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To prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing - EU regulations introduced in Thailand



Seminar in Bangkok, Thailand

The EU Regulations to Prevent Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing was first introduced in Thailand. During November 26-28 and December 15-19, 2008, the seminar on “Council Regulation Establishing the European Community System to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing” was held in Bangkok. The EU representatives came to study and collect data on fisheries in Thailand for analysis and to consider the possible effect of the Regulation to stakeholders.

The regulation is inspired by the FAO’s International Plan of Action adopted in 2001 to

prevent deter and eliminate IUU fishing. The EU Community has one of the largest fishing fleet in the world and is the third largest catching power. In addition, it is also largest importer of fishery product in the world. The high demand for processed product exposes the Community to be a potentially attractive market for IUU operators.

The IUU fishing is one of the most serious threats to the sustainable exploitation of living aquatics resources, marine environment, and to the sustainability of fish stocks and marine biodiversity. The EU has been extremely active fighting against IUU fishing.

The IUU Regulation will apply from January 1, 2010. One of the main elements of the Regulation is the certificate scheme to improve traceability of all marine fishery products traded with the Community in all stages of the production chain, from

the fishing net to the plate. The fishery products of IUU fishing will be prohibited. (The more detail of the main provision in the Regulation is available at; http://ec.europa.eu/fisheries/cfp/external_relations/illegal_fishing_en.htm)

Before applying the Regulation in 2010, Thailand was selected to be the representative country of tropical fisheries. In addition the national fisheries administration system was observed. All relevant data and unique condition were considered before it is introduced and implemented in other countries in this region.

The IUU fishing has been the concern throughout the world. Thus the effective alert system and close cooperation among countries that play the role of consumer and producer can seriously control and stop IUU fishing utterly.

Sampan Panjarat
Alumni 2007-2008

Editorial - keeping the energy

It has to be admitted that keeping the energy to publish this newsletter regularly is not easy. The very first reason is that issuing this newsletter is not the only duty we have. This newsletter, notwithstanding its value for the alumni, can be considered as a side job for all of us, the Asia-

Pacific alumni.

Each and everyone of us, researcher, diplomat, civil servant, lecturer, etc., has our main duty to deal with. Often, contributing in this newsletter comes at the bottom of our priority list. However, no matter how busy we are and how uneasy our main duties are,

we manage to keep this newsletter published. Each and everyone of you who contributed, deserves appreciation. The old saying is true that time is something we create, not

granted. No matter how busy we are, we always manage to find some times for the newsletter.

This newsletter is truly a small thing, considering the label we poses: The UN-Nippon Foundation Fellowship Alumni. We believe that we can do more than just a newsletter. However, this is a good start for something bigger in the future. We will met up in Tokyo in April 2009 and we hope that the event can be a good moment for us to redefine our roles.

Let’s prepare ourselves to contribute more, no matter how small it will be. Let’s keep the energy alive. [aa]

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Opinion - Indonesia-Singapore mapping a good fence

Once again, Indonesia proved its ability in delimiting maritime boundaries with its neighbors. After an approximately 5-year intensive negotiation, Indonesia managed to agree a maritime boundary segment with Singapore in the Strait of Singapore.

This new maritime boundary is the second one with Singapore, 36 years after the first one was concluded. For Indonesia, this is also the second one in the 21st century with a maritime boundary segment with Vietnam concluded in June 2003. The boundary was negotiated with Vietnam for approximately 25 years since 1978. This proved that maritime boundary negotiation is by no means easy to conclude. It is consequently imaginable, how complex it is for Indonesia to settle maritime boundaries with ten neighbors: India, Thailand, Malaysia, Singapore, Vietnam, Philippines, Palau, Papua New Guinea, Australia and Timor Leste.

Up to date, Indonesia has settled, fully or partially, maritime boundaries with seven



Maritime boundary between Indonesia and Singapore

neighbors. Meanwhile, maritime boundaries with the Philippines, Palau, and Timor Leste are now under negotiation or preparation of negotiation. At the same time, negotiation with other countries like Malaysia for other pending maritime boundaries is also taking place.

The decision taken by Indonesia and Singapore to negotiate the boundaries is a good choice. Notwithstanding the fact that establishing maritime boundaries through bilateral negotiation is relatively slow, it is pref-

erable compared to submitting the case before the third party such as International Court of Justice (ICJ) or International Tribunal on the Law of the Sea (ITLOS). The very first reason is that both parties could take full control over their case instead of letting a third party making a decision. Secondly, it is rare indeed that a negotiation results in one participant gaining everything and the other nothing. Most likely, both parties will gain something, even though the gain is not always the same as the proposal of each party.

Thirdly, taking a case to a third party, such as ICJ and ITLOS, apparently costs a huge amount of money. It is worth remembering that the Sipadan and Ligitan case between Indonesia and Malaysia cost around Rp 16 billion (USD 1.4 millions) for the Indonesian side. Having said that, negotiation is certainly a hugely attractive and likely route to dispute resolution compared to third-party settlement options. (continued on page 4)

UN-Nippon Fellows 2009-2010



Ten new fellows will be joining our club soon. The selection committee, consisting of Mr. Václav Mikulka (Director, DOALOS/OLA and Chair of the Selection Committee), Prof. Moritaka Hayashi (Eminent Scholar), Mr. Masazumi Nagamitsu (Executive Director, Maritime Affairs Department, Nippon Foundation), Mr. Davide Tonini (Representing Mr.

Curtis Hosang, Human Resources Officer, TCMS/DESA) and Mr. François B a i l e t (Programme Advisor DOALOS/OLA and Secretary of the Selection Committee), has decided ten new awardees of the United Nations-Nippon Foundation Fellowship and four other would be selected as reserve candidates.

The ten candidates are Mr Robert Charles Capistrano Philippines (Asia), Mr Mé-Chinhô Costa Alegre (Sao Tome, Africa), Mr Raul Curiel (Venezuela, LACA), Ms Nivedita Malliga Hosanee (Mauritius, Africa), Ms Ruria Itraera (Kiribati, Asia-PI), Mr Michael Karuru (Kenya, Africa), Mr Sora Lokita (Indonesia, Asia), Ms Aleeza Moseley (Barbados, LACA), Mr Mohammed Yusef Rasheed (Jordan,

Asia), and Ms Anama Solofa (Samoa, Asia-PI). Meanwhile four reserve candidates are Mr Carlos Rómulo del Cairo (Colombia, LACA), Ms Paloma Dos Santos Lima Pires (Sao Tome, Africa - to serve as alternate for Sao Tome), Ms Laely Nurhidayah (Indonesia, Asia - to serve as alternate for Indonesia), and Mr Biang Justin Tanga (Cameroon, Africa).

Number of UN-Nippon fellows is getting bigger and bigger. By the time they join our club, 50 people from around the world will then be sharing the same privilege under the United Nations and the Nippon Foundation flag. Theoretically, with more people, we can also do more concerning ocean affairs and the law of the sea.

It is important for the new fellows to know that we have an e-group (mailing list) through which fellows and alumni exchange information. New fellows can bring any issues concerning research, accommodation for their research placement and some other thing. All fellows are encouraged to join the e-group by sending an email too un_nippon-subscribe@yahoo.com. Welcome to the club!

I Love New York - alumni's story by Nopparat

When I think about NY I have many experiences that come to mind. They are not all good ones. Some are accidents that felt like nervous adventures. First of my adventures appeared in the JFK airport. I have a connecting flight to Halifax Canada but my flight is cancelled. However through this event I made good friends who take good care of me until now.

What do I think about NY? For me I thought NY is the place just for Hollywood super stars; big city and sophistication. I had only known New York from movies. I can not imagine how big the city is and how high the buildings are. Right now, I can say New Yorkers can not get sun burn because of shade from the high buildings.

I wondered why New York has no traffic jams. This is a good lesson for other big cities to duplicate the solutions so as to manage their city. One of my favorite things in NY was riding the subway. I would like to thank you Dr. Francois for teaching me how to get in and out of the subway. I should stand in front and get in first and quickly. I learned many things in the subway; one is Americans will stand in front of the door causing sometimes the door not to close and then they will have

arguments.

A special adventure I had was that only I can go to the Statue of liberty for free. I went to the ferry port without ticket because I thought I can buy a ticket at the port. When I get inside the ferry nobody asked me for a ticket. After I came back and walked to subway then I saw a ferry ticket booth at the subway station.

I really love NY because I love eating many types of food. If you love to eat Thai food, I will suggest Pongsri restaurant at 244 West 48th Street, New York. My favorite Vietnamese restaurant you can get there by subway at Grand St. station then you will seeon your right hand side. The name is Nam Som Vietnamese Restaurant 245 Grand St. NY City is also the best for people who love shopping. I went shopping and found great deals at the Old Navy store across the street from Macy's and I found a coat by DKNY for only 30 \$US.

But, the best of all are the wonderful people I met. Some of them flew me at their expense to family holiday dinners and they made me feel welcome. Some of the people I met on the cancelled flight, when I first arrived, paid for my travel to Snow Ski and



Nopparat in New York

witness ice fishing in Minnesota and Wisconsin.

I have learned from my UN experience that the people from the US and Canada are very generous, loving, kind, and they open their homes and hearts to people from all over the world. I want to say Thank you to the UN for this opportunity to expand my mind to the positive ways of the world.

*Nopparat Nasuchon - Alumni 2008-2009
Fisheries Biologist*

*Marine Fisheries RDC
Department of Fisheries, Thailand*

Getting the most out of the Fellowship - alumni's story by Reza



Reza in Heidelberg

To be in the United Nations Head Quarter for three months, for me as a junior diplomat, was a unique occasion and I decided to use

this chance as much as I can. I was surprised that we were actually allowed and free to participate in many UN sessions, meetings and conferences. It was a precious occasion to be involved in many UN sessions, even though we were not active participants. Being in real multilateral negotiations and consultations provided the fellows with great opportunities to learn and feel the real environment where we may be in the future.

I also spent my time in New York around

Christmas and January holidays and ceremonies, thus I put so much time to finalize my research paper and presentation. I devoted a lot of my time and energy preparing the power point version of my research project to be presented at the end of the internship. When the time came, I present my research in a meeting with attendance of other fellows and some of the DOALOS staffs. I was scheduled for a presentation on 8 January 2009 where I learned many things from the comments by DOALOS staffs and also from other attendees.

During the second segment of the fellowship, in except of the presentation and finalizing the research paper, the fellows are free to explore and discover information about the United Nations, especially those concerning DOALOS. Good and diverse book collection in the DOALOS library was the one I found really useful for my research. We can borrow and read as many books as we want.

Apart form the opportunities to learn the

UN system, we managed to interact informally and make friends with DOALOS staffs. People from around the globe are there in the office so we can learn not only those concerning ocean affairs and the law of the sea but also different cultures. Informal parties or dinners were occasionally arranged so everybody has opportunities to interact each other in a more casual manner.

Simply speaking, I gain a lot of good experiences and knowledge during the internship in New York. Some friends who knew me before the fellowship program even noticed the progress I achieve in term of personal capacity building. I personally encourage people from developing countries to apply for this program and get the most out of it.

*Reza Dehghani - Alumni 2008-2009
Legal Officer*

*Legal and International Directorate General,
Ministry of Foreign Affairs, Iran*

Ocean in Google Earth *a software review*

Google does not stop innovating. After successfully bringing the geospatial data to public for free through Google Earth (GE) and Google Maps, now Google adds ocean data in GE. If previously one can explore places on the land through GE, now it is possible also to “visit” places in the ocean.

A new GE has a layer of ocean where maritime information is stored. The layer contains, for example, marine protected area (MPA), maritime park, marine tourism area, etc. Those features can be accessed interactively and easily by activating the ocean layer. Not only spatial data, the layer is also accompanied with attribute data of the information concerning the

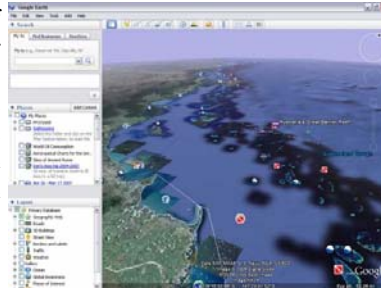
feature. By clicking specific icon or link, one will be able to see more information about marine features shown by GE.

In order for a user to be able to explore the ocean, the latest version of GE must be secured. GE Version 5.0, which is downloadable for free from <http://earth.google.com>, is the version that contain the ocean layer. If one has had an earlier version of GE, an update can be downloaded from the website. The update will then install the newest version of GE.

Once the newest GE is

installed, one can start flying and ‘diving’ through the ocean. It is interesting to visit the Great Barrier Reef (GBR) in Australia, for example. One can see marine protected area and also fishing zones around GBR. There are also information concerning turtle conservation, etc.

The marine information in GE is very useful for people interested in ocean affairs and law of the sea. Furthermore, they can also contribute to provide more accurate and reliable information to share to everybody in the world through GE.



Indonesia-Singapore ... (from page 2)

It is worth noting that the 1973 boundary does not specify geodetic datum. A geodetic datum is a reference onto which coordinates of position are expressed. Without a specific geodetic datum coordinates of boundary points (latitudes and longitudes) mean nothing. Practically speaking, the absence of geodetic datum in a maritime boundary treaty will make border patrol teams unable to tell whether or not a vessel/boat committing border crossing, for instance. In the new treaty, this geodetic datum issue has been, ideally, taken into account. Otherwise, the treaty will end up in the same situation with the old one.

Another good point for Indonesia is the success in applying its archipelagic baseline in delimiting the new maritime boundary

with Singapore. One base-point of the archipelagic baseline, from which the new boundary line was constructed, is located on Pulau Nipah, which was excessively mined for its sand. If the island were sunk, the story of maritime boundary delimitation between the two countries might have been different, with a probable disadvantage for Indonesian.

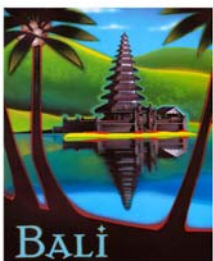
The next homework is the completion of the eastern segment. The final maritime boundaries will be a trilateral business involving Indonesia, Malaysia and Singapore. The decision by the ICJ concerning the sovereignty over three geographical features in the Strait (i.e. Pedra Branca or Batu

“... countries in South East Asia can find their way to settle dispute peacefully”

Puteh, Middle Rock, and South Ledge) may, to an extent, facilitate the maritime boundary delimitation among the three countries. However, the ICJ did not fully settle the sovereignty over South Ledge, which has yet to be decided between Malaysia and Singapore. This may take some times. The success of Indonesia and Singapore in achieving maritime boundary through series of negotiation is an example of good bilateral relationship. This once again proves that countries in South East Asia can find their way to settle dispute peacefully.

Andi Arsana - Alumni 2007-2008

Upcoming event - ABLOS conference in Bali, Indonesia



Advisory Board on the Law of the Sea (ABLOS) is organizing a conference in Bali, Indonesia. ABLOS, consisting of International Hydrographic Office (IHO) and International Association of Geodesy (IAG), is a board to provide advice and guidance and, where applicable, offer expert interpretation of

the hydrographic, geodetic and other technical aspects of the Law of the Sea to the parent organizations, their member states or to other organizations on request.

ABLOS regularly organizes conferences in Monaco, which took place biannually. This year, for the first time, the conference will be held in Bali, Indonesia. Indonesia’s Coordinating Agency for Surveys and Mapping (Bakosurtanal) is the main organizer for this conference. The conference is tentatively scheduled on 3-4 Au-

gust 2009. However, no official information has been released. Update of official information can be obtained from www.gmat.unsw.edu.au/ablos/.

There will be opportunity to present papers and share knowledge concerning technical aspects of the law of the sea and ocean affairs in general. In addition to a scientific journey, visiting Bali this year will be an excellent opportunity for holiday. It surely is a rare opportunity to gain and share knowledge while enjoying the hospitality of the island of paradise.



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**Building capacity in ocean affairs
and the law of the sea**

I am very pleased and honored to contribute to the second Asia-Pacific region Alumni news letter, and I congratulate those who have shown the dedication to maintaining this important publication.

On the Programme side, we are in the midst of placing the new 2009-2010 Fellows. All have matched, and by the time this news letter is distributed some may even have started. You can check the Fellowship website to keep abreast of the new Fellows' placements and eventually read their profiles, and later still, their presentations and thesis. Please also welcome them to the family through the Yahoo group.

We also have several 2008-2009 Fellows with us in NY completing the last few weeks of their tenure with the Division. Their thesis will be posted on the Fellowship website once they are finalized. In the meantime, all 2008-2009 presentations have been posted on the website.

In parallel to administering the incoming and outgoing Fellows, we are also in full organizational mode for the first Alumni meeting which will be held in Tokyo during the week of 13-17 April 2009. The inaugural meeting will bring together the Asia-Pacific region Alumni and certain of their Academic co-supervisors for a series of round-table presentation / discussion segments as well as a professional skills development component. We are very pleased to note that the Ocean Policy Research Foundation (a sister foundation of The Nippon Foundation) will be co-hosting a segment on the new Japanese Basic Ocean Law. Additional information on this event will be posted on the Fellowship website, and I am sure that a subsequent version of this publication will contain summaries, commentaries and photos.

I should also mention that we have added an Alumni Affairs section to the Fellowship website and I welcome any contributions of relevance. Also, the Alumni Representative (Andi) is currently thinking about creating a new UNNFF Alumni website and I am sure he will call on all of you for advice, input and assistance.

Dr. François Bailet - Programme Advisor

Next Issue:

The next issue will exclusively cover the UN-Nippon Alumni Meeting in Tokyo.

Please contact the editor for your contribution: madeandi@ugm.ac.id

Alumni's voice The Ecolabeling: Challenge for Fisheries Management

Thailand is in the top ten rank of fisheries product exporting countries. In the ASEAN region, Thailand is considered a leading country in fisheries product. However, Thailand is not alone in the business. Thailand is accompanied by all countries in the ASEAN region producing fish and other aquatic product, both freshwater and marine capture as well as culture. They are playing an important role, in terms of generating export revenue, income distribution and food security.

However the increase demand for fisheries product has also added more pressure on the ecosystems and fisheries. Thus, the feedback of concern from the consumers is growing to comply the common approach and international agreements that aim to sustain the world's marine fisheries such as the 1982 United Nations Convention on the Law of the Sea (the LOSC), the Code of Conduct for responsible Fisheries (the CCRF), the Conven-

tion on Trade in Endanger Species, the Convention on Biodiversity (CBD) and other international agreement and instruments. Regarding that, in 2005, FAO member countries adopted the guideline for ecolabeling of fish and fisheries product from marine capture fisheries.

For the event on 30 January 2009 in Bangkok, Seafdec, Sida, FAO and APFIC cooperated to introduce the guideline for government officer and stakeholders. It is another big challenge for Thailand to start the implementation of the FAO guidelines for eco labeling which focus on criteria and standard setting, process of accreditation, certification processes



and certifying bodies thus lead to the label on the products.

Even though the FAO guidelines for eco labeling slightly focus on the "label", ecolabeling has been receiving special interest in the international fish trade forum.

It is believed that it may be the best to improve fisheries management and enforcement. First of the most, it will be the potential tool to stimulate more responsible fisheries and hence improve sustainability concepts. Furthermore Seafdec, Sida, FAO and APFIC plan to implement the guideline for ecolabeling throughout the region.

*Sampan Panjarat
Alumni 2007-2008*