



CCSBT-CC/1410/07

Development of a Revised CCSBT Transshipment Resolution

Introduction

The Eighth meeting of the Compliance Committee (CC8) identified major gaps in the currently adopted CCSBT transshipment measure that included the lack of coverage of in-port transshipments and VMS reporting by non-Member carrier vessels. CC8 agreed that the Secretariat would prepare a draft Transshipment Resolution incorporating updated measures for at-sea transshipments and new measures for in-port transshipments.

The Secretariat developed its initial draft with reference to current transshipment Resolutions adopted by other tuna Regional Fisheries Management Organisations (tRFMOs). Efforts were made to harmonise CCSBT's initial revised draft Resolution with ICCAT's and in particular IOTC's current Transshipment Resolutions wherever possible and practicable. The initial draft CCSBT Transshipment Resolution was provided for consideration by the Third Meeting of the Compliance Committee Working Group (CCWG3) that took place during April 2014.

CCWG3 Revised Draft CCSBT Transshipment Resolution

CCWG3 discussed and revised the initial draft CCSBT Transshipment Resolution provided by the Secretariat. However, CCWG3 noted that some elements of the draft required further discussion and could not be finalised. These un-finalised elements were highlighted and square-bracketed within the final CCWG3 draft.

The main outstanding square-bracketed items relate to exemptions for container vessels and to the monitoring of transshipments in port. Members agreed to reflect on these matters in advance of CC9 so that these items could be resolved and agreed at that meeting. In addition, Japan, Korea and Taiwan agreed to discuss the inspection of transhipped SBT interessionally in advance of CC9.

Updated Draft Transshipment Resolution

CCWG3 agreed that the Secretariat would make the following modifications to the draft CCWG3 Transshipment Resolution prior to CC9:

- Restructure the draft Transshipment Resolution to provide better integration between the in-port and at-sea components of the Resolution, and
- Tidy-up the CCSBT Transshipment Declaration Form and to the extent possible, ensure that the product types listed in the form are compatible with those used in similar forms of other tuna RFMOs and with the CCSBT CDS.

The Secretariat has prepared an updated version of the draft Transshipment Resolution taking into account these requests. The updated draft Resolution is provided at **Attachment A**.

Attachment A does not include tracked changes to indicate where blocks of paragraphs have been moved, or other changes of a minor editorial nature.

However, it does however include the following tracked changes and highlighted items:

- Secretariat tracked changes (**in red**): These changes were generally made by the Secretariat as part of the re-structuring exercise and include changes to the CCSBT Transhipment Declaration form. A few additional editorial updates were also made;
- Square-bracketed and grey highlighted unfinalised text, as recorded in the Report of CCWG3 (Attachment 4), and
- Square-bracketed and yellow highlighted unfinalised occurrences of the terms “Port State” and “Port State authorities”, again as recorded in the Report of CCWG3 (Attachment 4).

Notification Requirements for In-Port Transhipments

CCWG3 also requested that the Secretariat:

- Investigate the compatibility of notification requirements for in-port transhipments between CCSBT and IOTC/ICCAT/WCPFC, and make appropriate recommendations to CC9 for maximising compatibility of notification requirements so that notifications to IOTC/ICCAT/WCPFC can be deemed to be equivalent to notifying the CCSBT.

The Secretariat has reviewed the in-port transhipment notification requirements associated with the ICCAT, IOTC and WCPFC transhipment measures. These requirements are listed and compared in **Attachment B**.

The main differences between notification requirements in the revised draft CCSBT Transhipment Resolution and those in other RFMOs’ transhipment measures are that:

- In some paragraphs, the CCSBT draft specifies that the CCSBT Vessel Number of the Carrier Vessel should be transmitted, however the other RFMOs do not have a matching specification. This is because the other RFMOs do not yet have a clear requirement that vessels receiving in-port transhipments should be registered on an approved list of Carrier Vessels;
- The CCSBT draft includes a footnote describing what should occur if SBT are transferred temporarily to bonded cold storage. This footnote includes an additional requirement that fishing vessels transmit their Transhipment Declarations to the relevant Coastal State/ Fishing Entity where applicable, and
- The other three RFMOs’ measures do not specifically require that receiving vessels should transmit Transhipment Declarations to the fishing vessel Flag Member/ CNM and there is no obligation to submit them to the relevant Secretariat. Instead, the other RFMOs have the ambiguous requirement that the Transhipment Declarations should be sent to “competent authorities”.

The Secretariat recommends that Members consider these differences when discussing the revised draft CCSBT transhipment measure.

Memorandums of Understanding (MOUs) with ICCAT and IOTC

The CCSBT currently has MOUs in place with both ICCAT and IOTC (agreed in 2009) with regard to transshipment at sea by large-scale tuna longline fishing vessels. As noted at CCWG3, the current versions of these MOUs:

- Do not include an explicit requirement regarding transmission of Deployment Requests. Therefore, it would be beneficial to amend the MOU text to include requirements associated with Deployment Requests, and
- Do not reference in-port transshipments. However, the IOTC and ICCAT Transshipment Resolutions currently do not require provision of in-port Transshipment Declarations to their Secretariats. Therefore, unless this situation changes, the MOUs cannot be modified to allow sharing of this information.

Prepared by the Secretariat

Draft Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels

The Commission for the Conservation of Southern Bluefin Tuna (CCSBT),

TAKING ACCOUNT of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the conservation and management measures already adopted by the CCSBT;

EXPRESSING GRAVE CONCERN that organised tuna laundering operations have been conducted and a significant amount of catches by IUU fishing vessels have been transhipped under the names of duly licensed fishing vessels;

IN VIEW THEREFORE OF THE NEED to ensure the monitoring of the transshipment activities by large-scale longline fishing vessels, including the control of their landings;

TAKING ACCOUNT of the need to maintain the integrity of the CCSBT Catch Documentation Scheme (CDS), and recognising that transshipment operations represent an area of increased compliance risk;

TAKING ACCOUNT of the need to collect Southern Bluefin Tuna (SBT) data from such largescale long-line tuna fishing vessels to improve the scientific assessments of those SBT stocks and the tracking of SBT product in line with the Catch Documentation Scheme;

Agrees in accordance with paragraph 3(b) of Article 8 of the CCSBT Convention, that:

SECTION 1. GENERAL RULE

Use of terms

1. ~~bis.~~ For the purpose of this Resolution:

(a) “LSTLV” means a tuna longline fishing vessel with Freezing Capacity;

[[b) “Carrier Vessel” means any vessel, except a container vessel, that receives SBT transhipped from a LSTLV;]]

(c) “Freezing Capacity”: A vessel is deemed to have Freezing Capacity if it has a freezer which is capable of storing more than 500 kilograms of SBT at -30°C or below”.

2. Except under the programme to monitor transhipments at sea for ~~tuna fishing vessels with freezing capacity (hereafter referred as the~~ “LSTLVs”) ~~outlined below in Section 2~~, all LSTLV transhipment operations of SBT must take place in port. If the Member/CNM authorises at-sea transhipment by its flag LSTLVs, such transhipments shall be conducted in accordance with the procedures defined in Sections 2, 3 and 5, and Annexes I and II of this Resolution.

3. When transhipping SBT in port, Members and Cooperating Non-Members (CNMs) shall take the necessary measures to ensure that LSTLVs flying their flag comply with the obligations set out in Sections 2, 4 and 5 and Annex I of this Resolution ~~when transhipping SBT in port.~~

SECTION 23. RECORD OF VESSELS AUTHORISED TO RECEIVE TRANSHIPMENTS INVOLVING SBT

4. The Commission shall establish and maintain a CCSBT Record of Carrier Vessels authorised to receive SBT from LSTLVs at sea or in port. For the purposes of this Resolution, Carrier Vessels not entered on the record are deemed not to be authorised to receive SBT from LSTLVs in transhipment operations.

Members and CNMs shall ensure that they:

- a) do not authorise Carrier Vessels not already authorised by other RFMOs and,
- b) do not authorise Carrier Vessels included in other RFMOs’ IUU Vessel Lists.

5. Each Member and CNM shall submit, electronically where possible, to the CCSBT Executive Secretary the list of the Carrier Vessels that are authorised to receive transhipments from its LSTLVs without delay. Each Member shall promptly notify the Executive Secretary of any addition to, deletion from, and/or any modification to the list of Carrier Vessels at any time such changes occur without delay. This list shall include the following information:

- 1 The flag of the vessel
- 2 CCSBT Record Number (if any)
- 3 Lloyds/ IMO Number (if any)
- 4 Name of vessel, vessel registration number
- 5 Previous name (if any)
- 6 Previous flag (if any)
- 7 Previous details of deletion from other registries (if any)
- 8 International radio call sign
- 9 Type of vessels, length, gross tonnage (GT) and carrying capacity
- 10 Name and address of owner(s) and operator(s)
- 11 Time period authorised for transhipping.

6. The Executive Secretary shall maintain the CCSBT Record of Carrier Vessels and take measures to ensure publicity of the record and through electronic means, including placing it on the CCSBT website, in a manner consistent with confidentiality requirements notified by Members and CNMs for their vessels.

7. Carrier vessels authorised by Members and CNMs to conduct at-sea or in-port transhipments shall be required to have an operational Vessel Monitoring System (VMS) that is operating in accordance with all applicable CCSBT Resolutions and decisions, including the *Resolution on establishing the CCSBT Vessel Monitoring System* (2008), and any successor Resolution, including any future revisions thereto.

8. LSTLVs which tranship at sea or in-port shall be required to install and operate a VMS in accordance with paragraph 3 of CCSBT's *Resolution on the development and implementation of a Vessel Monitoring System* (2006), and any successor Resolution, including any future revisions thereto.

SECTION 32. PROGRAM TO MONITOR TRANSHIPMENTS AT SEA INVOLVING SBT

9. The Commission hereby establishes a program to monitor transhipments at sea involving SBT which applies only to LSTLVs and to Carrier Vessels authorised to receive transhipments from these vessels at sea. The Commission shall review and, as appropriate, revise this Resolution.

10. Members and CNMs shall determine whether or not to authorise their LSTLVs to tranship at sea. ~~If the Member/CNMs authorise the at-sea transhipment by its flag LSTLVs, such transhipment shall be conducted in accordance with the procedures defined in Sections 2, 3 and 4, and Annexes I and II below.~~

11. Transhipments by LSTLVs in waters under the jurisdiction of Members and CNMs are subject to prior authorisation from the Coastal State / Fishing Entity concerned. An original or copy of the documentation of Coastal State/ Fishing Entity prior authorisation must be retained on the LSTLV and made available to the CCSBT observer when requested.

12. Members and CNMs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the conditions in paragraphs 13 to ~~2029~~ below:

Flag State / Fishing Entity Authorisation

13. LSTLVs are not authorised to tranship at sea, unless they have obtained prior authorisation from their Flag State / Fishing Entity. An original or copy of the documentation of prior authorisation must be retained on the LSTLV and made available to the CCSBT observer when requested.

Notification obligations

Fishing vessel:

14. To receive the prior authorisation mentioned in paragraph 13 above, the master and/or owner of the LSTLV must notify the following information to its Flag State / Fishing Entity authorities at least 24 hours in advance of an intended transshipment:

- a) the name of the LSTLV and its number in the CCSBT Authorised Vessel List,
- b) the name of the Carrier Vessel and its number in the CCSBT Record of Carrier Vessels authorised to receive transshipments at sea,
- c) the product to be transhipped,
- d) the tonnage by product to be transhipped,
- e) the date and location of transshipment,
- f) the geographic location of the SBT catches.

15. The LSTLV concerned shall complete and transmit to its Flag State / Fishing Entity, and, where applicable, the Coastal State / Fishing Entity, not later than 15 days after the transshipment, the CCSBT transshipment declaration, in accordance with the format set out in **Annex I**.

Receiving Carrier Vessel:

16. Before starting transshipment, the master of the receiving Carrier Vessel shall confirm that the LSTLV concerned is participating in the CCSBT programme to monitor transshipment at sea (which includes payment of the fee in paragraph 14 of **Annex II**), and has obtained the prior authorisation from their Flag State / Fishing Entity referred to in paragraph 13. The master of the receiving Carrier Vessel shall not start such transshipment without such confirmation.

17. The master of the receiving Carrier Vessel shall complete and transmit the CCSBT transshipment declaration to the CCSBT Secretariat and the Flag Member/ CNM of the LSTLV, along with its number in the CCSBT Record of Carrier Vessels authorised to receive transshipment at sea, within 24 hours of the completion of the transshipment.

18. The master of the receiving Carrier Vessel shall, no later than 48 hours before landing, transmit a CCSBT transshipment declaration, along with its number in the CCSBT Record of Carrier Vessels authorised to receive transshipment at sea, to the competent authorities of the State / Fishing Entity where the landing takes place.

Regional Observer Program

19. Each Member and CNM shall ensure that all Carrier Vessels transshipping at sea have on board a CCSBT observer, in accordance with the CCSBT Regional Observer Program in **Annex II**. The CCSBT observer shall observe the compliance with this Resolution, and notably that the transhipped quantities of SBT are reasonably consistent with the reported catch in the CCSBT transshipment declaration and, as recorded in the fishing vessel logbook and CDS documents.

20. Vessels shall be prohibited from commencing or continuing transshipping at sea without a CCSBT regional observer on board, except in cases of 'force majeure' duly notified to the Executive Secretary.

SECTION 45. PROGRAM TO MONITOR LSTLV TRANSHIPMENTS IN PORT INVOLVING SBT

[[21. In-port transhipments shall only be made in the ports of Members or CNMs unless those ports already have designated officials ~~or designated agents from the Flag State's~~ of fishing vessels are available to effectively monitor these transhipments.

or

21. Flag States of fishing vessels should designate foreign ports of transhipment of southern bluefin tuna for their vessels, prohibit such transhipment at other foreign ports and communicate with those designated port states to share relevant information required for effective monitoring. In the circumstances where a vessel flying the flag of a Member and retaining SBT on board needs to seek entry into a port that is not designated by Members, the Flag State Member shall notify the intent of the port entry to the Port State and the Executive Secretary.]]

22. In-port transhipments shall only be undertaken in accordance with the procedures set out in paragraphs 234 to 296 below:

Notification obligations

Fishing vessel:

[[23. Prior to transhipping, the Captain of the LSTLV must notify the following information to the Port State authorities, at least 48 hours in advance ~~or immediately after the end of fishing operations if the time distance to the port is less than 48 hours; for the latter, the Port State must have enough time to examine the information:~~]]

- a) the name of the LSTLV and its number in the CCSBT record of fishing vessels;
- b) the name of the Carrier Vessel and its number in the CCSBT Record of Carrier Vessels authorised to receive transhipments at sea,
- c) the product to be transhipped;
- d) the tonnage by product to be transhipped;
- e) the date and location of transhipment;
- f) the major fishing grounds of the SBT catches.

24. The Captain of a LSTLV shall, at the time of the transhipment, inform its Flag State/ Fishing Entity of the following;

- a) the products and quantities involved;
- b) the date and place of the transhipment;
- c) the name, registration number and flag of the receiving Carrier Vessel, and its number in the CCSBT Record of Carrier Vessels authorised to receive transhipments at sea;
- d) the geographic location of the SBT catches.

25. The Captain of the LSTLV concerned shall complete and transmit to its Flag State/ Fishing Entity the CCSBT transshipment declaration, along with its number in the CCSBT Record of Fishing Vessels, in accordance with the format set out in **Annex I** not later than 15 days after the transshipment¹.

Receiving vessel:

26. Not later than 24 hours before the beginning of the transshipment, the master of the receiving Carrier Vessel shall inform the **[[Port State authorities]]** of the quantities of SBT to be transhipped to the receiving Carrier Vessel.

27. Within 24 hours of the completion of the transshipment, the master of the receiving Carrier Vessel shall complete and transmit the CCSBT transshipment declaration to the **[[Port State authorities]]**, the Flag Member/ CNM of the LSTLV, and the CCSBT Secretariat. A copy of this transshipment declaration shall be retained on board the receiving Carrier Vessel.

28. Following receipt of a transshipment including SBT, and after leaving the transshipment port, the master of the receiving Carrier Vessel shall, at least 48 hours before landing its transhipped SBT, complete and transmit a copy of the CCSBT transshipment declaration referred to in paragraph ~~275.2~~, to the competent authorities of the landing State/ Fishing Entity where the landing will take place.

Port and Landing State Cooperation

29. The Port State and the landing State referred to in the above paragraphs shall make an effort to take the appropriate measures to verify the accuracy of the information received and shall cooperate with the work of Flag Member or CNM of the LSTLV to ensure that reported catches, transhipments and landings are consistent with the reported catch amounts of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience, and so that degradation of the fish is avoided.

SECTION 54. GENERAL PROVISIONS (all transhipments)

30. To ensure the effectiveness of the CCSBT conservation and management measures pertaining to the Catch Documentation System (CDS):

- a) In validating the necessary CCSBT CDS documentation, as required by the CDS, Flag Members and CNMs of LSTLVs shall ensure that transhipments are consistent with the reported catch amount by each LSTLV.

¹ In the case where the SBT are being transferred temporarily to bonded cold storage before being transferred to the receiving Carrier Vessel, then the LSTLV shall complete and transmit the transshipment declaration to its Flag State/ Fishing Entity, and where applicable, the Coastal State/ Fishing Entity, not later than 15 days from the date from which the SBT is transferred into the bonded cold storage facility. In such cases, the receiving Carrier Vessel agent shall sign the transshipment declaration on behalf of the Carrier Vessel master.

b) The Flag Member or CNM of LSTLVs shall validate the necessary CCSBT CDS documentation for the transhipped fish, as required by the CDS, after confirming that the transshipment was conducted in accordance with this Resolution. If transhipped at sea this confirmation shall be based on the information obtained through the CCSBT Regional Observer Program.

c) Members and CNMs shall require that SBT caught by LSTLVs, when imported into the territory of a Member or CNM, be accompanied by the necessary CCSBT CDS documentation validated for the vessels on the CCSBT Authorised Vessel List and a copy of the CCSBT transshipment declaration.

31. The Members and CNMs shall include in their annual report 4 weeks prior to the Annual Meeting of the Commission:

a) The quantities and percentage of SBT transhipped at sea and in port during the previous fishing season,

b) The list of the LSTLVs registered in the CCSBT Authorised Vessel List which have transhipped at sea and in port during the previous fishing season.

c) A comprehensive report assessing the content and conclusions of the reports of the observers assigned to Carrier Vessels which have received at-sea transshipments from their LSTLVs during the previous fishing season,

These reports shall be made available to the Extended Commission and relevant subsidiary bodies for review and consideration.

32. All SBT landed or imported by Members and CNMs, either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the CCSBT transshipment declaration until the first sale has taken place.

[[33. All transhipped SBT landed or exported by Members and CNMs, shall be physically examined by designated officials or agents from the Flag Member of the LSTLVs ~~on landing by the Carrier Vessel, and~~ before the first point of sale, to ensure that the catch of SBT landed is consistent with the information recorded in the associated transshipment declaration and CDS documentation.]]

34. Each year, the Executive Secretary shall present a report on the implementation of this Resolution to the Compliance Committee meeting which shall review compliance with this Resolution.

35. Nothing in this Resolution affects the rights of a Member or CNM to exercise its authority over ports located in areas under its jurisdiction in accordance with its domestic laws and international law.

36. These provisions shall be applicable from 1 January 2015.

37. The transshipment resolution adopted by CCSBT15 (2008) is superseded by this Resolution.

38. To avoid the duplication of the same measures, ICCAT or IOTC observers who are on board~~on transshipment~~ vessels on the CCSBT Record of Carrier Vessels, may be deemed to be participating in the CCSBT transshipment program, provided these observers meet the standards established in this Resolution and the CCSBT Secretariat is informed. The CCSBT Secretariat shall liaise with the ICCAT, IOTC and WCPFC with respect to any information submitted to those organisations regarding SBT. The CCSBT Secretariat shall also exchange information on transshipment and observer standards with other RFMO Secretariats.

ANNEX I - CCSBT TRANSHIPMENT DECLARATION

| Carrier Vessel | Fishing Vessel |
|---|---|
| Name of the Vessel and Radio Call Sign: | Name of the Vessel and Radio Call Sign: |
| Flag: | Flag: |
| Flag State / Fishing Entity license number: | Flag State / Fishing Entity license number: |
| National Register Number, if available: | National Register Number, if available: |
| CCSBT Register Number, if available: | CCSBT Register Number, if available: |

| | | | | | | | |
|--------------|----------------------|----------------------|----------------------|----------------------|-------------------|-------------------------|---------------------------|
| Departure | Day | Month | Hour | Year | Agent's name: | Master's name of LSTLV: | Master's name of Carrier: |
| | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | |
| Return | | | | | From (Port name): | | |
| | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | |
| Transhipment | | | | | to (Port name): | | |
| | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | |

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: |_____| kilograms

LOCATION OF TRANSHIPMENT

| Species | Port | | Sea | Type of product | | | | | | | | | | | |
|---------|------|--|-----|-----------------------|-----------------------------|-----------------------------|-------------------------------|-----------------------|-----------------------|-------------------------|--|--|--|--|--|
| | | | | RD ¹ Whole | GGO ¹ (kg)Gutted | GGT ¹ (kg)Headed | DRO ¹ (kg)Filleted | DRT ¹ (kg) | Filleted ¹ | Other ¹ (kg) | | | | | |
| | | | | | | | | | | | | | | | |

If transhipment effected at sea, CCSBT Observer Name and Signature:

¹ The type of product should be indicated as Round (RD), Gilled and gutted – tail on (GGO), Gilled and gutted - tail off, (GGT), Dressed – tail on (DRO), Dressed – tail off (DRT), Fillet (FL), or Other (OT).

If filling out an ICCAT, IOTC or WCPFC Transhipment Declaration (TD), record the SBT weight (kg) against the product type that most closely matches the appropriate CCSBT SBT product type (as listed above).

ANNEX II - CCSBT REGIONAL OBSERVER PROGRAM

1. Each Member and CNM shall require Carrier Vessels included in the CCSBT Record of Carrier Vessels authorised to receive transshipments at sea and which tranship at sea, to carry a CCSBT observer during each transhipment operation at sea.
2. Between approximately 15 days to 2 months before the Carrier Vessel will sail for a trip that will include a SBT transhipment, the Flag State/ Fishing Entity shall complete and transmit a CCSBT observer deployment request to the CCSBT Secretariat.
3. The Executive Secretary shall appoint the observers and shall place them on board the Carrier Vessels authorised to receive transshipments at sea from LSTLVs flying the flag of Members and Cooperating Non-Members that implement the CCSBT Regional Observer Program.

Designation of the observers

4. The designated observers shall have the following qualifications to accomplish their tasks:
 - a) sufficient experience to identify species and fishing gear;
 - b) satisfactory knowledge of the CCSBT conservation and management measures;
 - c) the ability to observe and record information accurately;
 - d) a satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

5. Observers shall:
 - a) have completed the technical training required by the guidelines established by CCSBT, or the guidelines established by IOTC or ICCAT providing that the observers have also been trained in relation to paragraphs 4(a) – (c);
 - b) to the extent possible, not be nationals of the Flag State / Fishing Entity of the receiving Carrier Vessel;
 - c) be capable of performing the duties set forth in point 6 below;
 - d) be included in the list of observers maintained by the Secretariat of the Commission;
 - e) not be a crew member of an LSTLV or an employee of an LSTLV company.

6. The observer tasks shall be in particular to:

- a) while on the Fishing Vessel intending to tranship to the Carrier Vessel and before the transhipment takes place:
 - i) check the validity of the fishing vessel's authorisation or licence to fish for SBT;
 - ii) check and note the total quantity of catch on board, and the quantity to be transferred to the Carrier Vessel;
 - iii) check that the VMS is functioning and examine the logbook;
 - iv) verify whether any of the catch on board resulted from transfers from other vessels, and check documentation on such transfers;
 - v) in the case of an indication that there are any violations involving the fishing vessel, immediately report the violations to the Carrier Vessel master; and
 - vi) report the results of these duties on the fishing vessel in the observer's report.

- b) monitor the Carrier Vessel's compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i. record and report upon the transhipment activities carried out;
 - ii. verify the position of the vessel when engaged in transhipping;
 - iii. observe and estimate products transhipped;
 - iv. verify and record the name of the LSTLV concerned and its CCSBT Authorised Vessel List number;
 - v. verify the data contained in the transhipment declaration;
 - vi. certify the data contained in the transhipment declaration;
 - vii. countersign the transhipment declaration;
- c) issue a daily report of the Carrier Vessel's transhipping activities;
- d) establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information;
- e) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation; and
- f) exercise any other functions as defined by the Commission.

7. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLVs and of the LSTLVs owners and accept this requirement in writing as a condition of appointment as an observer.

8. Observers shall comply with requirements established in the laws and regulations of the Flag State / Fishing Entity which exercises jurisdiction over the vessel to which the observer is assigned.

9. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 10 of this program.

Obligations of the Flag State / Fishing Entities of Carrier Vessels

10. The responsibilities regarding observers of the Flag State / Fishing Entities of the Carrier Vessels and their captains shall include the following, notably:

- a) Observers shall be allowed access to the vessel personnel and to the gear and equipment;
- b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 6:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication;
- c) Observers shall be provided accommodation, including lodging, food and adequate sanitary facilities, equal to those of officers;
- d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
- e) The Flag State / Fishing Entities shall ensure that captains, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

11. The Executive Secretary, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the Flag State / Fishing Entity of the Carrier Vessel under whose jurisdiction the vessel transhipped and to the Flag Member or Cooperating Non-Member of the LSTLV, copies of all available raw data, summaries, and reports pertaining to the trip four months prior to the CCSBT Compliance Committee meeting.

Obligations of LSTLV during transshipment

12. Observers shall be allowed to visit the fishing vessel if the observer's safety can be reasonably assured given the weather and sea conditions, and access shall be granted to personnel and areas of the vessel necessary to carry out their duties set forth in paragraph 6.

13. The Executive Secretary shall submit the observer reports to the Compliance Committee and to the Scientific Committee.

Observer fees

14. The costs of implementing this program shall be financed by the flag Members and Cooperating Non-Members of LSTLVs wishing to engage in transshipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the CCSBT Secretariat and the CCSBT Executive Secretary shall manage the account for implementing the program.

15. No LSTLV may participate in the at-sea transshipment program unless the fees, as required under paragraph 14, have been paid.

Transshipment In-Port Notification Requirements

The table below compares the in-port transshipment notification text in ICCAT's and IOTC's transshipment measures to the in-port transshipment notification text in CCSBT's revised draft transshipment Resolution (**Attachment A**). Note that:

- The WCPFC is not included in this table because there are no WCPFC requirements for in-port transshipments and only national laws apply, and
- Square-bracketed, highlighted text from CCSBT's revised draft Resolution is included in this table. However, the Secretariat cannot make any definitive comments on the compatibility of notification requirements associated with this text because it is still unfinalised.

1. Notifications required by the fishing vessel

| ICCAT: Recommendation 12-06 (Annex 3) | IOTC: Resolution 12/05 (Annex I) | CCSBT: Revised Draft Transshipment Resolution | Key Differences |
|---|--|---|--|
| <p>3.1 At least 48 hours in advance of transshipment operations, the captain of the fishing vessel must notify to the Port State authorities the name of the carrier vessel and date/time of transshipment.</p> | <p>2.1. Prior to transshipping, the Captain of the LSTV must notify the following information to the port State authorities, at least 48 hours in advance:</p> <p>a) the name of the LSTV and its number in the IOTC record of fishing vessels;</p> <p>b) the name of the carrier vessel, and the product to be transhipped;</p> <p>c) the tonnage by product to be transhipped;</p> <p>d) the date and location of transshipment;</p> <p>e) the major fishing grounds of the tuna and tuna-like species and sharks catches.</p> | <p>[[23. Prior to transshipping, the Captain of the LSTLV must notify the following information to the Port State authorities, at least 48 hours in advance or immediately after the end of fishing operations if the time distance to the port is less than 48 hours; for the latter, the Port State must have enough time to examine the information:]]</p> <p>a) the name of the LSTLV and its number in the CCSBT record of fishing vessels;</p> <p>b) the name of the Carrier Vessel and its number in the CCSBT Record of Carrier Vessels authorised to receive transshipments at sea,</p> <p>c) the product to be transhipped;</p> <p>d) the tonnage by product to be transhipped;</p> <p>e) the date and location of transshipment;</p> <p>f) the major fishing grounds of the SBT catches.</p> | <p>Excluding the highlighted text, the IOTC and draft CCSBT text is essentially the same except that the draft CCSBT text at item b) requires that the CCSBT Number of the Carrier Vessel is also transmitted.¹</p> <p>ICCAT has the same notification requirement, but specifies fewer fields of information to be provided for each notification.</p> |

¹ This difference can be explained by the fact that for IOTC, only Carrier Vessels receiving transshipments at sea within the IOTC area of competence from LSTLVs are required to be on the authorised list of Carrier Vessels, and therefore to have an IOTC Record Number. Carrier Vessels receiving IOTC transshipments in port are not required to be on this list. It is the ICCAT Secretariat's understanding that the same situation applies under the ICCAT transshipment measure.

| ICCAT: Recommendation 12-06 (Annex 3) | IOTC: Resolution 12/05 (Annex I) | CCSBT: Revised Draft Transhipment Resolution | Key Differences |
|---|--|---|---|
| <p>3.2 The captain of a fishing vessel shall, at the time of the transshipment, inform its flag CPC of the following;</p> <ul style="list-style-type: none"> – the quantities of tuna and tuna-like species, if possible, by stock, to be transshipped; – the quantities of other species caught in association with tuna and tuna-like species by species, where known, to be transshipped; – the date and place of the transshipment; – the name, registration number and flag of the receiving carrier vessel; <p>and</p> <ul style="list-style-type: none"> – the geographic location of the catches by species and, where appropriate, by stock, consistent with ICCAT statistical areas. | <p>2.2. The Captain of a LSTV shall, at the time of the transshipment, inform its Flag State of the following;</p> <ul style="list-style-type: none"> a) the products and quantities involved; b) the date and place of the transshipment; c) the name, registration number and flag of the receiving carrier vessel; d) the geographic location of the tuna and tuna-like species and sharks catches. | <p>24. The Captain of a LSTLV shall, at the time of the transshipment, inform its Flag State/ Fishing Entity of the following;</p> <ul style="list-style-type: none"> a) the products and quantities involved; b) the date and place of the transshipment; c) the name, registration number and flag of the receiving Carrier Vessel, and its number in the CCSBT Record of Carrier Vessels authorised to receive transshipments at sea; d) the geographic location of the SBT catches. | <p>At item c), the CCSBT draft text specifies that the CCSBT Number of the Carrier Vessel is also provided.¹</p> |

| ICCAT: Recommendation 12-06 (Annex 3) | IOTC: Resolution 12/05 (Annex I) | CCSBT: Revised Draft Transhipment Resolution | Key Differences |
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| 3.3 The captain of the fishing vessel concerned shall complete and transmit to its flag CPC the ICCAT transshipment declaration, along with its number in the ICCAT record of fishing vessels, where applicable, in accordance with the format set out in Annex 1 not later than 15 days after the transshipment. | 2.3. The captain of the LSTV concerned shall complete and transmit to its flag State the IOTC transshipment declaration, along with its number in the IOTC Record of Fishing Vessels, in accordance with the format set out in Annex II not later than 15 days after the transshipment. | 25. The Captain of the LSTLV concerned shall complete and transmit to its Flag State/ Fishing Entity the CCSBT transshipment declaration, along with its number in the CCSBT Record of Fishing Vessels, in accordance with the format set out in Annex I not later than 15 days after the transshipment ² . | The CCSBT draft text includes an additional footnote, and this footnote includes an extra requirement to transmit the transshipment declaration (TD) to the Coastal State/Fishing Entity in cases where SBT are being transferred temporarily to bonded cold storage. |

² In the case where the SBT are being transferred temporarily to bonded cold storage before being transferred to the receiving Carrier Vessel, then the LSTLV shall complete and transmit the transshipment declaration to its Flag State/ Fishing Entity, and where applicable, the Coastal State/ Fishing Entity, not later than 15 days from the date from which the SBT is transferred into the bonded cold storage facility. In such cases, the receiving Carrier Vessel agent shall sign the transshipment declaration on behalf of the Carrier Vessel master.

2. Notifications required by the receiving vessel

| ICCAT: Recommendation 12-06 (Annex 3) | IOTC: Resolution 12/05 (Annex I) | CCSBT: Revised Draft Transshipment Resolution | Key Differences |
|---|--|---|---|
| <p>4.1 Not later than 24 hours before the beginning and at the end of the transshipment, the master of the receiving carrier vessel shall inform the port State authorities of the quantities of catches of tuna and tuna-like species transhipped to his vessel, and complete and transmit the ICCAT transshipment declaration to the competent authorities within 24 hours.</p> | <p>3. Not later than 24 hours before the beginning and at the end of the transshipment, the master of the receiving carrier vessel shall inform the port State authorities of the quantities of tuna and tuna-like species and sharks transhipped to his vessel, and complete and transmit the IOTC transshipment declaration, to the competent authorities within 24 hours.</p> | <p>26. Not later than 24 hours before the beginning of the transshipment, the master of the receiving Carrier Vessel shall inform the [[Port State authorities]] of the quantities of SBT to be transhipped to the receiving Carrier Vessel.</p> <p>27. Within 24 hours of the completion of the transshipment, the master of the receiving Carrier Vessel shall complete and transmit the CCSBT transshipment declaration to the [[Port State authorities]], the Flag Member/ CNM of the LSTLV, and the CCSBT Secretariat. A copy of this transshipment declaration shall be retained on board the receiving Carrier Vessel.</p> | <p>The CCSBT draft splits the matching text in the ICCAT and IOTC measures into 2 separate paragraphs that have not yet been finalised.</p> <p>The CCSBT draft requires the TD to potentially be transmitted to Port State authorities, but also to the Flag Member/ CNM of the LSTLV and to the CCSBT Secretariat. ICCAT and IOTC require the TD be transmitted to “competent authorities” (i.e. Port State authorities)</p> |
| <p>4.2 The master of the receiving carrier vessel shall, at least 48 hours before landing, complete and transmit an ICCAT transshipment declaration to the competent authorities of the landing State where the landing takes place.</p> | <p>4. The master of the receiving carrier vessel shall, 48 hours before landing, complete and transmit an IOTC transshipment declaration, to the competent authorities of the landing State where the landing takes place.</p> | <p>28. Following receipt of a transshipment including SBT, and after leaving the transshipment port, the master of the receiving Carrier Vessel shall, at least 48 hours before landing its transhipped SBT, complete and transmit a copy of the CCSBT transshipment declaration referred to in paragraph 275-2, to the competent authorities of the landing State/ Fishing Entity where the landing will take place.</p> | <p>No key differences.</p> |