

Report of the 7th Sub regional Meeting on Regional Plan of Action (RPOA) to Promote Responsible Fishing Practices Including Combating Illegal, Unreported and Unregulated (IUU) Fishing in the Southern and Eastern Areas of the South China Seas and The Sulu-Sulawesi Seas (SESCS SSS)

**Putrajaya, Malaysia [Virtual]
22 August 2023**

OPENING SESSION

1. The 7th Sub-Regional Meeting on the Southern and Eastern Area of the South China Sea and the Sulu-Sulawesi Seas was organized by Department of Fisheries Malaysia, Ministry of Agriculture and Food Security Malaysia on 22nd August 2023 via video conference.
2. The meeting was attended by delegates from Brunei Darussalam, Indonesia and Malaysia, and the RPOA IUU Secretariat.
3. The meeting was officially opened by Mr. Haji Wan Muhammad Aznan bin Abdullah, Deputy General Director Department of Fisheries Malaysia on behalf of the Director General of Fisheries Malaysia. He welcomed the delegates to the meeting and in his remarks, he stated that the delegates of this meeting shared a common goal, which is to protect the oceans, preserve marine life, and promote sustainable fishing practices. He stressed that the activity of Illegal, Unreported and Unregulated (IUU) fishing give a significant impact upon the ocean's health which the communities social economics reliant on the ocean's resources. He urged the participating member countries to foster collaboration, share insight and coalesce around effective strategies to combat IUU fishing activity. He also stated in recognizing the dynamism inherent to fishing practices, all parties need to acknowledge the need for nimble responses to keep pace with it. He hopes the participating member countries will have laid the groundwork for actional strategies and a comprehensive plan poised to decisively combat IUU fishing within this sub-region.
4. The list of delegates to this meeting appears as in **Annex 1.**

Agenda Item 1: INTRODUCTION

a. Background of the meeting

5. The Secretariat gave a general introduction and outlined the objectives, as well as the expected outcomes of the meeting. The presentation appears as in **Annex 2**.
6. The Secretariat also shared the history of previous meeting arrangements:
 - i. 26-28 August 2008 in Kuching, Malaysia.
 - ii. 2-3 December 2009 in Ambon, Indonesia.
 - iii. 20-21 March 2012 in Kota Kinabalu, Malaysia.
 - iv. 29 June 2013 in Manila, Philippines.
 - v. 18 June 2014 in Bandar Seri Begawan, Brunei Darussalam
 - vi. 22-23 April 2015 in Yogyakarta, Republic of Indonesia.
7. The Secretariat informed that the current meeting marks the 7th session, following an 8-year period of dormancy for this platform. Considering that all delegate representatives can be seen as newcomers, the Secretariat expresses hope that the revival of this discussion platform will showcase the collective efforts and spirit of all nations in curbing IUU fishing activities within the region.

b. Adoption of the Agenda

8. The agenda was discussed and amended accordingly, taking into consideration the absence of the Philippines. It was adopted and appears as in **Annex 3**.

Agenda Item 2: TERM OF REFERENCES (TOR) FOR SUB-REGIONAL GROUP OF SOUTHERN AND EASTERN AREAS OF THE SOUTH CHINA SEA AND THE SULU-SULAWESI SEAS (SESCS SSS)

9. The Secretariat presented the draft Terms of Reference (TOR) that had been prepared and conveyed that their review of past meeting records revealed no prior discussions on establishing TOR for this platform. As a result, the Secretariat took the initiative to draft these TOR.
10. The meeting reached a consensus that the composition of the meeting shall be set at two-thirds (2/3) of participating member countries, to ensure the continuity of the meeting even if some participating member countries are unable to send a representative.

11. The meeting also agreed that the Sub-Regional Group should meet annually of which hosting of the Meeting will be according to alphabetical order of the member countries. Additionally, it was agreed that these TOR shall undergo an annual review during the annual scheduled meeting to maintain its relevancy.
12. The meeting further reviewed the draft TOR and adopted it, as appears in **Annex 4.**

Agenda Item 3: SHARING SESSION

a. RPOA IUU and MCS Sub Regional Network

13. Ms Erlinda Qurrotu Aina, the representative from RPOA IUU Secretariat enlightened the meeting about the MCS Workshop which was held on 4 to 6 March 2023 in Bali, where among the reason was the insights for the other Sub Regional group, the Gulf of Thailand and the Southern and Eastern South China Seas and Sulu-Sulawesi (SESCS SSS) to learned from the Arafura-Timur Sea (ATS) Sub Regional group regarding the organization and discussions within their sub group. She also shared her observation that the Secretariat of SESCO SSS has duly incorporated the lessons learned into the coordination of this meeting, including the preparation of the TOR.
14. In response to the inquiry posed by the delegate of Malaysia regarding the division of areas among subgroups, she further informed that the delineation for each subgroup is based on assessments and perceptions of the involved countries, considering Malaysia's involvement in two subgroups, namely, GOT and SESCO SSS. Malaysia further concurred that for GOT, it will cover the fisheries water of Kelantan and Terengganu States, while SESCO SSS will cover fisheries waters of Pahang, East Johor, Sabah, and Sarawak.
15. The presentation by RPOA IUU Secretariat as in **Annex 5.**

b. Brunei Darussalam

16. Mr. Pengiran Haji Ismail Kairuluddin Pengiran Haji Seruji, the delegate from Brunei Darussalam, delivered a presentation on the current issues related to IUU fishing activities, as well as national MCS activities, initiatives, and regional undertakings in Brunei Darussalam. He highlighted that Brunei Darussalam has signed a memorandum of understanding (MOU) with the Socialist Republic of Vietnam since 2019, focusing on the use of a hotline for information exchange to combat IUU fishing. The presentation can be found in **Annex 6.**

17. In response to the query posed by the Malaysian delegate about the scope and function of the MOU, the Bruneian delegate indicated that further information will be provided after the meeting. They explained that they will need to collect additional details from the official responsible for the MOU.

c. Indonesia

18. Mr. Yudhistira Rizky Abdillah, the delegate from Indonesia, delivered a presentation in which he shared data regarding fishing vessels arrested by fisheries patrol vessels on Sulawesi Sea (Indonesia's Fisheries Management Area 716). He also discussed the prevailing issues of IUU fishing in Indonesia and outlined the nation's national MCS activities and initiatives. Additionally, he put forward a suggestion to Malaysia and the Philippines, proposing an awareness program aimed at engaging fisheries stakeholders to combat IUU fishing activities. The presentation appears as in **Annex 7.**

d. Malaysia

19. Mr. Saufi Affandi Bin Talib, the delegate from Malaysia, delivered a presentation focusing on IUU fishing within Sabah's waters. He highlighted the primary concerns related to IUU fishing in Sabah, which encompass fish bombing, cyanide fishing, and the presence of illegal foreign fishing vessels. He also elaborated on Malaysia's ongoing national MCS activities and initiative plan aimed at deterring and combating IUU fishing in Sabah's waters. He further elaborated on the measures done in effort to combat the issue, including the establishment of strategic coordination among various enforcement agencies. The presentation appears as in **Annex 8.**
20. In response to the inquiry raised by the Indonesian delegation regarding foreign nationals trespassing in the fisheries waters of Sabah, he clarified that the majority of these incidents involve stateless individuals, primarily from the Palauh community residing in the vicinity of Sabah's waters. He affirmed that all cases have been brought before the courts, in accordance with the legal provisions enforced in Malaysia.

Agenda Item 4: KEY SUB REGIONAL ISSUES

21. The secretariat conveyed that based on the presentations made by each participating member country's representatives, they have identified four IUU fishing issues that were raised, namely (i) encroachment by foreign fishing vessels, (ii) fishing without valid fishing gears licenses or fishing licenses, (iii) fishing with cyanide and blast fishing, and (iv) fishing in restricted zone. These

issues have been incorporated into a matrix to formulate the primary IUU concerns that necessitate attention and strategic planning.

22. The meeting subsequently reached a consensus to accept the suggestion put forth by the Indonesian delegation, which involved incorporating the issue of unauthorized use and placement of FADs into the identified issue.
23. Following thorough deliberation and discussion, the meeting reached a decision to endorse strategies for addressing the identified issues, as outlined in **Annex 9**.

Agenda Item 5: WRAP UP

24. The Secretariat outlined their intention to engage in discussions with the Brunei delegation regarding the prospective hosting of the next meeting. This arrangement would be in accordance with the agreed-upon TOR.
25. The Secretariat also informed that the report of this meeting will be circulated to all delegations for the purpose of review, improvement, and endorsement.

CLOSING SESSION

26. The Chairman, Mr. Haji Wan Muhammad Aznan bin Abdullah, conveyed his sincere gratitude to all delegates for their enthusiastic participation and valuable contributions throughout the meeting, which led to productive outcomes. He officially concluded the meeting.