



RESOLUTION 21/02

ON ESTABLISHING A PROGRAMME FOR TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS

APPLICABLE TO



The aim of this Resolution is to eliminate IUU fishing and the laundering of illegally caught fish into market streams by monitoring transhipments based on notifications, authorisations and data transmissions.



REPORTING REQUIREMENTS

The reporting requirements under this Resolution apply to flag State CPCs that flag large-scale tuna longline fishing vessels (LSTLVs), masters of receiving carrier vessels (for reporting to IOTC and the flag State) and flag State CPCs of large-scale tuna vessels (LSTVs) shipping in port.

WHO

CPC FLAG STATE

WHAT

Submit the list of carrier vessels authorised to receive at-sea transhipments from its LSTLVs in the IOTC area

Notify any changes to list of authorised carrier vessels

Master of receiving carrier vessel to transmit to IOTC and flag CPC of LSTLV transhipment declaration and its number in Record of Carrier Vessels

Report for previous year quantities of species and list of LSTLVs that have transhipped, assessment of observers reports

Report on results of investigations of possible violations of CMMs by LSTLVs/carrier vessels indicated by the IOTC Secretariat

Flag CPCs of LSTVs must report details of transhipments in port by vessels

WHEN

DEADLINE
Promptly

DEADLINE
Promptly, when changes occur

DEADLINE
Within 24 hours of completion of transhipment

DEADLINE
Annually before 15 September

DEADLINE
Annually by 15 January

DEADLINE
Annually, in Report of Implementation

REPORTING REQUIREMENTS: FORMAT AND CONTENT

Several reporting template forms have been developed by the Secretariat for CPCs to submit information to the Commission under this Resolution. Template forms for reporting at-sea transshipments cover the authorised list of carrier vessels, the records of quantities and LSTLVs that have transhipped in the previous year and the summary of conclusions from the observer programme on the activities of LSTLVs. Template forms for port transshipments cover the detail on the transshipments conducted by flag vessel in foreign ports. These and can be downloaded from the IOTC website at: <http://www.iotc.org/compliance/reporting-templates>

REPORTING REQUIREMENT 1:

SUBMIT TO IOTC THE LIST OF CARRIER VESSELS AUTHORISED TO RECEIVE AT-SEA TRANSHIPMENTS (PARA 7)

IMPLEMENTATION

- How to report: CPCs are required to notify a list of authorised carrier vessels to the Secretariat. The template developed by the Secretariat, which prescribes the format of information to be submitted, should be followed. It contains a guide on how to complete the report, and which information to provide.
- Reporting format: The template form can be downloaded from the following link: <http://www.iotc.org/compliance/reporting-templates>
- Where to send the information: The report should be sent to iotc-secretariat@fao.org

REPORTING REQUIREMENT 2:

REPORTING REQUIREMENT 2: NOTIFY THE SECRETARIAT OF ANY CHANGES TO LIST OF AUTHORISED CARRIER VESSELS (PARA 8)

IMPLEMENTATION

- How to report: CPCs should report any changes to list of authorised carrier vessels. The same form as above is used, and the nature of the reporting is indicated in the appropriate field (deletion/addition/modification).
- Reporting format: The report template can be downloaded from the following link: <http://www.iotc.org/compliance/reporting-templates>
- Where to send the information: The report should be sent to iotc-secretariat@fao.org

REPORTING REQUIREMENT 3:

MASTER OF CARRIER VESSEL TO TRANSMIT TO IOTC AND FLAG CPC OF LSTLV TRANSHIPMENT DECLARATION AND ITS NUMBER IN RECORD OF CARRIER VESSELS (PARA 16)

IMPLEMENTATION

- How to report: CPCs must require masters of receiving carrier vessels to complete and transmit the IOTC transshipment declaration to the IOTC and to their Competent Authority.
- Reporting format: The Transshipment Declaration is in Annex III of the Resolution.
- Where to send the information: The report should be sent to iotc-secretariat@fao.org

REPORTING REQUIREMENT 4:

REPORT TO IOTC ON QUANTITIES OF SPECIES AND LIST OF LSTLVs THAT HAVE TRANSHIPPED DURING PREVIOUS YEAR, AND ASSESSMENT OF OBSERVER REPORTS (PARA 23)

IMPLEMENTATION

- How to report: This report must be submitted by the LSTLV flag State. For species and LSTLVs, a template is available. CPCs should follow the reporting outline in the template, which provides one sheet for the quantities transhipped by species – on a transshipment basis – and another sheet for a summary of all the LSTLVs that have transhipped under its jurisdiction. For assessments of observer reports, a template is available for assessing the content and conclusions of the reports of observers assigned to the carrier vessels which have received transshipments from the CPC's flag LSTLV.
- Reporting format: The report templates can be downloaded from the following link: <http://www.iotc.org/compliance/reporting-templates>
- Where to send the information: The report should be sent to iotc-secretariat@fao.org

REPORTING REQUIREMENT 5:

REPORT TO IOTC THE RESULTS OF INVESTIGATIONS OF POSSIBLE VIOLATIONS OF IOTC CONSERVATION AND MANAGEMENT MEASURES BY LSTLVs AND CARRIER VESSELS, WHERE IOTC HAS INDICATED EVIDENCE OF THIS IN SUMMARIES AND REPORTS (PARA 26)

IMPLEMENTATION

- How to report: The possible infraction form shall be completed by the concerned fleets to provide their responses on the result of investigations to the IOTC Secretariat. The list of possible infractions shall consist of all incidents noted and received by 31st December each year.
- Reporting format: Reporting format: When providing observer reports to the fleets, the IOTC Secretariat shall also provide a "possible infraction form" for all recorded possible infractions in the report.
- Where to send the information: The report should be sent to iotc-secretariat@fao.org

REPORTING REQUIREMENT 6:

REPORT TO IOTC THE DETAILS ON THE TRANSHIPMENT BY FLAG VESSELS IN PORTS (ANNEX I, PARA 6)

IMPLEMENTATION

- How to report: A template for this report has been developed by the Secretariat. CPCs should follow the reporting outline proposed in the template. The template provides one sheet for all the information about transhipment in port by LSTLVs, including quantity by species.
- Reporting format: The template can be downloaded from the following link: <http://www.iotc.org/compliance/reporting-templates>
- Where to send the information: The report should be sent to iotc-secretariat@fao.org

TRANSPOSITION INTO NATIONAL LAW

PROPOSED LEGISLATIVE FRAMEWORK

TO PROHIBIT AT-SEA TRANSHIPMENTS WITHOUT A REGIONAL OBSERVER ON BOARD (PARA 19)

- 1) The operator of a [country] large-scale tuna fishing vessel or carrier vessel that is operating in the IOTC area of competence [and the operator of any foreign large scale tuna fishing vessel or carrier vessel fishing vessel in areas under [country] jurisdiction]¹ shall not commence or continue at-sea transhipments:
 - a. except under the IOTC programme to monitor transhipments at sea; and
 - b. unless an observer is on board, as required, appointed and authorised under the IOTC Regional Observer Programme, except for genuine cases of *force majeure* notified in advance to the IOTC Secretariat.

TO PROHIBIT AT-SEA TRANSHIPMENTS BY VESSELS OTHER THAN LARGE SCALE TUNA LONGLINE VESSEL (PARA 4)

- 2) The operator of a [country] vessel that is operating in the IOTC area of competence [and the operator of any foreign vessel fishing vessel in areas under [country] jurisdiction]² that is not a large scale tuna longline vessel shall not engage in at-sea transhipment of tuna and tuna-like species and sharks.

TO REQUIRE CERTAIN PROCEDURES FOR AT-SEA TRANSHIPMENT (PARA 5)

- 3) Where a [country] vessel is authorised to undertake at-sea transhipment, it shall be conducted in accordance with the procedures defined in any relevant IOTC conservation and management measure.

¹ Optional. To be included where national jurisdiction is within the IOTC area of competence.

² Optional. To be included where national jurisdiction is within the IOTC area of competence.

COOPERATION REQUIREMENTS

Port States and landing States, when verifying the accuracy of information received from LSTVs and carrier vessels on transshipments, must cooperate with flag States of the LSTLV to ensure that the quantities landed are consistent with the reported catches declared.

OBLIGATIONS OF THE INDUSTRY

Industry, in particular the operators of fishing and carrier vessels (including masters), must implement the applicable provisions of the Resolution. There are various reporting requirements for the masters of either, or both the LSTLV and the carrier vessel to their flag States, the port State and landing State, both prior to, and after the landing or transshipment. Except where the master must report directly to IOTC, these reporting requirements are not specified in this Implementation Sheet. However, the CPC flag States of the LSTLVs and carrier vessels Resolution must require the vessel operators to comply.

All carrier vessels authorised to receive transshipments must install and operate a VMS.

CPCs must ensure that all carrier vessels transshipping at sea have on board an IOTC observer. (paragraph 18). The requirement to carry an observer on board authorised carrier vessels (under the IOTC Regional Observer Programme) is provided under paragraph 18, with the details of observer duties and reporting addressed under Resolution 11/04.

OBLIGATIONS OF THE SECRETARIAT

The IOTC Secretariat is responsible for receiving and disseminating information, including in relation to the regional observer programme. The IOTC Executive Secretary has responsibility for maintaining the record of authorised carrier vessels established by the Commission and posting it on the IOTC website, accommodating the confidentiality requirements (paragraph 9).

OBLIGATIONS OF THE COMMISSION & BODIES

The Commission must establish and maintain an IOTC Record of Carrier Vessels authorised to receive tuna and tuna-like species and sharks at sea from LSTLVs in the IOTC area of competence.

The Compliance Committee and Scientific Committee receive observer reports.

The Compliance Committee receives responses from CPCs to the evidence sent by the Secretariat indicating possible violation of IOTC measures by their flag LSTLV and carrier vessels.

The provision of Paragraph 20 will be rescheduled in consultation with the IOTC Secretariat as a two-year pilot project to be started in 2021. The results of the project, including data collection, reports and the effectiveness of the project shall be examined in 2023 by the IOTC Compliance Committee on the basis of a report prepared by Indonesia and analysis by the IOTC Secretariat. This review shall include whether the programme offers the same level of assurances as those provided by ROP. It shall also explore the feasibility of obtaining an IMO number for the vessels concerned. The extension of the project or the integration of the project into ROP programme shall be subject to a new decision of the Commission.



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