

Original: English

COVER NOTE FOR DRAFT RECOMMENDATION BY ICCAT ON TRANSHIPMENT

*(A new proposal to amend existing Recommendation 16-15,
previously discussed but not adopted as IMM-15A/2021)
Proposed by the United States*

The United States recognizes that in port and at sea transshipment are important activities for the fleets of many ICCAT CPCs. Given the role transshipment operations can play in enabling IUU fishing, which undermines conservation and management measures and results in IUU fish and fish products entering the global marketplace and unfairly competing with fish harvested legally, it is important to ensure that transshipment controls in ICCAT reflect best practice. Information available on the implementation of ICCAT Recommendation 16-15, as well as increasing reports of potential IUU fishing and illegal transshipment activity in the Convention area, underscore the need to ensure better control of transshipment activities and elimination of any loopholes. This proposal, therefore, suggests improvements to Recommendation 16-15 in the following ways:

- Phasing in a requirement restricting transshipment of ICCAT species to fishing vessels and carrier vessels flagged to CPCs and clarifying what qualifies as a carrier vessel;
- Requiring that transshipments only take place between vessels with IMO numbers;
- Requiring use of a centralized VMS for carrier vessels;
- Ensuring that all relevant information on transshipment activities is provided promptly to flag CPCs and relevant coastal CPCs and promptly shared with the ICCAT Secretariat;
- Linking the transshipment measure to the *Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* (Rec. 18-09) to ensure port States and other relevant inspection authorities have the pertinent information they need on transshipment activities;
- Enhancing reporting requirements of CPCs to ensure that detailed information is available to allow for the cross-checking of transshipment reports between information reported by the fishing vessels and by the carrier vessels;
- Requiring centralized VMS reporting for carrier vessels at one-hour intervals and strengthening the language requiring all carrier vessels to have a functional VMS;
- Considering additional appropriate MCS measures by 2023;
- Requiring that ROP observers have access to appropriate safety equipment.

This proposal has been adapted based on feedback received during and since the 2021 IMM meeting and we welcome any additional feedback from CPCs.

DRAFT RECOMMENDATION BY ICCAT ON TRANSHIPMENT
(A new proposal to amend and replace existing Recommendation 16-15,
previously discussed but not adopted as IMM-15A/2021)

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

RECALLING the Recommendation by ICCAT on Transshipment (Rec. 16-15);

EXPRESSING GRAVE CONCERN that organized tuna laundering operations have been conducted and there is a history of a significant amount of catch by IUU fishing vessels being transhipped under the names of duly licensed fishing vessels;

IN VIEW THEREFORE OF THE NEED to strengthen the monitoring of transshipment activities involving tuna and tuna-like species and other species caught in association with these species that were harvested in the ICCAT Convention area, in particular by large-scale pelagic longline vessels (LSPLVs), including the control of their landings;

TAKING ACCOUNT of the need to ensure collection of catch data from such LSPLVs to improve the scientific assessments of those stocks;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

SECTION 1. GENERAL RULES

1. All at-sea transshipment operations:
 - a) within the Convention area of tuna and tuna-like species and other species caught in association with these species, and
 - b) outside the Convention area of tuna and tuna-like species and other species caught in association with these species that were harvested in the ICCAT Convention area, are prohibited, except that LSPLVs, defined as those greater than 24 meters length overall, may conduct at-sea transshipment under the program established in Section 3 below. All other transshipments must take place in port.
2. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall take the necessary measures to ensure that vessels flying their flag comply with the obligations set out in **Appendix 3** when transshipping tuna and tuna-like species and other species caught in association with these species in port.
3. This Recommendation does not apply to harpoon vessels engaged in the transshipment of fresh swordfish¹ at sea.
4. This Recommendation does not apply to transshipments outside the Convention area where such transshipment is subject to a comparable monitoring program established by another regional fisheries management organization.
5. This Recommendation is without prejudice to additional requirements applicable to transshipment at sea or in port in other ICCAT recommendations.

¹ For the purpose of this Recommendation, "fresh swordfish" means swordfish that are alive, whole or gutted / dressed but not further processed or frozen.

SECTION 2. RECORD OF CARRIER VESSELS AUTHORISED TO RECEIVE TRANSHIPMENTS

6. Transshipment of tuna and tuna-like species and other species caught in association with these species may only be authorized with regard to carrier vessels authorized in accordance with this Recommendation. Carrier vessels are those vessels used for fish transport.
7. An ICCAT Record of Carrier Vessels authorized to receive tuna and tuna-like species and other species caught in association with these species shall be established. For the purposes of this Recommendation, carrier vessels not entered on the record are deemed not to be authorized to receive tuna and tuna-like species and other species caught in association with these species in transshipment operations.
8. In order for its carrier vessels to be included on the ICCAT Record of Carrier Vessels, a flag CPC shall submit each calendar year, electronically, and in the format specified by the ICCAT Executive Secretary, a list of the carrier vessels flying its flag that are authorized to receive transshipments in the Convention area of tuna and tuna-like species and other species caught in association with these species and transshipments outside of the ICCAT Convention area of such species caught in the Convention area. Effective [January 1, 2023], vessels flying the flag of a non-CPC shall not be included on the Record. This list shall include the following information:
 - Name of vessel, register number
 - ICCAT Record Number (if any)
 - IMO number
 - Previous name (if any)
 - Previous flag (if any)
 - Previous details of deletion from other registries (if any)
 - International radio call sign
 - Type of vessels, length, gross registered tonnage (GRT) and carrying capacity
 - Name and address of owner(s) and operator(s)
 - For carrier vessels, type of transshipment authorised (i.e., in port and/or at sea)
 - Time period authorised for transshipping
9. Each CPC shall promptly notify the ICCAT Executive Secretary of any addition to, any deletion from, and/or any modification of the ICCAT Record of Carrier Vessels, at any time such changes occur.
10. The ICCAT Executive Secretary shall maintain the ICCAT Record and take measures to ensure its publicity through electronic means, including placing it on the ICCAT website, in a manner consistent with domestic confidentiality requirements.
11. CPCs shall prohibit their LSPLVs from transshipping any ICCAT or non-ICCAT species with vessels not entered on the ICCAT Record of Carrier Vessels.
12. Effective January 1, 2022, vessels without an IMO number shall not be included in the ICCAT Record of Authorized Carrier Vessels and shall be prohibited from engaging in transshipment activities.

SECTION 3. PROGRAMME TO MONITOR AND CONTROL TRANSHIPMENT ACTIVITIES

Vessel Monitoring Systems

13. Carrier vessels authorized for transshipment shall be required to install and continuously operate a VMS in accordance with all applicable ICCAT recommendations, including the *Recommendation by ICCAT Concerning Minimum Standards for Vessel Monitoring Systems in the ICCAT Convention Area* (Rec. 18-10), or any successor recommendation related to VMS minimum standards, including any future revisions thereto. Such carrier vessels shall automatically transmit VMS messages either directly or through the fishery monitoring center (FMC) of the flag CPC to the ICCAT Secretariat at least every hour when operating in the Convention area. Upon request, the Secretariat shall make available without delay the information received under this paragraph to CPCs with an active inspection presence in the Convention area and to CPCs who allow transshipment of ICCAT species to take place in their ports.

High Seas Boarding and Inspection

14. The Commission shall develop a scheme of high seas boarding and inspection applicable to carrier vessels operating in the Convention area for adoption in 2022.

Port Inspection

15. Consistent with the *Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* (Rec. 18-09), port CPCs should prioritize inspection in port of (a) carrier vessels whose VMS signals disappear under suspicious circumstances and without explanation and/or indicate dubious movements, and (b) carrier vessels not entered into the ICCAT Record of Carrier Vessels to verify ICCAT species are not on board. Inspection of transshipment activities in port should involve the monitoring of the entire transshipment process and include a cross check of transhipped amounts by species as reported in the fishing vessel's logbook and review of the prior authorization to tranship in port issued by the flag CPC to the fishing vessel.

Separation of cargo

16. Carrier vessels authorized to receive transshipments of ICCAT species shall be required to separate and stow transhipped fish by fishing vessel and develop a stowage plan to show the locations in the hold of the quantities by species and vessel. The carrier vessel master shall submit the stowage plan to inspectors, if requested.

Large Scale Pelagic Longline Vessels (LSPLVs) authorized to tranship at sea

17. At sea transshipment by LSPLVs for tuna and tuna-like species and other species caught in association with these species may only be authorized in accordance with the provisions set forth in this Section, in Section 4, and **Appendix 1 and 2** below.
18. Each flag CPC that authorizes its LSPLVs to tranship at sea shall submit each calendar year electronically and in the format specified by the Executive Secretary, the list of its LSPLVs that are authorized to tranship at sea.

This list shall include the following information:

- Name of vessel, register number
- ICCAT Record Number
- Time period authorized for transshipping at sea
- Flag(s), name(s), IMO number(s), and register number(s) of the carrier vessel(s) authorized for use by the LSPLVs

Upon receipt of the lists of LSPLVs authorized to tranship at sea, the Executive Secretary shall provide to the flag CPCs of the carrier vessels the list of LSPLVs authorized to operate with its carrier vessels.

19. The Commission shall, no later than 2024, consider additional monitoring requirements for LSPLVs authorized to transship at sea, including on board observers and/or electronic monitoring systems (EMS), taking into account, as appropriate, relevant standards, specifications, and requirements that have been or may be adopted by the Commission.

Coastal State authorization

20. Transshipments by LSPLVs in waters under the jurisdiction of a CPC are subject to prior authorization from that CPC. An original or copy of the documentation of coastal State prior authorization must be retained on the vessel and made available to the ICCAT observer when requested. CPCs shall take the necessary measures to ensure that LSPLVs flying their flag comply with the provisions of this Section.

Flag CPC authorization

21. LSPLVs are not authorized to tranship at sea unless they have obtained prior authorization from their flag CPC. An original or copy of the documentation of prior authorization must be retained on the vessel and made available to the ICCAT observer or inspector ² when requested.

Notification obligations

Large Scale Pelagic Longline Vessels (LSPLVs):

22. To receive the prior authorization mentioned in paragraph 20 and 21 above, the master and/or owner of the LSPLV must notify the following information to its flag CPC authorities, and, where applicable, the coastal CPC, at least 24 hours in advance of the intended transhipment:
- the name of the LSPLV and its number in the ICCAT record of fishing vessels,
 - the name of the carrier vessel and its number in the ICCAT Record of Carrier Vessels authorized to receive transshipments, and the product to be transhipped, by species, where known, and, if possible, by stock,
 - the quantities of tuna and tuna-like species and, if possible, by stock, to be transhipped,
 - the quantities of other species caught in association with tuna and tuna-like species by species, where known, to be transhipped,
 - the date and location (latitude and longitude) of transhipment,
 - the geographic location of the catches by species and, where appropriate, by stock, consistent with ICCAT statistical areas.

The LSPLV concerned shall complete and transmit to its flag CPC, and, where applicable, the coastal CPC, not later than [48 hours] after the transhipment, the ICCAT transhipment declaration, along with its number in the ICCAT record of fishing vessels in accordance with the format set out in **Appendix 1**.

Carrier vessels:

23. The master of the receiving carrier vessel shall complete and transmit the ICCAT transhipment declaration to the ICCAT Secretariat, the flag CPC of the LSPLV, and, where applicable, the coastal CPC, along with its number in the ICCAT record of carrier vessels authorized to receive transhipment, within 24 hours of the completion of the transhipment.
24. The master of the receiving carrier vessel shall, 48 hours before the first point of landing, transmit an ICCAT transhipment declaration, along with its number in the ICCAT record of vessels authorized to receive transhipment, to the competent authorities of the State where the landing is to take place.
25. Anytime a carrier vessel on the ICCAT Record of Carrier Vessels provides supply services to another vessel or receives supplies from a supply vessel, the master of the carrier vessel shall complete a supply declaration and send it by electronic means to its flag CPC and the ICCAT Secretariat 24 hours in advance of the activity. The supply declaration shall include, at a minimum, the following information: Name and ICCAT record number of vessels involved, date and location (latitude and longitude) of the activity, content of the goods supplied, and name and ICCAT vessel record number (if assigned) of the vessel being supplied. A separate supply declaration is not required when the supply activity is conducted in association with transhipment that is monitored by an ICCAT Regional Observer.

² "Inspector" refers to inspectors of a CPC's competent authority authorized to conduct inspections under *Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* (Rec. 18-09), *Recommendation by ICCAT Establishing a Multi-Annual Management Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean Sea* (Rec. 19-04), *Recommendation by ICCAT Replacing the Recommendation 13-04 and Establishing a Multi-Annual Recovery Plan for Mediterranean Swordfish* (Rec. 16-05), or any successor recommendations, including any future revisions thereto.

Availability of Reports

26. The ICCAT Secretariat shall promptly publish the documents received pursuant to paragraphs 23, and 25 in the secure part of the ICCAT website for the facilitation of implementation of *Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* (Rec. 18-09).

ICCAT Regional Observer Program

27. Each CPC shall ensure that all carrier vessels transshipping at sea have on board an ICCAT observer in accordance with the ICCAT regional observer program specified in **Appendix 2**. The ICCAT observer shall observe the adherence to this Recommendation, and, notably, that the transhipped quantities are consistent with the reported catch in the ICCAT transshipment declaration and, as feasible, as recorded in the fishing vessel logbook.
28. CPCs shall prohibit vessels from commencing or continuing transshipping at sea in the ICCAT Convention area without an ICCAT regional observer on board, except in cases of force majeure duly notified without delay to the ICCAT Secretariat, which shall promptly notify the Commission.

SECTION 4. GENERAL PROVISIONS

29. To ensure the effectiveness of the ICCAT conservation and management measures pertaining to species covered by Catch and Statistical Document Programs:
- a) In validating the Catch or Statistical Documents, flag CPCs of LSPLVs shall ensure that transshipments are consistent with the reported catch amount by each LSPLV.
 - b) The flag CPC of LSPLVs shall validate the Catch or Statistical Documents for the transhipped fish, after confirming that the transshipment was conducted in accordance with this Recommendation. This confirmation shall be based on the information obtained through the ICCAT Observer Program and any other relevant information.
 - c) CPCs shall require that the species covered by the Catch or Statistical Document Programs caught by LSPLVs in the Convention area, when imported into the area or territory of a CPC, be accompanied by catch or statistical documents validated for the vessels on the ICCAT record and a copy of the ICCAT transshipment declaration.
30. The flag CPCs of LSPLVs which have transhipped during the previous year and the flag CPCs of carrier vessels accepting transshipments shall report annually before 15 September to the Executive Secretary:
- The quantities of tuna and tuna-like catches by species (and, if possible, by stock) transhipped during the previous year.
 - The quantities of other species caught in association with tuna and tuna-like species by species, where known, transhipped during the previous year.
 - The list of the LSPLVs and carrier vessels flying its flag which have transhipped during the previous year.
 - A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from their LSPLVs.

These reports shall be made available to the Commission and relevant subsidiary bodies for review and consideration. The Secretariat shall post these reports to a password protected website.

31. All tuna and tuna-like species and other species caught in association with those species landed in or imported into the area or territory of CPCs, either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the ICCAT transshipment declaration until the first sale has taken place.

32. The flag CPC of the LSPLV engaged in at-sea transshipments, and the coastal CPC, where applicable, shall review the information received pursuant to the provisions of this Recommendation to determine consistency between the reported catches, transshipments, and landings of each vessel, including in cooperation with the landing State as necessary. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.
33. At its request, and subject to ICCAT confidentiality requirements, the Standing Committee on Research and Statistics (SCRS) shall have access to the data collected under this Recommendation.
34. Each year, the Executive Secretary of ICCAT shall present a report on the implementation of this Recommendation to the annual meeting of the Commission, which shall include any issues of potential non-compliance. The Commission, through the Compliance Committee, shall, *inter alia*, review compliance with this Recommendation. As part of this review, the Commission should also consider any information provided pursuant to Rec. 08-09 or regarding transshipment or supply activities conducted by vessels not on the ICCAT Record of Carrier Vessels.
35. Where there are reasonable grounds to believe that transshipment operations may have been carried out without authorization or without the required inclusion of the vessel on the ICCAT Record of Carrier Vessels or otherwise in violation of this measure, the vessel shall be considered by the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures regarding placement on the IUU vessel list established pursuant to the *Recommendation by ICCAT on Establishing a List of Vessels Presumed to have carried out Illegal Unreported and Unregulated Fishing Activities* (Rec. 18-08).
36. This Recommendation repeals and replaces the *Recommendation by ICCAT on Transshipment* (Rec. 16-15).

Transshipment Declaration

Carrier vessel

Vessel Name and radio call sign:
 Flag Country/Entity/Fishing Entity:
 Flag CPC authorization number:
 Domestic Registration Number:
 ICCAT Record Number:
 IMO Number:

Fishing vessel

Vessel Name and radio call sign:
 Flag CPC:
 Flag CPC authorization number:
 Domestic Registration Number:
 ICCAT Record Number, if applicable:
 IMO Number:
 External identification:

Departure Day | Month | Hour | Year | 2_|0_|_|_| | Agent's name: | Fishing vessel Master's name: | Carrier vessel Master's name:
 Return |_|_| | |_|_| | |_|_| | from |_|_|_| | Signature: | Signature: | Signature:
 Transshipment |_|_| | |_|_| | |_|_| | to |_|_|_| |

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 (by stock,* if applicable) ²	Port	Area ³	Type of Product ¹ RD/GG/DR/FL/ST/OT	Net Weight (Kg)						

ICCAT Observer signature and date (if transshipment at sea):

¹ Type of Product should be indicated as Round (RD), Gilled and Gutted (GG), Dressed (DR), Fillet (FL), Steak (ST), Other (OT) (describe the type of product).

² A list of species by stock, with their geographic delineations, is included on the back of this form. Please provide as much detail as possible.

³ Atlantic, Mediterranean, Pacific, Indian.

*If stock level information is not available, please provide explanation.

ICCAT Regional Observer Programme

1. Each CPC shall require carrier vessels included in the ICCAT record of vessels authorized to receive transshipments in the ICCAT area and which tranship at sea, to carry an ICCAT observer during each transshipment operation in the Convention area.
2. The Secretariat of the Commission shall appoint the observers and shall place them on board the carrier vessels authorized to receive transshipments in the ICCAT area from LSPLVs flying the flag of CPCs that implement the ICCAT observer program.
3. The ICCAT Secretariat shall ensure observers are properly equipped to perform their duties, including with appropriate safety equipment.

Designation of the observers

4. The designated observers shall have the following qualifications to accomplish their tasks:
 - demonstrated ability to identify ICCAT species and fishing gear with a strong preference given to those with experience as observers on pelagic longline vessels;
 - satisfactory knowledge of the ICCAT conservation and management measures;
 - the ability to observe and record accurately;
 - 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 ICCAT;
 - b) to the extent possible, not be nationals or citizens of the flag CPC 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 the LSPLV or the carrier vessel or an employee of the LSPLV or carrier vessel company.
6. The observer shall monitor the LSPLVs and carrier vessel's adherence to the relevant conservation and management measures adopted by the Commission. The observers' tasks shall be, in particular, to:
 - 6.1 Visit the LSPLV intending to tranship to a carrier vessel, taking into account the safety concerns reflected in point 10 of this Appendix, and before the transshipment takes place, to:
 - a) Check the validity of the fishing vessel's authorization or license to fish for tuna and tuna-like species and other species caught in association with those species in the Convention area;
 - b) Inspect the fishing vessel's prior authorizations to tranship at sea from the flag CPC and, if appropriate, the coastal State;
 - c) Check and record the total quantity of catch on board by species and, if possible, by stock, and the quantities to be transhipped to the carrier vessel;
 - d) Check that the VMS is functioning and examine the logbook and verify entries, if possible;
 - e) Verify whether any of the catch on board resulted from transfers from other vessels, and check the documentation on such transfers;
 - f) In the case of indication that there are any violations involving the LSPLV, immediately report the violation(s) to the master of the carrier vessel (taking due regard of any safety considerations) and to the observer program implementing company, who shall promptly forward it to the flag CPC authorities of the LSPLV; and
 - g) Record the results of these duties on the LSPLV in the observer's report.
 - 6.2 Observe the activities of carrier vessel and:
 - a) record and report upon the transshipment activities carried out;
 - b) verify the position of the vessel when engaged in transshipping;
 - c) observe and estimate quantities of tuna and tuna-like species transhipped by species, if known, and, if possible, by stock;
 - d) the quantities of other species caught in association with tuna and tuna-like species by species, where known;

- e) verify and record the name of the LSPLV concerned and its ICCAT record number;
- f) verify the data contained in the transshipment declaration, including through comparison with the LSPLV logbook, where possible;
- g) certify the data contained in the transshipment declaration;
- h) countersign the transshipment declaration; and
- i) observe and estimate quantities of product by species when offloaded in the port where the observer is disembarked to verify consistency with quantities received during at sea transshipment operations.

6.3 In addition, the observer shall:

- a) issue a daily report of the carrier vessel's transshipping activities;
- b) establish general reports compiling the information collected in accordance with the observer's duties and provide the captain the opportunity to include therein any relevant information;
- c) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation;
- d) 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 LSPLV and of the LSPLV 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 CPC and, where relevant, the coastal State, which exercises jurisdiction over the vessel to which the observer is assigned.
- 9. Observers shall respect the hierarchy and general rules of behaviour 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 point 10 of this program.

Responsibilities of the Flag CPC of the LSPLV

- 10.. When a flag CPC is notified of potential non-compliance by its LSPLV that has engaged in transshipment activities pursuant to this Recommendation, the flag CPC shall investigate, including requesting any relevant port CPC to inspect the carrier vessel upon arrival in port, and take appropriate action.

Responsibilities of the Flag CPCs of carrier vessels

- 11. The conditions associated with implementation of the regional observer program *vis à vis* the flag CPCs of the carrier vessels and their captains include the following, notably:
 - a) Observers shall be allowed access to the vessel personnel, pertinent documentation, 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 point 6:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) VMS
 - iv) electronic means of communication; and
 - v) scale used for weighing transhipped product.
 - c) Observers shall be provided accommodations, 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;

- e) Observers shall be allowed to determine the most advantageous location and method for viewing transshipment operations and estimating species/stocks and quantities transhipped. In this regard, the master of the carrier vessel, giving due regard to safety and practical concerns, shall accommodate the needs of the observer in this regard, including, upon request, temporarily placing product on the carrier vessel deck for inspection by the observer and providing adequate time for the observer to carry out his/her duties. Observations shall be conducted in a manner that minimizes interference and avoids compromising the quality of the products transhipped.
- f) In light of the provisions of point 11, the master of the carrier vessel shall ensure that all necessary assistance is provided to the observer to ensure safe transport between the carrier and fishing vessels should weather and other conditions permit such an exchange; and
- g) The flag CPCs 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.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag CPC of the carrier vessel under whose jurisdiction the vessel transhipped and to the flag CPC of the LSPLV, copies of all raw data, summaries, and reports pertaining to the trip.

The Secretariat shall submit the observer reports (covering the information and activities of both the fishing and carrier vessels) to the Compliance Committee and to the SCRS.

Responsibilities of LSPLVs during transhipments

- 12. Observers shall be allowed to visit the LSPLV, if weather and other conditions permit, and shall be granted access to personnel, all pertinent documentation, VMS and areas of the vessel necessary to carry out their duties set forth in point 6 in this Appendix. The master of the LSPLV shall ensure that all necessary assistance is provided to the observer to ensure safe transport between the carrier and LSPLV. Should conditions present an unacceptable risk to the welfare of the observer such that a visit to the LSPLV is not feasible prior to the start of transshipment operations, such operations may still be carried out.

Observer fees

- 13. The costs of implementing this program shall be financed by the flag CPCs of LSPLVs 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 ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the program.
- 14. No LSPLV may participate in the at-sea transshipment program unless the fees, as required under point 13, are paid.

Information sharing

- 15. To facilitate information sharing and, to the extent possible, harmonization of at sea transshipment programs across relevant regional fisheries management organizations, all training materials, including observer manuals, and data collection forms developed and used to support implementation of ICCAT's at sea transshipment regional observer program shall be posted on the public portion of the ICCAT website.

Identification Guides

- 16. The SCRS shall work with the ICCAT Secretariat and others as appropriate to develop new or improve existing identification guides for frozen tuna and tuna-like species. The ICCAT Secretariat shall ensure that these identification guides are made broadly available to CPCs and other interested parties, including to ICCAT regional observers prior to deployment and to other regional fisheries management organizations running similar at sea transshipment observer programs.

In-Port Transhipment

1. In the exercise of their authority over ports located in areas under their jurisdiction, CPCs may adopt more stringent measures, in accordance with domestic and international law.
2. Pursuant to Section 1 of this Recommendation, transhipment in port by any CPC of tuna and tuna-like species and other species caught in association with these species from or in the Convention area may only be undertaken in accordance with *Recommendation by ICCAT on Port State Measures to Prevent, Eliminate, and Deter Illegal, Unreported, and Unregulated Fishing* (Rec. 18-09) and the following procedures:

Notification obligations

3. Catching fishing vessel

- 3.1 At least 48 hours in advance of transhipment operations, the captain of the fishing vessel must notify the Port State authorities of the name of the carrier vessel and date/time of transhipment.
- 3.2 Fishing vessels are not authorized to tranship in port unless they have obtained prior authorization from their flag CPC. An original or copy of the documentation of prior authorization must be retained on the vessel and made available to an inspector³ or ICCAT observer when requested.

In seeking prior authorization, the captain of a fishing vessel shall inform its flag CPC of the following:

- the quantities of tuna and tuna-like species, if possible, by stock, to be transhipped;
- the quantities of other species caught in association with tuna and tuna-like species by species, where known, to be transhipped;
- the date and place of the transhipment;
- the name, registration number, ICCAT record number, and flag of the receiving carrier vessel; and
- the geographic location of the catches by species and, where appropriate, by stock, consistent with ICCAT statistical areas.

- 3.3 The captain of the fishing vessel concerned shall complete and transmit to its flag CPC the ICCAT transhipment declaration, along with its number in the ICCAT record of fishing vessels, where applicable, in accordance with the format set out in **Appendix 1** not later than 15 days after the transhipment.

4. Receiving carrier vessel

- 4.1 Not later than 24 hours before the beginning and at the end of the transhipment, 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 transhipment declaration to the competent authorities within 24 hours.
- 4.2 The master of the receiving carrier vessel shall, at least 48 hours before landing, complete and transmit an ICCAT transhipment declaration to the competent authorities of the landing State where the landing takes place.

³ "Inspector" refers to inspectors of a CPC's competent authority authorized to conduct inspections under *Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* (Rec. 18-09).

Port and Landing State Cooperation

5. The port State and the landing State referred to in the above points shall review the information received pursuant to the provisions of this Appendix, including in cooperation with the flag CPC of the fishing vessel as necessary, to determine consistency between the reported catches, transhipments, and landings of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.

Reporting

6. Each flag CPC of the fishing vessel shall include in its Annual Report each year to ICCAT the details on the transhipments by its vessels.