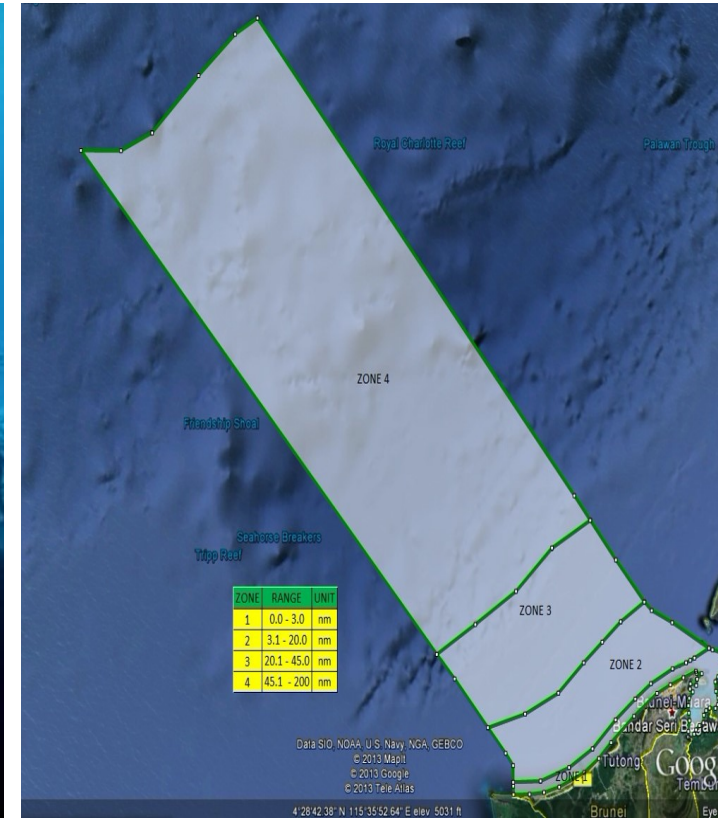




# MONITORING CONTROL AND SURVEILLANCE



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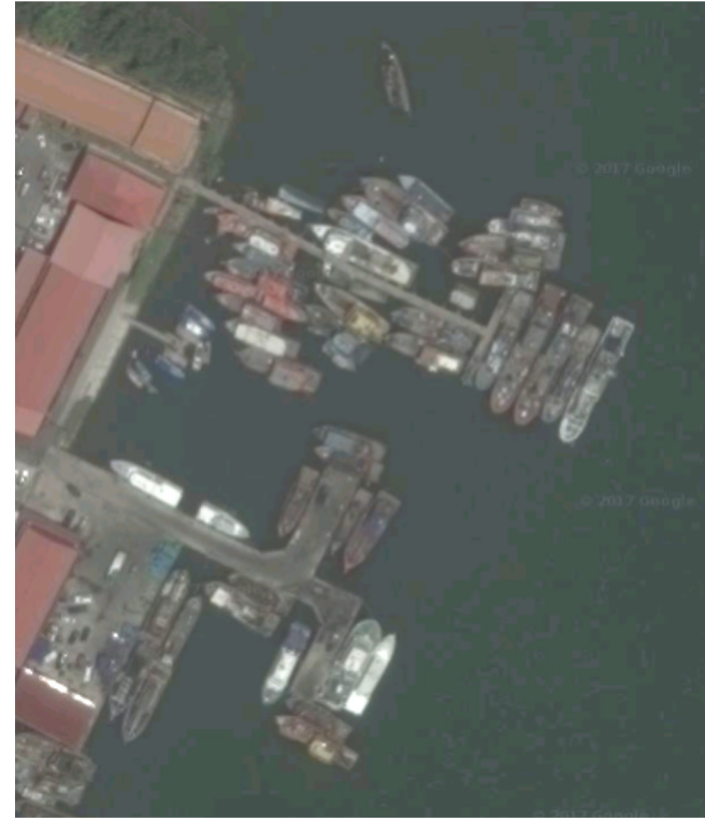




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# BACKGROUND



# Background

The RPOA emphasises the role of MCS in a successful fisheries management regime and calls on countries in the region to:

- develop suitable and relevant inter-agency arrangements to develop their networks to quickly share information such as locations, names of vessels, ports used (home and/or unloading port) and species targeted;
- enter into appropriate sub-regional MCS arrangements to promote the elimination of IUU fishing within the region;
- develop a regional MCS network to promote the sharing of information and to coordinate regional activities to support the promotion of responsible fishing practices, including the participation in the work of the International MCS Network;
- promote knowledge and understanding within their fishing industries about MCS activities to enhance sustainable fisheries management and to help combat IUU fishing; and
- develop, as appropriate, observer programmes including the requirement for industry to adhere to inspection regimes and carry observers on board when required.

# Introduction

- Brunei Darussalam is already implementing a number of MCS-related measures. In terms of monitoring activities, fisheries data collection is conducted by the Capture Fisheries Industry Division. One of the main functions of this Division is to evaluate the status and the economies of exploitation of pelagic and demersal fisheries resources. Some of the control-related measures implemented by DOF include limiting the number of licences in the trawl fisheries, regulating fishing gears and mesh sizes of nets, and zoning of fishing grounds.

## Fisheries Order 2009

- DOF, through the Fisheries Order 2009 also prohibits trawl fishermen and their fishing vessels from entering the area within one nautical mile radius of any operational oil platform and pipeline. Since January 2002, numerous campaigns have been launched to raise the level of awareness among local fishermen on the dangers of conducting fishing operations near oil platforms. Fishermen particularly small-scale fishermen are required to conduct their operations outside of the 500 metres radius safety zones of oil installations. Several operations are being conducted by enforcement agencies to protect fisheries operations and oil platforms, such as the Operasi Menangin and Operasi Kembura. These operations help prevent local fishermen from fishing inside the 500 metres radius of oil fields.

## Merchant Shipping Order 1988

- Additionally, the Merchant Shipping (Safety Zones) Order 1988 declares the Safety Zones which are established around all oilfield installations and structures extending to a distance of 500 metres measured from each point on the edge of the installations and structures situated within the area of the territorial waters and continental shelf of Brunei Darussalam.

# Merchant Shipping Order 1988

In addition, the merchant shipping (safety zones) order 1988 has designates five areas namely:

1. Safety Zone 1-Champion Shoal Oilfield
2. Safety Zone 2- Magpie Oilfield
3. Safety Zone 3- Fairly Oilfield
4. Safety Zone 4- South West Ampa Oilfield
5. Safety Zone 5 - Fairly Baram Oilfield.

For the purpose of this Order, unauthorised entry by any person or vessel into the Safety Zone is prohibited except for the purpose of saving life or property; on account of stress or weather, or when the vessel in a distress situation. Any contravention of the Merchant Shipping (Safety Zones) Order 1988 by the master or owner of any vessel is, on conviction, liable to a fine not exceeding \$100,000 and the vessel is liable to be detained



## **In terms of surveillance, the Fisheries Order 2009 lays out the powers of authorised and enforcement officers for boarding and inspection, particularly to:**

- stop, board, and search any vessel within Brunei Darussalam's water and make any inquiry, examination and inspection concerning crew, equipment or fishing appliance, or fish carried on board that vessel;
- stop, board and search, and inspect any vessel or vehicle transporting fish; require to be produced and inspect any licence, permit, record, certificate or any other document required under the Order or under any generally accepted international rules and standards;
- enter and search any place in which he has reason to believe that an offence under the Order is about to be or has been committed;
- take samples of any fish found in any vessel or vehicle inspected;



- arrest any person who he has reason to believe has committed an offence under the Order:
- seize any vessel including its equipment, gear, furniture, appurtenances, stores and cargo, or any vehicle which he has reason to believe has been used in the commission of any offence;
- seize any fish which he has reason to believe has been caught in the commission of an offence under the Order;
- seize any explosive, poison, pollutant or other noxious substance, apparatus or prohibited gear or any other thing which he has reason to believe has been used to contravene the provisions of the Order;
- and seize any unlicensed fishing appliance or marine culture system.

## Strengthening MCS systems

- Asset Management, Licensing And Enforcement Division. These divisions enforce the Fisheries Order 2009 and the Brunei Fishery Limit Act Chapter 130. They also monitor and conduct surveillance activities on the encroachment of foreign fishing vessels in Brunei Darussalam's waters; fisheries import, export, and transit activities throughout Brunei Darussalam; and issuance of fisheries licences, including fishing gears and aquaculture and fish processing activities.

## Strengthening MCS systems

- Apart from the Department of Fisheries, other agencies are also involved in implementing Brunei Darussalam fisheries laws and regulations and conducting MCS activities, such as the Marine Police and the Royal Brunei Navy, the Royal Brunei Air Force and the National Maritime Coordinating Centre. The Marine Police, a branch of the Royal Brunei Police has the responsibility for enforcement of marine resources-related regulations throughout Brunei Darussalam's maritime jurisdiction. Some of the challenges being confronted by the Marine Police relate to limited assets, pressure due to increasing violations in Zone 3, and fishing near oil rigs.

## Strengthening MCS systems

- The Royal Brunei Navy's main function is the defence of the country. It has the power to investigate and enforce violations by vessels but plays a secondary role in fisheries enforcement. It undertakes eight patrols per month and deploys only one ship at any time. In order to overcome the difficulty of the Royal Brunei Navy to police the entire Brunei Darussalam maritime zone, it aims to invest in new technologies such as vessel monitoring system. Aside from the Royal Brunei Marine Police and the Royal Brunei Air Force, the Royal Brunei Navy also cooperates with other enforcement agencies such as the Directorate of Operations of the Ministry of Defence, Internal Security Department, Immigration and National Registration Department, Labour Department, Forestry Department, and the Royal Customs and Excise Department.

## Strengthening MCS systems

- Joint operations by enforcement agencies have resulted in the detention and arrest of foreign fishing vessels. Inspection of licences, fishing gears and import permits, imported fresh, live and frozen fish, and cod end mesh size net are also conducted by enforcement agencies, as well as inspection in immigration posts. The number of patrol vessels used for fisheries enforcement has significantly increased from 29 in 2003 to 446 in 2010. Enforcement agencies aim at conducting more than 360 patrol times a year.

## Strengthening MCS systems

- A significant enhancement and landmark to the MCS capabilities of Brunei Darussalam is through the government initiatives to establish a national coordination centre in 2010 which is task to purview into any maritime issues in which the newly established centre known as the National Maritime Coordination Centre (NMCC) under the Prime Minister Office. The objective of NMCC is to coordinate maritime surveillance and maritime security responds with its stakeholders which consists of government maritime enforcement agency and other non government organization. It is also acting as a fusion centre for info sharing on maritime threats and incidents occur nationally and regionally.

## Strengthening MCS systems

- DOF has developed coordinated national MCS strategy that would investigate the components of an MCS system, including use of appropriate satellite and related technology which would be deemed appropriate for the type of fishing activities and other maritime crimes and security incidents that occur in its maritime zones. This system would include the adoption of a vessel monitoring system, an improved logbook system, inspection scheme, and participation in the International MCS Network.



## Strengthening MCS systems

- Brunei Darussalam also acknowledges the need for co-management in Zones 1 and 2. Brunei Darussalam would engage the industry and other stakeholders to develop co-management responses in these fisheries zones to prevent IUU fishing and ensure sustainable management of fisheries. In line with opening up Zone 4 to commercial fishing either through foreign access or joint ventures, Brunei Darussalam would conduct more intense MCS activities in the area to prevent the IUU fishing. In particular, Brunei Darussalam would investigate opportunities for cooperative MCS with its neighbours, including coordinate patrols, hot pursuit arrangements and reciprocal enforcement.

# IUU/ Foreign Vessels Infringement in Brunei Darussalam

## 2010 – 2017 Statistics

**289** total sightings (usually only a small % of the total infringement)

**28** caught & prosecuted

**B\$ 19M/ year** estimated economic losses

- Brunei Darussalam capture fisheries resources is estimated to generate earnings of **B\$ 112 million** per year **sustainably**;
- The capture fisheries industry is currently supporting the livelihood/ employment of **1,600** locals

# System & Infrastructure Requirement

## Requirement

Monitoring & Control Centre

VMS 2-way system, hardware & e-Log Book

VMS Air-time

Fishermen's capacity to use system

DoF capacity to implement and enforce system

## Possibilities

Existing Supervisor's Office @ FLC

- To identify Vendor & Service Provider
- To place on-board each commercial fishing vessels (either subsidized or fully at fishermen's own costs)

To identify Vendor & Service Provider

Training:

- By Venders & Service Providers
- SEAFDEC

Training:

- By Vendors & Service Providers
- SEAFDEC

# SUMMARY OF ACTIONS AND STRATEGIC RESPONSE

Develop suitable and relevant inter-agency arrangements to develop networks to quickly share information such as locations, names of vessels, ports used, species targeted, and other information

- Adopt an MCS strategy that would investigate the components of an MCS system which would be deemed appropriate for the type of fishing activities that occur in its fisheries zones.
- Engage the industry and other stakeholders to develop co-management responses in these fisheries zones to prevent IUU fishing and ensure sustainable management of fisheries
- Conduct more intense MCS activities in the area to prevent the IUU fishing
- Investigate opportunities for cooperative MCS with its neighbours including coordinate patrols, hot pursuit arrangements and reciprocal enforcement
- The establishment of the NMCC in 2010 will enhance the coordination and effectiveness of MCS efforts in Brunei Darussalam



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# THANK YOU

