

N°	Source	Information required	Deadline/ Remark	Previous Status ¹		Current Status		Observations	CPC Remarks	
				Timeliness	Content	Timeliness	Content			
1. Implementation obligations										
1.1.	Art. X Agreement	Report of Implementation	Session - 60 ds (16.03.2016)	C	C	C	C	Received 16.02.16		
1.2.	Rules Of P.	Compliance Questionnaire	29.02.2016	L	C	C	C	Received 26.02.16		
1.3.	SC	National Scientific Report	09.11.2015	C	C	C	C	Received 09.11.15		
1.4.	Commission	Feedback letter	16.03.2016	C	C	L	C	Received 08.04.16		
2. Management Standards										
2.1.	Res. 15/04	Documents listed in this resolution on board ²	16.03.2016	C	P/C	C	P/C	Source IOTC-2016-CoC13-CQ16: has reported documents onboard. No legal reference provided.		
		Marking of vessels ²		C	P/C	C	P/C	Source IOTC-2016-CoC13-CQ16: has reported vessels are marked. No legal reference provided.		
		Marking of gears ²		N/C	N/C	N/C	N/C	Source IOTC-2016-CoC13-CQ16: has reported gear are not marked.		
		Marking of FADs ²		N/A	N/A	N/A	N/A	Does not have PS vessel on the Record of Authorised Vessels.		
		Logbook on board ²		C	P/C	C	P/C	Source - IOTC-2014-SC17-NR16: has reported LSTLVs operating beyond EEZ, logbook are required. No legal reference provided.		
		Official authorisation to fish outside National Jurisdictions		15.02.2016	L	C	C	C	Received 16.02.15.	
		IMO number for eligible vessels		01.01.2016			C	C	Has 6 LL vessel on the Record of Authorised Vessels with IMO number.	
2.2.	Res. 15/01	Official fishing logbooks	15.02.2016	C	C	C	C	Received 26.02.14 and 13.02.15		
2.3.	Res. 12/12	Ban on large-scale driftnets ²	16.03.2016	N/C	N/C	N/C	N/C	Source IOTC-2016-CoC13-CQ16: has reported use of large-scale driftnets on high seas is not banned.		
2.4.	Res. 15/08	FADs management plan	31.12.2013	N/A	N/A	N/A	N/A	Does not have PS vessel on the Record of Authorised Vessels.		
		Report of progress on implementation of FADs management plan	16.03.2016			N/A	N/A			

¹ C = Compliant; N/C= Non-compliant; N/A = Not Applicable; P/C = Partially Comply; L = Late; CAP = Compliance Action Plan; CQ = Compliance Questionnaire.

² Information is to be provided in the Report of Implementation.

³ 24 meters overall length and over, and under 24 meters if they fished outside their EEZ.

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				Timeliness	Content	Timeliness	Content		
2.5.	Res. 15/07	Prohibition artificial lights for FADs	For PS 10.09.2015			N/A	N/A		
3. Reporting on Vessels									
3.1.	Res. 10/08	List of Active vessels	15.02	C	C	L	C	Received 25.02.16	
3.2.	Res. 12/11	Fleet Development Plan (FDP)	By 31.12.2010 (10 years)	P/C	P/C	P/C	P/C	Mandatory information missing: GT. Submission 20.08.14 (4 th update)	
3.3.	Res. 12/11	Reference Capacity							
		List of vessels ³ for Tropical Tuna during 2006	31.12.2009	C	C	C	C		
	List of vessels ³ for SWO and ALB during 2007	N/A		N/A	N/A	N/A	No vessels targeting SWO and ALB.		
3.4.	Res. 15/04	List of Authorized vessels 24 metres in length overall or more	Since 01.07.2003	C	C	C	C		
3.5.		List of Authorized vessels (less than 24m, operating in waters outside EEZ of the flag state)	Since 01.07.2006	N/A	N/A	N/A	N/A	No vessel < 24 operating outside EEZ on the Record of Authorised Vessels.	
3.6.	Res. 14/05	List of foreign vessels licensed in EEZ	15.02	N/A	N/A	N/A	N/A	Source IOTC-2016-CoC13-IR16: foreign vessels are not licensed.	
3.7.		List of foreign vessels denied a licence	15.02	N/A	N/A	N/A	N/A		
3.8.		Access Agreement information	26.02.2015	N/A	N/A	N/A	N/A		
3.9.		Official coastal State fishing License	14.01.2014	N/A	N/A	N/A	N/A		
4. Vessel Monitoring System									
4.1.	Res. 15/03	Adoption VMS for all vessels > 24 m and < 24 m fishing high seas	Since 01.07.2007	C	C	C	C	Has reported Malaysian vessels (> 70GRT) are required to install/activate VMS since 2006 (Source IR). To provide legal Reference: Law, decree, Regulation?	
4.2.		VMS report on the progress and implementation	30.06	C	C	L	C	Received 07.07.15	
5. Mandatory statistical requirement – Flag State CPCs									
5.1.	Res. 15/02 & Res 15/05	Nominal Catch							
		• Coastal fisheries	30.06	C	P/C	C	C		
		• Surface fisheries: PS, BB, GN	30.06	N/A	N/A	N/A	N/A	No PS, BB or GN vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ on the Record of Authorised Vessels or active in 2014	
	• LL	Provisional	30.06	C	C	C	C		

N°	Source	Information required	Deadline/ Remark	Previous Status ¹		Current Status		Observations	CPC Remarks
				Timeliness	Content	Timeliness	Content		
			Final	30.12	C	C	C	C	
5.2.		Catch & Effort							
		• Coastal fisheries	30.06	C	C	C	C		
		• Surface fisheries: PS, BB, GN	30.06	N/A	N/A	N/A	N/A	No PS, BB or GN vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ on the Record of Authorised Vessels or active in 2014	
		• LL	Provisional	30.06	C	C	C	C	
			Final	30.12	C	C	C	C	
5.3.		Size Frequency							
		• Coastal fisheries	30.06	C	P/C	C	P/C	Size data reported for 1 species, also less than 1 fish per Mt.	
		• Surface fisheries: PS, BB, GN	30.06	N/A	N/A	N/A	N/A	No PS, BB or GN vessel of 24m LOA or more, or less than 24m LOA if they fish for tuna and tuna-like species outside of their EEZ on the Record of Authorised Vessels or active in 2014	
		• LL	Provisional	30.06	N/C	N/C	N/C	N/C	Mandatory report not submitted.
			Final	30.12	N/C	N/C	N/C	N/C	Mandatory report not submitted.
5.4.		Fish Aggregating Devices (FAD)							
		Supply vessels	30.06	N/A	N/A	N/A	N/A	No purse seiner and/or supply vessel on the Record of Authorised Vessels or active in 2014	
		Days at sea by supply vessels	30.06	N/A	N/A	N/A	N/A		
		FADs set by type	30.06	N/A	N/A	N/A	N/A		
6. Mandatory statistical requirement – Coastal State CPCs									
6.1.	Res. 15/01	Catch & Effort							
		• Surface fisheries: PS, BB, GN	30.06	N/A	N/A				
		• LL	Provisional	30.06	N/A	N/A			
			Final	30.12	N/A	N/A			
7. Implementation of mitigation measures and bycatch of non-IOTC species									
7.1.	Res. 05/05	Submission of data regarding Sharks – Nominal catch	30.06	C	P/C	L	P/C	Data received in National Report (IOTC-2015-SC18-NR16), not at IOTC Standard [species aggregated].	
		Submission of data regarding Sharks – Catch & effort	30.06	C	P/C	N/C	N/C		
		Submission of data regarding Sharks – Size frequency	30.06	N/C	N/C	N/C	N/C		
7.2.	Res. 12/09	Prohibition on thresher sharks of all the species of the family <i>Alopiidae</i>	Since 07.07.2010	C	P/C	C	P/C	Source IOTC-2016-CoC13-CQ16: has reported banned since 2010. No legal reference provided.	

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				Timeliness	Content	Timeliness	Content		
7.3.	Res. 13/06	Prohibition on oceanic whitetip sharks	Since 14.08.2013	C	P/C	C	P/C	Source IOTC-2016-CoC13-CQ16: has reported banned since 2013. No legal reference provided.	
7.4.	Res. 12/04	Sea turtles report ²	16.03.2016	C	P/C	C	P/C	Source - IOTC-2015-SC18-NR16: protected under Section 27 of Malaysia Fisheries Act 1985. Has reported very few interaction recorded between fishermen and turtles. No figures of interactions reported. No information received on the status of implementation of the FAO guidelines.	
7.5.		Carry line cutters and de-hookers on board (Longliners)	Since 06.08.2009	P/C	P/C	P/C	P/C	Source IOTC-2016-CoC13-CQ16: has reported Malaysian fishing vessels carry line cutter & de-hookers on board. No legal reference provided.	
7.6.		Carry dip nets (Purse seiners)	Since 06.08.2009	N/A	N/A	N/A	N/A	Does not have PS vessel on the Record of Authorised Vessels.	
7.7.	Res. 12/06	Seabirds report ²	16.03.2016	C	C	C	C	Source IOTC-2015-SC18-NR16: Interaction reported is NIL.	
7.8.		Implementation of mitigation measures south of 25°S	Since 01.11.2010	P/C	P/C	P/C	P/C	Source - IOTC-2015-SC18-NR16: has reported Malaysian vessels applied 2 types of mitigation recommended by the IOTC; tori lines & fast sinking lines. No legal reference provided.	
7.9.	Res. 13/04	Data on interactions with Cetaceans	30.06 (All gears)			L	P/C	Source - IOTC-2015-SC18-NR16: no record available on the number of accidentally caught marine animals by Malaysian vessels in the Indian Ocean.	
		Instances of Cetaceans encircled ²	For PS 16.03.2016	N/A	N/A	N/A	N/A	Does not have PS vessel on the Record of Authorised Vessels.	
7.10.	Res 13/05	Data on interactions with Whale Sharks	30.06 (All gears)			L	P/C	Source - IOTC-2015-SC18-NR16: no record available on the number of accidentally caught whale sharks by Malaysian vessels in the Indian Ocean.	
		Instances Whale Sharks encircled ²	For PS 16.03.2016	N/A	N/A	N/A	N/A	Does not have PS vessel on the Record of Authorised Vessels.	

8. Illegal, Unreported and Unregulated (IUU) Vessels

N°	Source	Information required	Deadline/ Remark	Previous Status ¹		Current Status		Observations	CPC Remarks
				Timeliness	Content	Timeliness	Content		
8.1.	Res. 11/03	IUU listing	Session - 70 ds (07.03.2016)	C	C	C	C	No vessel listed on IOTC IUU list in 2015.	
8.2.	Res. 07/01	Compliance by nationals	16.03.2016	C	C	C	C	No nationals on board vessels listed on IOTC IUU list in 2015.	
9. Transshipments									
9.1.	Res. 14/06	At sea transshipments – CPC report	Before 15.09	L	C	L	C	Received: 15.09.15	
9.2.		Transshipments in port report ²	16.03.2016	N/C	N/C	N/C	N/C	Mandatory report not provided. Information from other reporting requirement(s) indicate some vessels have conducted TRX in ports. Source – MUS report 40 TRX in Port Louis: information not reported. Source – R10/10 Mauritius report 40 TRX in Port Louis.	
9.3.		List of Authorised carrier vessels	Since 01.07.2008	C	C	C	C	Last update: 03.02.16	
9.4.		Report on results of investigations on possible infractions	26.02.2016	L	C	C	C	Possible infractions: 31 Responses received: 31	
9.5.		ROP fee	17.08.2015	L	C	L	C	Received 01.09.15	
10. Observers									
10.1.	Res. 11/04	Regional Observer Scheme ² (No. of vessels monitored and coverage by gear type)	16.03.2016	N/C	N/C	N/C	N/C	Source - IOTC-2015-SC18-NR16: has indicated has yet to carry out any observer programme and progress & ROS has been hampered by the lack of financial & human resources. Had 11 vessels active in 2014; No. of vessels monitored: 0; Coverage by gear LL 0 %.	
10.2.		• 5% Mandatory, at sea (> 24m) ²	Since 01.07.2010	N/C	N/C	N/C	N/C		
10.3.		• 5% Phasing in, at sea (< 24m)	2013	N/C	N/C	N/C	N/C		
10.4.		• 5 % Phasing in Artisanal landings ²	16.03.2016	L	P/C	L	P/C	Malaysia informed that they sample catch for part of its artisanal fishery (information provided during a mission of the IOTC-OFCF Project). No observer coverage provided.	
10.5.		Observer reports	150 days after trip	N/C	N/C	N/C	N/C	No observer report provided.	
11. Statistical document programme									
11.1.	Res. 01/06	1 st Semester report	01.10	N/A	N/A	N/A	N/A	Source IOTC-2016-CoC13-CQ16: does not import Bigeye tuna.	
11.2.		2 nd Semester report	01.04	N/A	N/A	N/A	N/A		
11.3.		Annual report ²	16.03.2016	N/A	N/A	N/A	N/A	Source IOTC-2016-CoC13-CQ16: BET not exported.	

N°	Source	Information required	Deadline/ Remark	Previous Status ¹		Current Status		Observations	CPC Remarks
				Timeliness	Content	Timeliness	Content		
11.4.		Information on authorised institutions and personnel	Since 01.07.2002	N/C	N/C	N/C	N/C	No information provided.	
12. Port inspection									
12.1.	Res. 05/03	Port inspection programme	01.07	L	C	L	C	NIL report received 07.07.15; no landing by foreign fishing vessels at Malaysia port in 2014.	
12.2.	Res. 10/11	List of designated ports	Since 31.12.10	C	C	C	C	Information updated on 24.02.16. Has designated two ports.	
12.3.		Designated competent Authority		C	C	C	C		
12.4.		Prior notification periods		C	C	C	C		
12.5.		Inspection report	3 days after inspection	C	C	C	C	Source IOTC-2016-CoC13-CQ16: Call in port: 0 ; Foreign vessel inspected: 0 ; LAN/TRX monitored: 0.	
12.6.		At least 5% inspection of LAN or TRX	Since 01/03/2011	C	C	C	C		
12.7.	Denial of entry in port		C	C	C	C			
13. Market									
13.1.	Res. 10/10	Report on import, landing and transshipment of tuna and tuna-like fish products in ports ²	16.03.2016	C	C	C	C	Source IOTC-2016-CoC13-IR16: has reported no import, landing and transshipment of tuna and tuna-like fish products in ports in 2015	

Feedback to Malaysia on the level of implementation of IOTC Conservation and Management Measures identified by the CoC12 in 2015.

Feedback: With regards to the level of compliance by Malaysia to the decisions of the Commission, the Compliance Committee noted certain issues that required attention. These concerns were communicated to Malaysia by the Chair of the Commission in a letter dated 1st May, 2015.

• Has not fully implemented the requirement for Documents listed in this resolution to be on board, as required by Resolution 14/04.
• Has not fully implemented the requirement for marking of vessels, as required by Resolution 14/04.
• Has not implemented the requirement for marking of gears, as required by Resolution 14/04.
• Has not fully implemented the requirement for logbook on board vessels, as required by Resolution 14/04.
• Has not implemented the ban on large-scale driftnet as required by Resolution 12/12.
• Has not provided all the mandatory information on the fleet development plan, missing: capacity, as required by Resolution 12/11.
• Has not reported size frequency to IOTC Standard for the coastal fisheries, as required by Resolution 10/02.
• Has not reported size frequency for the longline fisheries, as required by Resolution 10/02.
• Has not reported Nominal catch on sharks to IOTC Standard, as required by Resolution 05/05.
• Has not reported Catch and effort on sharks to IOTC Standard, as required by Resolution 05/05.
• Has not reported Size frequency on sharks, as required by Resolution 05/05.
• Has not implemented the ban on thresher sharks as required by Resolution 12/09.
• Has not implemented the ban on oceanic whitetip sharks as required by Resolution 13/06.
• Has not fully implemented the mandatory requirement on Sea turtles report, as required by Resolution 12/04
• Has not fully implemented the mandatory requirement for longliners to carry line cutters and de-hookers on board, as required by Resolution 12/04.
• Has not fully implemented the mitigation measures on seabirds south of 25°S, as required by Resolution 12/06.
• Has provided a NIL report for transshipment of flagged vessels in foreign ports which is contradictory with reports from one port State CPC for transshipment activities in its port, as required by Resolution 14/06.
• Has not implemented the observer scheme, no deployment, as required by Resolution 11/04.
• Has not implemented the observer scheme, no observer coverage at sea for vessel > 24m, as required by Resolution 11/04.
• Has not implemented the observer scheme, no observer coverage at sea for vessel < 24m, as required by Resolution 11/04.
• Has not fully implemented the observer scheme for artisanal landing, as required by Resolution 11/04.
• Has not provided observer report, as required by Resolution 11/04.
• Has not provided mandatory information on authorised institutions and personnel, as required by Resolution 01/06.

Response: No response to the letter of the Chair of the Commission was provided by Malaysia.

Current issues on the level of implementation by Malaysia of IOTC Conservation and Management Measures identified for discussion in the CoC13 in 2016.

Having reviewed the 2016 Compliance Report for Malaysia, the Chair of the Compliance Committee has identified the following significant non-compliance issues for discussion.

Compliance issues	Current status (2015)	Previous Status (2014)
Repeated compliance issues		
• Has not fully implemented the requirement for Documents listed in this resolution to be	P/C	P/C

on board, as required by Resolution 14/04.		
• Has not fully implemented the requirement for marking of vessels, as required by Resolution 14/04.	P/C	P/C
• Has not implemented the requirement for marking of gears, as required by Resolution 14/04.	N/C	N/C
• Has not fully implemented the requirement for logbook on board vessels, as required by Resolution 14/04.	P/C	P/C
• Has not implemented the ban on large-scale driftnet as required by Resolution 12/12.	N/C	N/C
• Has not provided all the mandatory information on the fleet development plan, missing: capacity, as required by Resolution 12/11.	P/C	P/C
• Has not reported size frequency to IOTC Standard for the coastal fisheries, as required by Resolution 15/02.	P/C	P/C
• Has not reported size frequency for the longline fisheries, as required by Resolution 15/02.	N/C	N/C
• Has not reported Nominal catch on sharks to IOTC Standard, as required by Resolution 05/05.	P/C	P/C
• Has not reported Catch and effort on sharks, as required by Resolution 05/05.	N/C	P/C
• Has not reported Size frequency on sharks, as required by Resolution 05/05.	N/C	N/C
• Has not fully implemented the ban on thresher sharks as required by Resolution 12/09.	P/C	P/C
• Has not fully implemented the ban on oceanic whitetip sharks as required by Resolution 13/06.	P/C	P/C
• Has not fully implemented the mandatory requirement on Sea turtles report, as required by Resolution 12/04	P/C	P/C
• Has not fully implemented the mandatory requirement for longliners to carry line cutters and de-hookers on board, as required by Resolution 12/04.	P/C	P/C
• Has not fully implemented the mitigation measures on seabirds south of 25°S, as required by Resolution 12/06.	P/C	P/C
• Has not provided the mandatory report on transshipment of flagged vessels in foreign ports, as required by Resolution 14/06.	N/C	N/C
• Has not implemented the observer scheme, no deployment, as required by Resolution 11/04.	N/C	N/C
• Has not implemented the observer scheme, no observer coverage at sea for vessel > 24m, as required by Resolution 11/04.	N/C	N/C
• Has not implemented the observer scheme, no observer coverage at sea for vessel < 24m, as required by Resolution 11/04.	N/C	N/C
• Has not fully implemented the observer scheme for artisanal landing, as required by Resolution 11/04.	P/C	N/C
• Has not provided observer report, as required by Resolution 11/04.	N/C	N/C
• Has not provided mandatory information on authorised institutions and personnel, as required by Resolution 01/06.	N/C	N/C
Repeated compliance issues		
• Has not provided the data on interactions with cetaceans, as required by Resolution 13/04.	P/C	
• Has not provided the data on interactions with whale sharks, as required by Resolution 13/05.	P/C	