



CCSBT-CC/1810/17

Transshipment Memorandum of Cooperation (MoC) with the WCPFC

1. Introduction

A Transshipment Memorandum of Cooperation¹ (MoC) was agreed between the CCSBT and the Western and Central Pacific Fisheries Commission (WCPFC)² in 2016 and was subsequently signed in April-June 2017. This MoC provides for High Seas transshipments involving SBT to be carried out within the High Seas of the WCPFC Convention Area if observed by CCSBT-endorsed WCPFC Regional Observer Program (ROP) transshipment observers.

During 2018, the CCSBT Secretariat continued liaising with the WCPFC Secretariat to explore ways in which it might establish the systems and processes necessary to operationalise this Transshipment MoC. The Secretariat also contacted its transshipping Members to determine the likely volume of transshipments that may occur under the MoC.

A progress update on the transshipment MoC as well as some options for its future implementation are provided below.

2. Progress Update

2.1 Members Wishing to Transship under the MoC

The Secretariat contacted its three transshipping Members (Japan, Korea and Taiwan) to check which of these three Members may wish to transship SBT within the High Seas of the WCPFC Convention Area once the CCSBT-WCPFC MoC has been operationalised.

Japan confirmed that it may wish to and also advised that:

- It expected that the number of transshipments per annum involving SBT that may occur within the High Seas of the WCPFC Convention Area would be in the range 10 – 20 per annum; and
- Any transshipments involving SBT will usually be multi-species transshipments.

Following consultation with their industries, Korea and Taiwan advised that their vessels are not intending to transship SBT within the High Seas of the WCPFC Convention Area in the foreseeable future.

2.2 Documentation of CCSBT's Transshipment Observer Data Requirements

The CCSBT Secretariat developed a draft summary document identifying key data elements to be collected and/or reports that would need to be submitted by WCPFC ROP observers assigned/endorsed to observe High Seas transshipments involving SBT within the WCPFC Convention Area³. This draft document was shared with the WCPFC Secretariat during 2017

¹ Memorandum of Cooperation (MoC) on the Endorsement of WCPFC Regional Observer Programme Observers for Observing Transshipments of Southern Bluefin Tuna on the High Seas of the WCPFC Convention Area

² The Western and Central Pacific Fisheries Commission

³ This draft document addresses paragraph 4 of the MoC

and also with the Forum Fisheries Agency's (FFA's) Chair of the meeting of Eleventh Meeting of the Tuna Fishery Data Collection Committee (DCC 11 - see section 2.3 below) during 2018. This was primarily because the DCC 11's 2018 agenda included an item on developing minimum data standards for observers on carrier vessels.

2.3 Eleventh Meeting of the Tuna Fishery Data Collection Committee (DCC)

CCSBT's Compliance Manager attended three days of the DCC 11 meeting which was held in Brisbane, Australia between 20 – 24 August 2018. This meeting was jointly organised by the FFA and the Pacific Community (SPC) and was also attended by the Parties to the Nauru Agreement Office (PNAO), and WCPFC's Compliance Manager and Regional Observer Program Coordinator.

Among other topics, the meeting discussed initiatives to develop Pacific Island minimum data standards for observers on carrier vessels⁴, however substantive work on these standards is yet to commence.

In the interim, the current transshipment observer standards are those described in paragraph 14 of WCPFC's Conservation and Management Measure 2009-06⁵, noting that any WCPFC-authorized National Observer Program may choose to collect data additional to the minimum requirements outlined below:

“14. Observers shall monitor implementation of this Measure and confirm to the extent possible that the transshipped quantities of fish are consistent with other information available to the observer, which may include:

- a. the catch reported in the WCPFC Transshipment Declaration;*
- b. data in catch and effort logsheets, including catch and effort logsheets reported to coastal States for fish taken in waters of such coastal States;*
- c. vessel position data; and*
- d. the intended port of landing.”*

3. Current Options for Implementation of the MoC

Following consultation with the WCPFC, FFA and SPC while attending DCC 11, and after meeting briefly with a representative of MRAG Asia-Pacific (A-P) which is based in Brisbane, there appear to be several options available to the CCSBT to continue trying to facilitate implementation of the Transshipment MoC. These options are not necessarily mutually exclusive and could potentially be investigated concurrently.

Option 1

The CCSBT Secretariat continues to work intersessionally with the WCPFC, FFA, SPC and the PNAO, and participate at DCC meetings over the next 2-3 years while these bodies collaborate to try to develop Pacific Island minimum data standards for observers on carrier vessels. The Secretariat would try to ensure that the CCSBT's data requirements (for transshipments involving SBT) are incorporated into any newly agreed transshipment observer data standards.

If CCSBT's requirements are included, then this approach should have the outcome that in the future, any WCPFC ROP-authorized Pacific Island National Observer Program that utilises Pacific Islands Regional Fisheries Observer (PIRFO) training program standards could be used to observe SBT transshipments occurring within the High Seas of the WCPFC Convention Area. This option would likely be more cost-effective in the long-term since any

⁴ These may subsequently be proposed as minimum standards for all WCPFC transshipment observers

⁵ Conservation and Management Measure on the Regulation of Transshipment (CMM 2009-06)

additional training required would usually be developed and delivered as part of the PIRFO training program. Observers who completed this program (if it contained the necessary CCSBT elements), and who were accredited to a WCPFC ROP-authorized observer program could then be endorsed by the CCSBT. It's possible that the CCSBT might need to contribute to the costs of producing any specific CCSBT/ SBT-related PIRFO training material.

Option 2

Interested CCSBT Members could choose to approach WCPFC ROP-authorized National or Observer Programs (either Pacific Island or non-Pacific island programs) directly to determine the ability of those programs to provide appropriately trained transshipment observers to observe transshipments involving SBT in the High Seas of the WCPFC area.

Members would need to negotiate a bilateral agreement with the National observer program concerned⁶ to cover the provision, training, and deployment of any required transshipment observers. An appropriate training package would need to be developed and delivered to observers of the selected National Observer Program so that they could be CCSBT-endorsed. Such an arrangement might potentially require the CCSBT Secretariat to be involved in organising the observer trainer/training. Costs would need to be met by the Member concerned and would likely be higher than the costs associated with Option 1 above.

Option 3

MRAG A-P is an approved observer service provider to the PNAO, and currently provides observer coordination services (through the PNA Observer Agency) within the WCPFC Convention Area⁷. MRAG-AP confirmed to the CCSBT Secretariat that it would have an interest in coordinating the deployment of transshipment observers to Carrier Vessels intending to tranship SBT within the WCPFC Convention Area if requested to do so. Such an arrangement could generally proceed based on a bilateral agreement between the PNAO/MRAG-AP and any interested CCSBT Members⁶.

MRAG A-P generally utilises transshipment observers from amongst the eight PNA Members'⁸ national observer programmes. One potential benefit of this option is that MRAG A-P is able to source CCSBT-relevant transshipment observer training materials from its 'sister' MRAG agency, MRAG Ltd (based in London, UK), which currently provides transshipment observer services to the CCSBT via an MoU with the ICCAT⁹ and the IOTC¹⁰ in the ICCAT and IOTC Convention Areas respectively.

Associated costs would need to be negotiated as part of any agreed arrangements and would need to cover the provision of any necessary training required for observers to become CCSBT-endorsed. Again, these costs would need to be met by the CCSBT Member concerned.

⁶ Members could choose to operationalise such arrangements in a variety of ways, for example by permitting vessel companies to make appropriate observer service agreements directly with observer coordination agencies

⁷ In this capacity, MRAG-AP is a WCPFC ROP-authorized observer program

⁸ The eight PNA Members are the Federated States of Micronesia, Kiribati, Marshall Islands, Nauru, Palau, Papua New Guinea, Solomon Islands and Tuvalu

⁹ The International Commission for the Conservation of Atlantic Tunas

¹⁰ The Indian Ocean Tuna Commission

Summary

The Secretariat invites CC13 to consider the three options listed above and recommend how it wishes to proceed.

Prepared by the Secretariat