

**Draft of the updated Memorandum of Understanding
between the CCSBT¹ and ICCAT² Secretariats
for Transshipment at sea by Large-Scale Tuna Longline Fishing Vessels (LSTLVs)**

Introduction

1. The ICCAT has adopted a Recommendation ~~(12/06)~~³ and implemented a program for transshipment at sea by large-scale longline pelagic fishing vessels (LSTLVs)⁴ within the ICCAT Convention area. The CCSBT has adopted a similar Resolution⁵ for tuna longline fishing vessels with freezing capacity that applies globally to all transshipments involving southern bluefin tuna (SBT). Each Secretariat is in charge of administering the program within its jurisdiction.
2. The two Commissions have overlapping jurisdiction in the Atlantic Ocean, where the CCSBT Resolution and ICCAT Recommendation are almost identical and most vessels that are required to comply with the CCSBT Resolution are also required to comply with the ICCAT Recommendation.
3. This Memorandum of Understanding (MOU) has been established to minimise the duplication of work and to minimise the associated costs for those that are required to comply with both the CCSBT Resolution and ICCAT Recommendation.

Scope of this Memorandum of Understanding

4. This MOU applies to transshipments at sea involving southern bluefin tuna (SBT) within the ICCAT Convention area, by LSTLVs with freezing capacity that are Members/Contracting Parties (CPCs)⁶ of both CCSBT and ICCAT⁷, and is further restricted to CPCs that are participating in both CCSBT's and ICCAT's regional observer program. ~~At present, this comprises:~~
 - ~~● Japan~~
 - ~~● Korea~~
 - ~~● Fishing Entity of Taiwan⁷ / Chinese Taipei⁸.~~
5. CCSBT and ICCAT will notify each other of any changes in their Members/CPCs that may affect the application of this ~~is~~ MOU.

The Arrangement between CCSBT and ICCAT

6. All provisions of the ICCAT transshipment Recommendation will continue to apply to transshipments at sea that fall within this arrangement.
7. All provisions of the CCSBT transshipment Resolution will also apply to transshipments at sea that fall within this arrangement, except that:

¹ Commission for the Conservation of Southern Bluefin Tuna.

² International Commission for the Conservation of Atlantic Tunas.

³ ~~At the time of the latest update to this MOU, the current~~ Recommendation ~~12/06~~ by ICCAT ~~on establishing a programme for transshipment~~ Transshipment (Rec. 21-15).

⁴ ~~ICCAT Recommendation 12-06~~ Rec. 21-15 refers to large-scale pelagic longline vessels (LSPLVs), while the CCSBT Resolution refers to large scale tuna longline vessels (LSTLVs). This MoU is understood to cover both sets of vessels in their respective contexts.

⁵ Resolution on establishing a program for transshipment by large-scale fishing vessels.

⁶ "Members" includes Cooperating Non-Members and "CPCs" includes Cooperating non-Contracting Parties, Entities and Fishing Entities.

⁷ For CCSBT

⁸ For ICCAT

~~a~~a) To enable a single Transshipment Declaration form to be completed for transshipment by an LSTLV, an ICCAT Transshipment Declaration form may be used instead of the CCSBT Transshipment Declaration form. –This only applies while the ICCAT and CCSBT forms remain compatible unless there is agreement to the contrary. –Furthermore, transmission of this form by Carrier Vessel masters to the ICCAT Secretariat is deemed to also be a transmission to the CCSBT Secretariat. The ICCAT Secretariat will transmit these documents to the CCSBT Secretariat without delay.

~~b~~b) _____ ICCAT Register Numbers for LSTLVs and Carrier Vessels may be used instead of the CCSBT equivalents. –The CCSBT Secretariat will conduct the necessary conversions between ICCAT and CCSBT registration numbers.

~~c~~c) To enable a single set of Transshipment Observers to be used, ICCAT Transshipment Observers will be deemed to be CCSBT Transshipment Observers providing these observers meet the standards established in the CCSBT Transshipment Resolution and providing that the CCSBT Secretariat is informed. In no case will ICCAT Transshipment Observers be required to observe transshipments outside of the ICCAT Convention Area.

~~d~~d) _____ The Consortium that operates the ICCAT program will issue a second report dealing exclusively with transfers that include SBT (i.e. omitting any transfers where no SBT were transhipped) from vessels subject to this MOU. Transmission of such Observer Reports by the Transshipment Observer to the ICCAT Secretariat is deemed to also be a transmission to the CCSBT Secretariat. The ICCAT Secretariat will re-transmit these documents to the CCSBT Secretariat without delay.

e) CCSBT is considering⁹ the introduction of a requirement to provide a supply declaration anytime an authorised carrier vessel provides supply services to another vessel at sea that has SBT on board. Supply declarations have been a requirement in ICCAT since 2022 and these are published on the secure part of the ICCAT website.

f) Should CCSBT introduce a requirement for supply declarations, then an ICCAT Supply Declaration form may be used instead of the CCSBT Supply Declaration form. This only applies while the ICCAT and CCSBT forms remain compatible, unless there is agreement to the contrary.

8. The combined effect of paragraphs 6 and 7 is that the ICCAT Secretariat and Transshipment Observers will continue to follow the requirements of –the ICCAT Recommendation with the additions that:

~~a~~a) The ICCAT and CCSBT Secretariats will advise each other regarding any planned or actual changes to their Recommendations/Resolutions for at sea transshipment including the Transshipment Declaration form.

~~b~~b) _____ The ICCAT Secretariat will transmit copies of Observer Deployment requests, Transshipment Declarations and Observer Reports for all transshipments involving SBT to the CCSBT Secretariat without delay.

~~c~~c) In addition to the experience and training required by the ICCAT Transshipment at sea Recommendation, ICCAT Transshipment Observers that observe transshipments of SBT will have sufficient experience and knowledge to:

- _____ identify southern bluefin tuna; and
- _____ have a satisfactory knowledge of the CCSBT conservation and management measures.

~~d~~d) _____ An up-to-date list of ICCAT Transshipment Observers will be maintained and annually provided to the CCSBT Secretariat by the ICCAT Secretariat.

⁹ Currently proposed to be considered at CCSBT 32 in 2025 taking into account the effectiveness of the supply declaration introduced in ICCAT

~~e-e)~~ When ICCAT is informed that an observer deployment will involve transhipments of SBT, ICCAT will notify CCSBT prior to dispatching the observer so that the CCSBT Secretariat can check the validity of authorisations of the Fishing Vessels and Carrier Vessels against the published list of CCSBT Authorised Fishing Vessels and CCSBT Authorised Carrier Vessels respectively.

~~a-f)~~ To support CCSBT in their consideration, and potential introduction of, Supply Declarations, the ICCAT Secretariat will provide to nominated and authorised staff within the CCSBT Secretariat access to the supply declaration data held on the secure part of the ICCAT website. The access to, and use of, this data by CCSBT shall be in accordance with the provisions of the Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by ICCAT and the Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the CCSBT.

~~f-g)~~ In addition to tasks specified in the ICCAT Transhipment Recommendation, Transhipment Observers that observe transhipments of SBT will:

- ~~—~~ Conduct checks on the Fishing Vessel intending to tranship in accordance with section 6 a) i) of Annex 2 of the CCSBT Transhipment Resolution.
- ~~—~~ From 1 January 2010, sign Certify the transhipment verification section of the CCSBT CDS documentation to indicate that the transhipment details (date, name and registration of carrier vessel) were filled in correctly and that the transhipment of product was observed according to the CCSBT Transhipment Resolution¹⁰.

9. Additional costs imposed on the ICCAT observer program resulting from this MOU will be covered by CCSBT. The costs associated with additional training, additional reports, and insurance required for observers, will be calculated by the Consortium that operates the ICCAT program and transmitted to the CCSBT Secretariat via the ICCAT Secretariat. The CCSBT Secretariat will be responsible for recovering these costs from the CPCs concerned.

10. The ICCAT and CCSBT Secretariats will cooperate to improve the efficiency of the sharing of data that is covered by this MOU, provided that it remains consistent with the provisions of this MOU and each organisations respective procedures and data and confidentiality rules.

~~10-11.~~ This MOU comes into effect for twelve months from the date of entry into force noted below. It will be automatically renewed for another twelve months each year, unless otherwise decided by either the CCSBT or ICCAT Secretariat and informed to the other in writing. ~~—~~ Either of the Secretariats may terminate the MOU at any time by written notice to the other Secretariat.

12. This MOU replaces that signed on 1 July 2015 from the date of its entry into force.

~~11-13.~~ Date of entry into force: _____

Signed and duly dated:

Robert Kennedy

Dominic Vallières

Executive Secretary
Commission for the Conservation of Southern
Bluefin Tuna (CCSBT)

~~Driss Meski~~

Camille Jean Pierre Manel

Executive Secretary
International Commission for the Conservation of
Atlantic Tunas (ICCAT)

Date: _____

Date: _____

¹⁰ A discrepancy between the stated product on the CDS document and the quantities recorded by the observer would be recorded in the observer's report (not the CDS document) and would not prevent the observer from signing the CDS document.