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VIETNAM

ANNUAL REPORT TO THE COMMISSION

1 JANUARY – 31 DECEMBER 2009

PART 2. MANAGEMENT AND COMPLIANCE

In the tables below, most cells contain the text “Not applicable”. This is due to the following:

- (a) all the tuna caught so far by Vietnamese fishing vessels has been caught in Vietnam’s own maritime zones. These maritime zones are not included in the WCPFC Convention Area. As these fishing activities are therefore not subject to the Convention and the Commission’s Conservation and Management Measures (CMMs), these do not have to be incorporated in the usual fashion in Vietnam’s legislation; and
- (b) notwithstanding the previous, Vietnam participates in the West Pacific East Asia Oceanic Fisheries Management (WPEAOFM) project, which is administered by the WCPFC Secretariat. Through this project, Vietnam will provide fisheries data and will review its national laws and regulations to ensure consistency with international fisheries law, including the WCPFC Convention and the Commission’s CMMs.

2.1 IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES

Report on CCM steps to implement conservation and management measures in the Convention area (Article 23(2)c)	Implemented (yes/no) (If no, explain why not)							Measures in place	
CMM 2004-03: Specifications for the Marking and Identification of Fishing Vessels	2.1.1 (a) (b)	2.1.3 (a) (b) (c) (d)	2.2.1 (a) (b)	2.2.2 (a) (b) (c) (d)	2.2.3	2.2.4	2.2.5 (a) (b) (c) (d) (e)	3.1	Not applicable

									(f) (g) (h) (i) (j) (k) (l)			
CMM 2005-02: Conservation and Management Measure for South Pacific Albacore	1.											Not applicable
CMM 2005-03: Conservation and Management Measure for North Pacific Albacore	2.			3.			4.			7.		Not applicable
CMM 2006-04: Conservation and Management Measures for Striped Marlin in the South West Pacific	1.				3.				4.			Not applicable
CMM 2006-08: WCP Boarding and Inspection Procedures	7.	13. (a) (i)	13. (a) (ii)	13. (a) (iii)	13. (b) (i)	13. (b) (ii)	13.(b) (iii)	14-24.	30-36.	38.	40-44.	Not applicable. Note Vietnam's commitment on high seas boarding and inspection in Vietnam's application for CNM status
CMM 2007-01: Conservation and	13.							Attachment K, Annex C, 1.				Not applicable

Management Measure for the Regional Observer Programme.																		
CMM 2007-02: Commission VMS <i>(Revision of CMM-2006-06 to include the requirement that vessels in the Convention Area must maintain VMS transmission even while beyond the Commission boundaries at 20°N and 175°E).</i>	9 (a).																Not applicable	
CMM 2007-03: IUU Fishing <i>(Replacement of entire text of CMM-2006-09).</i>	4.	5.	8.	9.	13.	20.	22.	26.	27.								Not applicable	
CMM 2007-04: <i>(Revision of CMM-2006-02)</i> Conservation and Management Measure for Mitigating the Impact of Fishing on Seabirds.	1.	2.	1.	2.	4.	5.	7.	9.								Not applicable		
CMM 2008-01: Conservation and Management Measure for Bigeye and Yellowfin Tuna	9.	10.	11.	12.	13.	15.	16.	23.	26.	28	29	33.	39.	40.	42.	43.	45.	Not applicable

in the WCPO. (Replaces CMM 2005-01 and CMM 2006-01).																			
CMM 2008-03: Conservation and Management for Sea Turtles.	1.	2.	3.	4.	5. (b) (c) (d)	6.	7. (e)	8. (b)											Not applicable
CMM 2008-04: Conservation and Management Measure to Prohibit the Use of Large Scale Driftnets on the High Seas in the Convention Area.	2.				5.														Not applicable
CMM 2009-01: Record of Fishing Vessels and Authorization to Fish (Replaces CMM 2004-01)	A.1. (a) (b) (c) (d) (e) (f) (g) (h) (i)	A.2. (a) (b) (c)	A.4. (a) (b) (c) (d) (e)	B.5.	B.6. (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r)	B.7. (a) (b) (c)	B.8	B.9	C.15	C.18	B. 23	D. 28 - 31						Not applicable	

CMM 2009-09: Conservation and Management for Vessels Without Nationality	5.										Not applicable
CMM 2009-10: Conservation and Management to Monitor Landings of Purse Seine Vessels at Ports so as to Ensure Reliable Catch Data by Species	1.										Not applicable
CMM 2009-11: Cooperating Non- Members. (<i>Replaces CMM 2004-02 and CMM 2008-02</i>)	1.	2. (a) – (g)	9.	11.							Vietnam's application has been submitted in accordance with this procedure.

Report on CCM measures adopted for conservation and management of HMFS in areas under national jurisdiction (Art. 23(3))	Action taken
Brief summary of management methods used for Highly Migratory Fish Species (HMFS) in areas under national jurisdiction.	Not applicable

Report on CCM measures adopted for regulating the activity of vessels which fish in the Convention Area. (Art. 23(4)) Examples provided below but further fields may be added	Action taken
Vessel Registration and Authorisation Procedures.	Not applicable
Control of fishing vessels.	Not applicable

Instruction/education/extension programs for industry including vessel owners, operators, crews and fish receivers/buyers.	
Port access and inspections (such as FAO Port Measures where applicable).	Not applicable

2.2 MONITORING AND INSPECTION ACTIVITIES

The information is to be in a summarized form.

Activity	Frequency/Numbers/% Coverage	Comment
VMS		Not applicable
Transhipments		Not applicable
Transshipment inspections		Not applicable
At-sea inspections		Not applicable
Port inspections		Not applicable
Observer monitoring		Not applicable
Monitoring of trade and domestic distribution of HMFS.		Not applicable
Inspections of domestic-only vessels		Not applicable
High seas boardings and inspections of flag vessels.		Not applicable

2.3 SURVEILLANCE ACTIVITIES

The completion of this section should be in summarized form.

Activity	Frequency	Incidents/CMM Clause	Comment
Seagoing patrols			Not applicable
Aerial surveillance			Not applicable

2.4 INVESTIGATIONS AND PROSECUTION ACTIVITY

The completion of this section should be in summarized form to the level of detail that domestic requirements allow

Activity	Number	CMM Clause	Reason and summary outcome
Investigations			Not applicable
Outcomes – penalties or other action			Not applicable
- No further action			Not applicable

2.5 FURTHER MCS MEASURES TAKEN AND OTHER RELEVANT INFORMATION

- Inform relevant changes to national legislation.
- Trade measures (if adopted by the Commission).
- Cooperating non-CCMs annual reporting (to maintain cooperating status).
- Prompt IUU fishing activity reporting (Art 25(2,3)); estimated IUU catch within EEZ?
- NPOA reporting/IPOA actions taken through RFMO.

None of these issues are relevant or applicable.