Fifty-first Meeting of the Council
Southeast Asian Fisheries Development Center
Shangri-La Hotel, Surabaya, East Java, Indonesia
18-22 March 2019

WP05.1b

PROGRESS OF REGIONAL FISHING VESSEL RECORD

Training Department and Secretariat

The Regional Fishing Vessels Record (RFVR) for 24 meters in length and over was endorsed by the SEAFDEC Council Meeting in 2013, and supported by the Special Senior Officials Meeting of the Thirty-Forth Meeting of the ASEAN Ministers on Agriculture and Forestry (Special SOM-34th AMAF). Subsequently, the Meeting of the SEAFDEC Council in 2014 endorsed the proposed RFVR activities plan. In 2017, the "*Strategy and way forward on improvement, promotion and utilization of RFVR database for 24 meters in length and over*" was developed at the Regional Technical Consultation on Evaluation of Implementation and Utilization of the RFVR. Since then, a number of activities have been implemented by SEAFDEC Training Department (TD).

Progress of implementation for RFVR-24 meters

The "Regional Meeting on the Regional Fishing Vessel Record (RFVR) for 24 meters in length and over as a Management Tool toward Combating IUU Fishing in ASEAN" was convened from 12 to 13 December 2018 at the SEAFDEC/TD, Samut Prakan, Thailand. The conclusion of information submission to RFVR Database since 2015 and agreement from the Meeting is shown below

- *Information submission and utilization by the AMSs to the database system of RFVR-24 meters*

Table 1. No. of the vessels provided by the AMSs into the RFVR-24 meters (2015-2018)

No. of Vessels Reported by AMSs (Year)	BN	ID	MY	MM	PH	SG	TH	VN
2015	1	N/A	125	664	997	N/A	250	445
2016	1	380	332	N/A	N/A	1	402	Coming
2017	1	434	N/A	424	1007	1	420	Coming
2018	9	Coming	225	Coming	Coming	1	335	Coming

Remarks:
- Official letter to AMSs for updating information of the RFVR Database
  (dated 7 February 2018)
- Reminding for yearly update information of the RFVR database
  (dated 5 July 2018 via email)
- "Coming" refers to information has yet submitted by the respective countries
- "N/A" refers to information not submitted in that year

Table 1 shows that there is a trend of increasing numbers of fishing vessels in the RFVR-24 meters database for Indonesia whereas it is likely to decrease the number of fishing vessels in other countries. Thailand, for example, the decreasing number of fishing vessels may be due to the issuance of the 'Royal Ordinance on Fisheries B.E. 2558 (2015)' where the level of fishing efforts has been adjusted to match with the available fishery resources. For the update information from AMSs in 2018. There were 4 countries submit update information to RFVR Database namely, Brunei Darussalam, Malaysia, Singapore, and Thailand.

To monitor the usefulness of the RFVR database, information on the access to the database has been collected as one of the project activities as shown in **Table 2**. It shows that AMSs have made use of the RFVR database developed and maintained currently, particularly for Malaysia, Singapore and Thailand. However, requirement of more username and password for assess to RFVR Database from Member Countries unlimited. Member Countries can request SEAFDEC to provide User ID and password for distribution to relevant agency who utilize RFVR database.

Table 2. No. of access to the RFVR-24 meters (2015-2018)

Country	No. of Accounts	No. of Registers	Accumulated no. of access from 2015-2018
Brunei Darussalam	14	4	9
Cambodia	14	2	3
Indonesia	14	1	2
Lao PDR	10	1	1
Malaysia	15	8	51
Myanmar	14	0	0
Philippines	14	1	10
Singapore	14	3	14
Thailand	15	3	30
Viet Nam	14	2	3
Total	**138**	**23**	**123**

- *Submission/Updating of RFVR Database*

AMSs agreed to follow up the preparation schedule by SEAFDEC whenever they need to send a reminding letter to each member country, usually one month before updating. The agreement of member country representatives was shown below:

No.	Country	Frequency	Schedule
1.	Brunei Darussalam	Agreed two times per year	January and October
2.	Indonesia		January and July
3.	Malaysia		January and July
4.	Myanmar		April and November
5.	Philippines		April and October
6.	Singapore		January and July
7.	Thailand		April and October
8.	Viet Nam		April and October

Furthermore, the procedures to request for submission could be prepared as standard operating procedure. The National Focal Point should be appointed from each Member Countries.

- *Initiation on Development of RFVR Less than 24 Meters in Length*

Discussions on the development of regional RFVR database for the vessel size less than 24 meters in length were undertaken and agreed during the Forty-first Program Committee Meeting of SEAFDEC held in November 2018 and The RFVR Meeting in December 2018. The RFVR Meeting also discussed that the range of vessel size from 18 meters to 23.99 meters in length is most appropriate for reducing IUU fishing in the region.

For further follow-up, SEAFDEC continues its efforts to secure funds in 2020, as estimated budget

was already allocated for the year 2020's activity plan. The activities for RFVR database less than 24 meters in length will start in 2020. Moreover, with support of FAO, detailed discussions on regional initiative to develop RFVR database for the vessels size less than 24 meters will be undertaken as a side event during the FAO's 5th Meeting of GRWG (Global Record) during 13-14 May 2019 (Seoul, Republic of Korea).

Progress on Development of Protocol for Accessing the RFVR Database System

With the reference from the comments made by some of SEAFDEC Member Countries, the revised version of the Protocol for Accessing the RFVR Database System was initially submitted to the Council on 21 January 2019 for the endorsement as *ad referendum*. With regard to additional comment from the Council for Thailand (letter dated 25 February 2019), the Secretariat revised the document accordingly as appeared in the Annex 1 for consideration and endorsement by the 51st Council.

REQUIRED CONSIDERATION BY THE MEETING

- The Meeting is requested to take note the progress of the regional initiatives on RFVR-24 meters database, as well as to provide policy directives to SEAFDEC and Member Countries on the implementation of this activity, as well as to enhance future usage of the RFVR database by the AMSs.

- The Meeting is requested to take note on the revision of the "Protocol for Accessing the RFVR Database System". The Meeting may wish to also provide further directives on this matter, and endorse the document.

Revised Protocol for Accessing the RFVR Database System by Non-AMSs

SEAFDEC Secretariat

1) Background:

The Regional Fishing Vessel Record (RFVR) Database System for vessels 24 meters in length and over (RFVR-24m Database) is an online system, established with the collaboration of the ASEAN Member States (AMSs) under the ASEAN-SEAFDEC Strategic Partnership Program "Promotion of Countermeasures to Reduce IUU Fishing Activities" implemented from 2011 to 2019 with funding support from the Government of Japan through the Japanese Trust Fund (JTF). The concept proposal to establish the RFVR for 24 meters in length and over, was presented to and approved by the SEAFDEC Council during its 45th Meeting in April 2013 in the Philippines, and subsequently supported by the Special Senior Officials Meeting of the Thirty-Fourth Meeting of the ASEAN Ministers on Agriculture and Forestry (Special SOM-34th AMAF), to be used as a management tool to combat IUU fishing in the Southeast Asian region. From the series of experts' consultations, a principal agreement was reached by the AMSs on the list of 28 basic data and information on fishing vessels 24 meters in length and over that would be shared through the RFVR-24m Database. In principle, the corresponding RFVR-24m Database which is managed by the SEAFDEC Training Department, is shared by all AMSs including Cambodia and Lao PDR even if these two countries do not have vessels measuring 24 meters in length and over.

Sharing of the information in the RFVR-24m Database with the (i) non-AMS members of the RPOA-IUU i.e. Australia, PNG and Timor Leste; and (ii) relevant RFMOs was raised during the 48th Meeting of the SEAFDEC Council in 2016, where some concerns were expressed about sharing of the information in the RFVR-24m Database with non-AMSs. In order to address such concerns, it was therefore suggested that a mechanism should be developed to allow (i) non-AMS members of the RPOA-IUU i.e. Australia, PNG and Timor Leste; and (ii) relevant RFMOs access to the RFVR-24m Database Moreover, it was also suggested that the reasons for such a request should be considered while the same security measures for accessing the RFVR-24m Database by the AMSs, should be applied with the authorized non-AMSs by providing them with the corresponding security password.

While agreeing in principle, that the RFVR-24m Database could be shared with non-AMSs under the RPOA-IUU, the SEAFDEC Council requested the SEAFDEC Secretariat to seek approval from the ASEAN on this matter. At the 24th Meeting of the ASWGFi, SEAFDEC raised the relevant recommendations that were made during the 48th Meeting of the Council, specifically on the proposed sharing of the RFVR-24m Database with non-AMSs. After discussions, the 24ASWGFi agreed in principle on the proposed sharing of the RFVR-24m Database with non-AMSs on condition that the guidelines or protocol for data sharing should be developed and put in place, *e.g.* specifying the level of authority to grant an approval for data sharing, and assuring the security of the data.-

SEAFDEC therefore developed the protocol for accessing the RFVR-24m Database by RPOA-IUU Member Countries, which are not SEAFDEC Member Countries, *i.e.* Australia, Papua New Guinea, and Timor-Leste.

2) Objectives of the Protocol:

The development of this Protocol is meant to:
 a) provide a guidance for sharing of the confidential RFVR data with selected non-AMSs, *i.e.* other members of the RPOA-IUU;
 b) assure that data security is maintained; and
 c) enhance the utilization of RFVR-24m Database by non-AMSs, especially in examining any AMS-flagged fishing vessels that may have possibly been engaged in IUU fishing.

3) Explanation:

For the purpose of the RFVR-24m Database, that the following definitions entail:

  a) **non-AMSs** refers to in this initial proposed Protocol, are the RPOA-IUU member countries which are not SEAFDEC Member Countries, *i.e.* Australia, Papua New Guinea, Timor-Leste

  b) **RFVR Data** refers to the 28 key data elements for fishing vessels 24 meters in length and over, that are provided by the AMSs in the RFVR-24m Database (**Template 1**)

  c) **Fishing vessels** that are not in the RFVR-24m Database should only be identified as IUU fishing vessels if a flag State had investigated and found evidence that such vessels have been engaged in IUU fishing activities.

  d) **Protocol** refers to the set of procedures and guidelines for accessing the RFVR-24m Database and for observing the confidentiality of the data. This initial proposed Protocol targets only the RPOA-IUU Member Countries which are not SEAFDEC Member Countries. This Protocol should not be used as substitute for formal legal advice that would be obtained where necessary. As the vessel not listed in the RFVR should not be treated as an IUU fishing vessel until evidence is shown to prove otherwise, non-AMSs and relevant RFMOs shall initially approach the flag State directly (if the flag is known) or SEAFDEC if the flag State is unknown, then SEAFDEC shall seek confirmation from the concerned AMSs and update the RFVR database accordingly.

4) The Protocol for Accessing the RFVR-24m Database and Confidentiality of RFVR Data for non-AMSs

  i.   Request from non-AMS for access to the RFVR-24m Database should be sent to the SEAFDEC Secretary-General;

  ii. A Letter of Agreement (LOA) between the requesting non-AMS country in item (i) with the SEAFDEC Secretary-General shall be prepared. Details of the information to be shared with the requesting country for access to the RFVR-24m Database shall be clearly defined in the LOA.The letter will spell out that the information in the RFVR 24m- Database is confidential and that the information cannot be shared with a 3rd party without prior consent from the AMS/SEAFDEC.;

  iii. Once the LOA has been signed, SEAFDEC will issue the requesting country user names and passwords to the requesting country

  iv. The requesting country must share their respective fishing vessels data <u>of 24 meters in length and over</u>[1], with the RFVR-24m Database within two (2) months, <u>and must update the relevant data twice a year, the same as the conditions for AMSs</u>[1] ; and

  v.   Failure to comply with the above protocol, including sharing information from the database with a 3rd party without prior consent from the AMS/SEAFDEC, will result in termination of access to the RFVR 24m-Database

5) Cancellation and Reinstatement of Access the RFVR-24m Database:

  i.   Failure to comply with the protocol in item (4) would lead to immediate termination of access to the RFVR-24m Database;

  ii. SEAFDEC will report the termination of access to SEAFDEC Council; and

  iii. Should the non-AMS wish to reinstate its access to the RFVR-24m database, it would need to send its request in writing to the SEAFDEC Secretary-General, who would only reinstate its access following SEAFDEC Council's approval.

————————————

————————————

[1] The revisions based on comment received from the Council for Thailand on 25 February 2019

Template 1: Key Data Elements to be shared with the RFVR-24m Database (for vessels measuring 24 meters in length and over)

Information on fishing vessels	Information on fishing vessels
1. Name of Vessel	15. International Radio Call sign
2. Vessel Registration Number	16. Engine Brand
3. Owner Name	17. Serial Number of Engine
4. Type of Fishing Method/Gear	18. Hull Material
5. Fishing License Number	19. Date of Registration
6. Expiration Date of Fishing Licenses	20. Area (country) of Fishing Operation
7. Port of Registry	21. Nationality of Vessel (flag)
8. Gross Tonnage (GRT/GT)	22. Previous Name (if any)
9. Length (L)	23. Previous Flag (if any)
10. Breadth (B)	24. Name of Captain/Master (if available)
11. Depth (D)	25. Nationality of Captain/Master (if available)
12. Engine Power	26. Number of Crew (maximum/minimum)
13. Shipyard/Ship Builder	27. Nationality of Crew (if available)
14. Date of launching/Year of Built/ Year of Purchase	28. IMO Number (If any)