooperate, as appropriate, bilaterally, multilaterally and within relevant regional fisheries management organizations, to develop compatible measures for port State control of fishing vessels.
- States should enhance cooperation, including by the flow of relevant information, among and between relevant regional fisheries management organizations and States on port State controls.

Cooperation in enforcing other regulations on vessels or operators as agreed or requested from the flag State. Fish inspection unit shall inspect fisheries products or foreign fishing vessels based upon a request by the flag State.

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Cooperate with coastal States , port States , interested States and regional fishery management organizations on IUU fishing	✓	✓	✓	✓	✓

## 7. INTERNATIONALLY-AGREED MARKET RELATED MEASURES

IPOA –IUU requires that

- States should cooperate, including through relevant global and regional fisheries management organizations, to adopt appropriate multilaterally agreed trade-related measures, consistent with the WTO that may be necessary to prevent, deter and eliminate IUU fishing.

Thailand has setup a mechanism for determining international trade-related measures and cooperating with other States or relevant organizations to enforce such measures in accordance with the international trade procedures and standards. These measures are:

1. Import, export or transshipment of fish from IUU fishing by the foreign vessel shall be prohibited whether for local consumption or processed food for export.
2. Import goods must comply with CITES regulations under Wildlife Reservation and Protection Act B.E. 2535 (1992).

### 7.1 Catch Documentation Schemes

IPOA –IUU requires that

- States should support the consistent and effective implementation of trade-related measures to reduce or eliminate trade in fish and fish products derived from IUU fishing e.g. catch documentation and certification requirements.
- States, when requested by an interested State, should assist any State in deterring trade in fish and fish products illegally harvested in its jurisdiction.

Thailand has set up an inspection system for fisheries products by using systematic traceability procedure. Documents required for inspection are as follows:-

- 1) Fishing Logbook
- 2) Marine Catch Purchasing Document (MCPD)
- 3) Marine Catch Transshipping Document (MCTD)

Thailand will improve the inspection of imported aquatic animals in order to track back details of fishing vessel, fishing ground, species, size and amount of imported aquatic animals. This inspection activity should cover the following processes: permission, check of information declared in supporting documents for export, import or transshipment, validation of the system for inspection as well as control of import, export and transshipment of fish.

Thailand will establish database system aimed at exchanging information among Coastal States and Port States on catch data, traceability data, import-export data, fishing operators throughout all supply chains and other important information related to combatting IUU as specified in MoUs. Thailand will cooperation in the exchange of information on traceability

systems, fishing activities and aquatic animals with Coastal, Flag States and importing countries that link the information on fishing activities and aquatic animals imported into Thailand with Flag States. This will require MOUs on exchange of information with Coastal, Flag States and importing countries.

Thailand is also encouraging private sectors in the seafood processing industry to conduct traceability check throughout the supply chain in order to prevent IUU fishing activities.

Future activities will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Promote the collaboration and cooperation among related international agencies/organization to initiate multi-collaborated-measures as necessary To initiate market related measures in conformity with WTO rules to deter the fish and fishery products from IUU fishing.	✓	✓	✓	✓	✓
<b>2.</b>	Implement trade related measure to combat-IUU fishery products. Designate measures to prohibit import , transit and export fish and fishery products at all levels such as at sea ,on board, landing, and aerial		✓	✓	✓	✓

## 7.2 Trade related measures

IPOA –IUU requires that:

- States should ensure that measures on international trade in fish and fishery products are transparent, based on scientific evidence, where applicable, and are in accordance with internationally agreed rules.
- States should take steps to improve the transparency of their markets to allow the traceability of fish or fish products. States should work towards using the Harmonized Commodity Description and Coding System for fish and fisheries products in order to help promote the implementation of the IPOA.

For the current situations, Catch Certificate of Thailand supports the inspection of where aquatic animals were caught, who caught them and when the caught were. The following procedures have been implemented:

- Thailand has measures in compliance with by HACCP (Hazard analysis and Critical Control Point) and Marine Stewardship Council (MSC) plans by defining the structure on the inspection of traceability where the inspection is possible in every step.

Improve the system supporting the inspection of traceability in order to prevent IUU fishing activities. This will require the establishment of an electronic system.

- Thailand has taken steps in all aspects necessary for the prevention of import for local consumption and transshipment through Thailand by land, sea and air or export fish and fishery products stemming from IUU fishing or from vessels having engaged in or supported IUU fishing with the consent of, or upon the request of, the flag State.
- Importation, transit or exportation of aquatic animals and aquatic animal products will require a certificate showing the source of raw material and shall be certified by the origin country including the traceability system.

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Develop an electronic system for supporting efficient and transparent practice on traceability in fishery products	✓	✓	✓	✓	✓

### **7.3 Information Dissemination**

IPOA –IUU requires that

- States should take all steps necessary, consistent with international law, to prevent fish caught by vessels identified by the relevant regional fisheries management organization to have been engaged in IUU fishing being traded or imported into their territories.
- States should take measures to ensure that their importers, transshippers, buyers, consumers, equipment suppliers, bankers, insurers, other services suppliers and the public are aware of the detrimental effects of doing business with vessels identified as engaged in IUU fishing.

Thailand will promote not to use or consume products stemming from IUU fishing, with the following messages:

- Import, export or transshipment of fish and fishery products from IUU fishing are illegal according to the law Fisheries Act B.E. 2558 (2015) and the imposed fine for violation. The persons who violate the mentioned acts shall be a severe fine.
- Persons being involved with or support the sales or transshipment of fish or fishery products derived from IUU fishing will be punished by law. (Currently, there is no existing law).
- Persons having the right under the agreement or contract of fisheries in overseas waters between States or foreign private sectors, must declare the right according to international agreements or contracts to DOF. Persons violating this requirement shall be liable to a fine.

- The DOF will organize a gathering of notifications and other necessary information to stakeholders to check the validity e.g. IUU vessel list and assigned ports for landing of foreign fishing vessels. This allows stakeholders to easily check the data

Public relation plans have been developed to raise awareness of the fishery operators, as well as the general public in order to understand the importance of illegal fishing and the impact on resources and the economy of Thailand through various kinds of media, such as mass communication, printing media, online media and arranging events promoting the preservation and dissemination of knowledge, etc.

Future actions will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Raising public awareness on IUU fishery trade especially on the monitoring and control of IUU fishery products. Promote a campaign to prevent IUU fishing product consumption.	✓	✓	✓	✓	✓



## 8. RESEARCH

IPOA –IUU requires that

- States should encourage scientific research on methods of identifying fish species from samples of processed products. FAO should facilitate the establishment of a network of databases of genetic and other markers used to identify fish species from processed product, including the ability to identify the stock of origin where possible.

In Thailand, there are a number of agencies studying and conducting research on fisheries and aquatic resources, including DOF, Department of Marine and Coastal Resources, educational institutes (Kasetsart University, Chulalongkorn University, Burapa University, Walailak University, Maejo University, etc.) and private fishery organizations. The agencies mentioned have created a network for exchange of knowledge and research findings to be used in the formulation of policies for fishery management. Research on the identification of species of aquatic animals is a key topic.

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Set up guideline on developing the research for the sustainable and responsible marine policies.	✓	✓	✓	✓	✓
<b>2.</b>	Establish the networks on cooperative research to exchange knowledge and outcome of research for setting the fisheries management policies between education institutions, NGOs, fishing communities and relevant agencies.	✓	✓	✓	✓	✓

## 9. COOPERATION WITH RFMOS AND OTHER COUNTRIES TO ELIMINATE IUU FISHING

### 9.1 Party compliance

IPOA –IUU requires that

- States should ensure compliance with and enforcement of policies and measures having a bearing on IUU fishing which are adopted by any relevant regional fisheries management organization and by which they are bound.
- States should cooperate in the establishment of such organizations in regions where none currently exist.
- States should compile and make information relevant to the prevention, deterrence and elimination of IUU fishing available on a timely basis to other regional fisheries management organizations and to FAO.

Thailand as a member of the Indian Ocean Tuna Commission (IOTC) has implemented all the fishery conservation and management measures adopted.

## 9.2 Non party compliance

IPOA –IUU requires that

- States should give effect to their duty to cooperate by agreeing to apply the conservation and management measures established by that regional fisheries management organization, or by adopting measures consistent with those conservation and management measures, and should ensure that vessels entitled to fly their flag do not undermine such measures.

Although Thailand is not a member other RFMOs, such as WCPFC, it cooperates with them and has agreed to implement their Conservation Management Measure (CMM) and has continuously reported and shared information of the use of fishery resources (tuna) caught in the areas of competence of the WCPFC.

Additionally, Thailand has cooperated with other RFMOs, namely ICCAT and CCAMLR by attending conferences, collecting and providing relevant information for example relating to preventing, deterring, and eliminating IUU fishing in the region.

Future activities will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Strengthen collaboration with RFMOs in which Thailand is a member by enhancing the competencies to comply with conservation and marine resource management measure as determined by RFMOs.	✓	✓	✓	✓	✓
<b>2.</b>	Strengthen collaboration with other RFMOs in which Thailand is non-party to combat IUU fishing.	✓	✓	✓	✓	✓
<b>3.</b>	Cooperation with member States under RPOA-IUU framework to set up procedures for listing and delisting IUU fishing vessel and to establish database system on fishing vessel in Southeast Asia (RFVR-SEAFDEC)	✓	✓	✓	✓	✓

## 10. SPECIAL REQUIREMENT OF DEVELOPING COUNTRIES

IPOA –IUU requires that

- States should cooperate to support training and capacity building and consider providing financial, technical and other assistance to developing countries, including in particular the least developed among them and small island developing States, so that they can more fully meet their commitments under the IPOA and obligations under international law, including their duties as flag States and port States.
- States should cooperate to enable :
  - review and revision of national legislation and regional regulatory frameworks;
  - the improvement and harmonization of fisheries and related data collection;
  - the strengthening of regional institutions;
  - the strengthening and enhancement of integrated MCS systems, including satellite monitoring systems.

Thailand is pleased to provide cooperation with RFMOs and developing countries in supporting training and capacity building in order to prevent IUU fishing activities. Moreover, the cooperation supports the MCS activities e.g. Joint patrol operations with neighboring countries. Cooperation with RFMOs and other countries will also be conducted in the following issues: inspection of IUU fishing activities, providing information on MCS system, exchanging data and information on IUU fishing, procedures for Boarding Inspection and Investigation as well as Port State Measures and establishing Fishing Vessel Record Database, etc.

Thailand would like to establish cooperation on exchange in various aspects such as the combating IUU fishing, academic and technological works on identification of species and genetics of aquatic animals, experts, international laws, working procedures on the inspection of fishing vessels and Joint patrol operations in accordance with international standards and MCS fisheries management.

Future activities include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>1.</b>	Strengthen collaboration by supporting the developing countries in all areas which indicated to IPOA obligation  Support capacity building with developing neighboring countries to prevent deter eliminate IUU fishing and MCS activities such as joint patrol operations or to initiate the establishment of networks on surveillance.		✓	✓	✓	✓

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>2.</b>	Cooperation on technical assistance technology and expert including in developing guideline and best practice on fishing vessel inspection, in particular at sea, joint patrol operation and training programme on observer on board.	✓	✓	✓	✓	✓

## **11. FISHING LABOR**

DOF has partnered with the Ministry of Labor (Department of Labor Protection and Welfare and Department of Employment) in regulating and controlling the employment of fishing labor, monitoring labor's health on board by setting up a Provincial Coordination Center for fisheries labors. Create guidelines and MOUs with the fishing operators not engaged in illegal labor and in compliance with international standards.

Thailand has a strong intention to combat labor issue in fishing operations. Several government agencies including the Royal Thai Navy, Department of Fisheries, Marine Department, Royal Thai Police, Department of Special Investigation, Ministry of Labor, Ministry of Justice, and Ministry of Social Development and Human Security will be involved. To manage labor issue in fishing operations, integration of related agencies will be undertaken.

The measures to be applied to regulate labor standards in fishing operations will consist of:

1. Labor control and inspection
2. Preventive measures on fishing vessels, fishery industry, labor place, agents company, and fish market business
3. Suppression measures of inspection by special integrated agencies at related risk places (fishing vessels, fish market, agents, and involved government.
4. Suppression measures on network among agencies, supporter, and broker related to monetary flow
5. Efficiency enhancement measures for justice, sorting of victim, and assistance based upon human rights
6. Labor protection
7. Welfare of labor working on fishing vessels

Future activities will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
1.	Integrated plan among related agencies	✓	✓			
2.	Implementation of the plan		✓	✓	✓	✓

## 12. REPORTING

IPOA –IUU requires that

- States and regional fisheries management organizations should report to FAO on progress with the elaboration and implementation of their plans to prevent, deter and eliminate IUU fishing as part of their biennial reporting to FAO on the Code of Conduct. These reports should be published by FAO in a timely manner

Thailand will biennially report to FAO on progress with the elaboration and implementation of NPOA to prevent, deter and eliminate IUU fishing in detail.

Future activity will include:

	<b>Action</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
1.	Report to the FAO every two years.		✓		✓	

## 13. PREPARATION FOR THE IMPLEMENTATION UNDER NPOA-IUU

In preparation for the implementation under the NPOA, Thailand has prepared a detailed NPOA-IUU Implementation Work Plan that specifies (i) key performance indicators (KPIs), (ii) the procedure for implementation, (iii) the obligations/Laws/relevant policies, (iv) responsible organizations, and (iv) timelines for each management action and measure.

Implementation will be carried out under the Fisheries Act B.E. 2558 which was promulgated on 28 April 2015 and came into force on 27 June 2015. A revision of Fisheries Act B.E. 2558 is now underway, to strengthen measures on IUU fishing concerned and marine fisheries management issues in its jurisdiction and outside Thai waters. Relevant laws including Fish Market Organization Act B.E. 2496, Thai Vessels Act B.E. 2481, and Navigation in Thai Waters Act B.E. 2456 are under a revision to cover all fishery activities in Thailand and will be used as a legal framework to develop measures for effective enforcement and with complying with the laws, policies, and regulations as agreed by internal law and international legal instrument and/or binding conventions.

The FMP will guide implementation by setting a national policy framework for Marine Fisheries in Thailand with measures on how to achieve the policy plus an implementation work plan 2015/2016 that details how the measures are going to be put in place. The FMP will operate from 2015 to 2019 and should be reviewed annually a report on the performance of the fishery against all indicators and benchmarks.

This NPOA-IUU is based on the FAO IPOA-IUU and aims to combat IUU fishing and also to specify actions and measures to assist in addressing the challenge of degradation of the fish resources caused by overcapacity and overfishing. As Thailand recognizes that IUU fishing is a

critical problem and is committed to strengthen its effort to combat IUU, the preparation process has been facilitated by a Working Group and has held several meetings attended by relevant stakeholders and government agencies. Thailand will continuously support capacity building of human resource in implementing NPOA-IUU, including preparing to ratify the international convention, strengthening MCS information, promoting information exchange among related agencies on IUU fishing, and training officers on boarding inspection, investigation and Port State Measures.

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