



**COMMISSION
Twentieth Regular Session
4-8 December 2023
Rarotonga, Cook Islands (Hybrid)**

**Update and Compilation of TW-IWG participants in-line feedback on draft revisions to CMM
2009-06**

**WCPFC20-2023-TS-IWG-01
29 November 2023**

Submitted by TS-IWG Co-Chairs

TS-IWG Colleagues,

Attached is a compilation of members' in-line feedback on the draft revisions to CMM2009-06 on transshipment. Note that Commission observers' feedback was generally aligned with input from CCMs. For simplicity, edits/comments are only attributed to CCMs or groups of CCMs. We tried to slim down and paraphrase comments into a single voice where possible. If we captured something incorrectly, please let us know.

Transshipment is a priority issue for the Commission, and we welcome your expertise, flexibility, and grace in pursuing a revised CMM that provides better regulation of transshipment by the WCPFC.

With this in mind, we would ask members of the IWG to review the range of input and either:

1. provide additional feedback to the co-Chairs via email before the Heads of Delegation meeting or
2. be prepared to engage substantively and constructively on revising the measure whether via email or in-person if the TS-IWG meets as a SWG at WCPFC20.

To that end, the Heads of Delegation will meet Sunday evening and among their discussion will be to determine whether a WCPFC20 Transshipment Small Working Group (TS SWG) is necessary. If the TS SWG is formed, we hope to convene in-person at least once during WCPFC20 to address key proposed revisions to the CMM on transshipment. Once we have more information on the WCPFC20 TS SWG, we'll notify members via email and will work with the Secretariat to post relevant documents to the WCPFC20 meeting page.

With the information available in the attached, your co-Chairs encourage TS-IWG members to engage one another in Rarotonga (before and during WCPFC20) to understand each others' thinking and to explore viable paths forward on specific provisions and issues.

Sincerely,

Alex Kahl (United States) & Felix Ngwango (Vanuatu)

Attachment 1 – TS-IWG participants' in-line feedback on the draft revisions to CMM2009-06 on transshipment



~~SIXTH-TWENTIETH~~ REGULAR SESSION
~~Papeete, Tahiti, French Polynesia~~ Rarotonga, Cook Islands
~~7-11-4-8~~ December ~~2009~~2023

CONSERVATION AND MANAGEMENT MEASURE ON THE REGULATION OF TRANSHIPMENT

Conservation and Management Measure ~~2009-06~~2023-XX¹

Commented [A1]: [co-Chairs] UPDATED

Commented [A2]: [co-Chairs] UPDATE

The Commission for the Conservation and Management of Highly Migratory Fish Stock in the Western and Central Pacific Ocean,

Acknowledging that effective conservation and management of highly migratory fish stocks is dependent on the provision of accurate reporting of catches of such stocks in the Convention Area;

Recognizing that transhipment at sea is a common global practice, but that unregulated and unreported transhipment of catches of highly migratory fish stocks at sea, in particular on the high seas, contributes to distorted reporting of catches of such stocks and supports IUU fishing in the Convention Area;

Recalling Article 29(1) of the Convention which provides that in order to support efforts to ensure accurate reporting of catches, the members of the Commission shall encourage their fishing vessels, to the extent practicable, to conduct transhipment in port.

Recalling also Article 29(2) and (3) of the Convention that transhipment at a port or in an area within waters under the national jurisdiction of a member of the Commission shall take place in accordance with applicable national laws, and that the Commission shall develop procedures to obtain and verify data on the quantity and species transhipped both in port and at sea in the Convention Area and procedures to determine when transhipment covered by the Convention has been completed;

Recalling further Article 29(4) of the Convention that Transhipment at sea in the Convention Area beyond areas under national jurisdiction shall take place only in accordance with the terms and conditions set out in article 4 of Annex III to the Convention, and any procedures established by the Commission pursuant to Article 29(3). Such procedures shall take into account the characteristics of the fishery concerned;

¹ The Commission agreed at WCPFC15 (2018) to include a footnote to Annex I and Annex III to reflect the adoption of the WCPFC E-reporting Standards for high seas transhipment declarations and high seas transhipment notices. A template was also agreed for paragraph 11 annual reports.

Recalling further that Article 29(5) of the Convention prohibits transshipping at sea by purse seine vessels operating within the Convention Area, subject to specific exemptions which the Commission shall adopt in order to reflect existing operations;

Recognizing the importance of economic benefits from port operations to Small Island Developing State CCMs;

Noting that those CCMs with a real interest in undertaking monitoring, control and surveillance activities in the high seas require access to information about transshipment activities in the convention area before they occur.

Desiring to establish procedures to obtain and verify data on the quantity and species transhipped in the Convention Area to ensure accurate reporting of catches, and enhance stock assessments of highly migratory fish stocks.

Adopts in accordance with Article 10 of the WCPFC Convention:

SECTION 1 – GENERAL RULES

~~1. This measure shall commence as soon as possible and no later than July 1, 2010².~~

Commented [A3]: [co-Chairs] AGREED

~~2.1.~~ The provisions of this Measure shall apply to all transshipment in the Convention Area of all highly migratory fish stocks covered by the Convention. CCMs that tranship outside the Convention Area highly migratory fish stocks covered by the Convention taken in the Convention Area shall provide the information related to those activities, as required in paragraphs ~~10, 11, 11, 38, 39, and 40 and 12.~~ Highly migratory fish stocks covered by the Convention shall not be transhipped at sea by purse seine vessels outside the Convention Area consistent with paragraph 25 of this measure.

Commented [A4]: [co-Chairs] UPDATE

~~3.2.~~ The provisions of this Measure shall not apply to transshipment of highly migratory fish stocks where fish is taken and transhipped wholly in archipelagic waters or territorial seas.

~~4.3.~~ Transshipment in a port or in waters under the national jurisdiction of a CCM shall take place in accordance with applicable national laws. With the exception of Section 2 (which applies article 29(5) of the Convention), nothing in this Measure shall prejudice the application of national laws when transshipment occurs in areas under the national jurisdiction of a CCM, including the application of more stringent requirements.

~~5.4.~~ A CCM may notify the Executive Director of its designated port or ports for transshipment. The Executive Director shall circulate periodically to all members a list of such designated ports. "Port" includes offshore terminals and other installations for landing, transshipping, processing, refuelling or resupplying;

Commented [A5]: [co-Chairs] For consistency with the Convention, updating all use of this word to a single "s".

² ~~Except paragraph 13(e) this Measure shall enter into effect 1 January 2011.~~

6.5. Nothing in this Measure shall derogate the obligations on flag states to ensure compliance by vessels flying their flag while operating on the high seas. Each CCM shall take necessary measures to ensure that vessels flying its flag comply with this Measure.

7.6. For the purposes of this Measure, CCMs are responsible for reporting against vessels flying their flag except where the vessel is operated under charter, lease or other similar mechanisms, as an integral part of the domestic fleet of a coastal state in the Convention Area. In such case, the chartering state shall be the CCM responsible for reporting against the vessel.

8.7. Pursuant to paragraph 7, chartering CCMs and flag CCMs will cooperate for the appropriate management of the vessel to ensure compliance.

9. ~~For a carrier vessel that is flagged to a non-CCM and is included on the WCPFC Interim Register of non-Member Carrier and Bunker Vessels, the vessel master shall be responsible for reporting against the vessel unless it is operating under a charter arrangement.~~

10.8. A WCPFC Transshipment Declaration, including the information set out in Annex I shall be completed by both the offloading and receiving vessel for each transshipment in the Convention Area, and each transshipment of catch taken in the Convention Area. ~~Where required in this Measure, the Transshipment Declaration shall be sent electronically via electronic reporting to the Commission Secretariat/Executive Director in accordance with the WCPFC E-reporting standards for high seas transshipment.~~

11.9. CCMs shall report on all transshipment activities covered by this Measure (including transshipment activities that occur in ports or EEZs) as part of their Annual Report in accordance with the guidelines at Annex II. In doing so, CCMs shall take all reasonable steps to validate and where possible, correct information received from vessels undertaking transshipment using all available information such as carrier daily activity reports, logs, catch and effort data, position data, observer reports, electronic monitoring data, and port monitoring data.

10. Notices to the ~~Commission Secretariat/Executive Director~~ under paragraphs 24 and 35.a.iii shall be submitted electronically with the preferred method being in accordance with WCPFC E-reporting Standards for high seas transshipment declarations and high seas³ transshipment notifications given via a means of two-way communication by data (e.g., telex, facsimile, email). The CCMs responsible for reporting against both the offloading and receiving vessels are responsible for providing notices, but may authorise the vessel or the vessel operator to provide notices directly. Notices must include the information set out in Annex III.

12.11. ~~Each fish-carrier vessel carrying fish caught in the WCPFC Area or intending to transship~~

³ Since 2019, the Secretariat has supported the WCPFC Transshipment Electronic Reporting (TSER) app, which is a computer system (app) that allows vessel masters, company managers and staff of national fisheries management agencies to submit high seas transshipment notifications and declarations to the WCPFC electronically.

Commented [A6]: [co-Chairs] AGREED, covered by paragraphs 6, 7, and 20.

Commented [A7]: [co-Chairs] Simplify?

Commented [A8]: [FFA Members, Japan] use “electronically” throughout measure for consistency and flexibility [CT] Needs to include email and should be defined for consistency through CMM.

Commented [A9]: [co-Chairs] for Consistency, where appropriate, will use “Secretariat” throughout, but only note here.

Commented [A10]: [FFA Members]

Commented [A11]: [FFA Members] support [CT] If the carrier and offloading flags are different, offloading flag is not able to check the carrier log.

Commented [A12]: [FFA Members]

Commented [A13]: [FFA Members] [Japan] Supports clear and concise lanaguage such as “preferably”.

Commented [A14]: [FFA Members]

Commented [A15]: [CT] “Fish” and “WCPFC Area” need to be defined. [co-Chairs] propose changing “fish” to “tuna and tuna-like species” to align with Annex I Footnote 5? [co-Chairs] propose replacing “WCPFC” with “Convention”?

~~in the WCPFC Area shall complete a daily activity log in accordance with paragraphs 39 – 41. The CCM responsible for reporting by the carrier vessel is responsible for electronically transmitting a carrier vessels daily activity report log at least every 24 hours via electronic reporting to the Secretariat in accordance with any associated adopted WCPFC electronic reporting standards.~~

Commented [A16]: [co-Chairs] UPDATE if retained.

~~13.12. Each CCM shall ensure that vessels they are responsible for shall carry a observers from the WCPFC Regional Observer Programme (ROP) observer on both the receiving and offloading vessel to observe transhipments at sea, as follows:~~

Commented [A17]: [FFA Members]

Commented [A18]: [CT] Need to agree on text of referenced paragraphs before considering this paragraph.

Commented [A19]: [Japan] Last part of last sentence “at lease every...” may be redundant to subsequent paragraphs and could be removed.
[co-Chairs] Suggest further review in light of new proposed ending by FFA Members to see if still redundant.

- ~~— for transhipments to receiving vessels less than or equal to 33 meters in length, and not involving purse seine caught fish or frozen longline caught fish, 100% observer coverage starting on the effective date of this Measure, with the observer(s) deployed on either the offloading vessel or receiving vessel;~~
- ~~— for transhipments other than those covered by subparagraph (a) and involving only troll caught or pole and line caught fish, 100% observer coverage starting 1 January 2013, with the observer(s) deployed on the receiving vessel.~~
- ~~— for transhipments other than those covered by subparagraphs (a) and (b), 100% observer coverage starting on the effective date of this Measure, with the observer(s) deployed on the receiving vessel.~~

~~17.13. Observers shall monitor implementation of this Measure and collect the Minimum Data Fields (MDF) for Observer Transhipment Monitoring, as adopted in December 2022. The MDF for Observer Transhipment Monitoring shall be submitted electronically to the Secretariat to the extent possible, in accord with the ROP Agreed Minimum Standards and Guidelines. ROP Observers shall also confirm to the extent possible that the transhipped quantities of fish are consistent with other information available to the observer, which may include:~~

Commented [A20]: [FFA Members]
[Canada] Ideally observers on both vessels, but support 100% observer coverage on receiving vessels to align with FAO draft guidelines.

Commented [A21]: [FFA Members]

Commented [A22]: [FFA Members]

Commented [A23]: [Japan] add “to the extent possible” to reflect the voluntary nature of the guidelines.

Commented [A24]: [CT] Redundant to the existing rules for ROP observers – suggest deleting.

Commented [A25]: [FFA Members]

- 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.

~~d.e. And any additional information deemed relevant by the observer.~~

Commented [A26]: [Canada]

~~18.14. Observers shall have full access to both the unloading and the receiving vessel in order to ensure that proper verification of catches can occur. The Commission shall develop guidelines for the safety of observers in moving between vessels as part of the ROP.~~

Commented [A27]: [co-Chairs] Remove if Paragraph 12 adopted.

15. Receiving vessels shall only receive product from one unloading vessel at a time for each observer that is available to monitor the transhipment.

~~19.16. In assisting members in verifying transshipment events and completeness of Secretariat VMS data, the Secretariat is tasked to, working in cooperation with relevant CCMs, shall on regular basis provide reported information including (but not limited to) VMS analysis to validate high seas transshipment reporting by vessels. This work will begin immediately and must be fully implemented by January 1, 2025 and key findings summarized by the Secretariat in its annual transshipment report to the Commission, in 2025.~~

~~20.17. Any scheme or process developed and agreed by the Commission for the cross endorsement of observers from other RFMOs as part of the ROP shall apply to this measure.~~

~~21.18. The Commission shall provide appropriate financial and technical assistance to developing states, in particular small island developing states, in the implementation of this Measure including in accordance to Article 30.~~

~~22.19. The measure shall be reviewed periodically in response to other measures and decisions taken by the Commission and taking into account the implementation of this and other measures. In particular, this Measure may be reviewed and revised as needed, within one year of adoption of WCFPC electronic monitoring standards to ensure effective and modern regulation of transshipment in the Convention Area.~~

~~1A— Transshipment to and from non-CCM Vessels~~

~~20. All receiving vessels shall have a stowage plan on board the vessel. Each receiving vessel's stowage plan identifies the location and quantities of catch received from each offloading vessel during the current trip. Stowage plans must be kept up-to-date, and made available to relevant authorities - including port and high seas inspectors.~~

~~24.21. CCMs shall prohibit its flagged vessels from transshipping take measures to ensure that vessels do not tranship to or from a vessel flagged to a non-CCM, unless that vessel is authorized by a decision of the Commission, such as:~~

- ~~— a non-CCM carrier vessel that is on the WCPFC Interim Register of non-CCM Carrier and Bunker Vessels established under CMM 2009-01; or~~
- ~~— a non-CCM fishing vessel that is licensed to fish in the EEZ of a CCM in accordance with a decision of the Commission.~~

~~27. To retain any authorisation from the Commission relevant to paragraph 20, a non-CCM vessel shall not tranship to or from a non-authorized non-CCM vessel.~~

~~28. In cases where transshipment involves a non-CCM vessel specified in paragraph 18 20.a, any required communications to the Executive Director, including pre-transshipment notices and transshipment declarations that are required under various sections of this measure, shall be responsibility of the vessel master of the carrier vessel or chartering CCM.~~

~~1B— Force Majeure or Serious Mechanical Breakdown~~

~~22. Any vessels receiving transshipment at sea in accordance with this measure is prohibited from~~

Commented [A28]: [Japan] CMMs should instruct the Secretariat without "shall". See proposed revision.

Commented [A29]: [CT] Nedd to understand what this means. Can the Secretariat explain?

Commented [A30]: [Japan] editorial error can be removed. [co-Chairs] Secretariat to advise further. This seems like it is intended to clarify that no new reporting or information will be required by CCMs.

Commented [A31]: [Japan] Vague scope of analysis is unacceptable. Additional analyses should be specified in the CMM.

Commented [A32]: [Japan] What does "fully implement" mean? Suggest key findings should be reported in 2025, and then next steps will be decided.

Commented [A33]: [co-Chairs]

Commented [A34]: [CT] Suggest removing because the first sentence is sufficient for reviewing and it would be premature establish timelines here.

Commented [A35]: [co-Chairs] AGREED

Commented [A36]: [Canada]

Commented [A37]: [FFA Members]

Commented [A38]: [co-Chairs] AGREED, consolidate into paragraph 20.

Commented [A39]: [co-Chairs] Sub-heading no longer necessary.

offloading at sea during the same trip.

Commented [A40]: [USA]

~~30.23.~~ Unless otherwise stated, the restrictions in this measure shall not prevent a vessel from transhipping in cases of force majeure or serious mechanical breakdown that could threaten the safety of the crew or result in a significant financial loss though fish spoilage.

~~31.24.~~ In such cases, the ~~Commission Secretariat~~ ~~Executive Director~~ must be notified electronically of the transhipment and the circumstances giving rise to the force majeure within 12 hours of the completion of transhipment. The CCMs responsible for each vessel shall provide the ~~Commission Secretariat~~ ~~Executive Director~~ with a WCPFC Transhipment Declaration consistent with the requirement under paragraph 10 within 15 days of the transhipment.

Commented [A41]: [CT] Does this allow for flexibility in reporting under all Force Majeure situations?

Commented [A42]: [Canada] Shorten to 10 days to align with NPFC.
[USA] Shorten reporting timeframes.

SECTION 2 – TRANSHIPMENT FROM PURSE SEINE FISHING VESSELS

~~32.25.~~ In accordance with Article 29 (5) of the Convention, transhipment at sea by purse seine vessels shall be prohibited except in respect of exemptions granted by the Commission for:

- a. existing group seine operations composed of small purse seine boats (fish hold capacity of 600 mt or less) flagged to Papua New Guinea and Philippines that meet the following conditions:
 - i. operate in tandem with freezer carrier boat/s to freeze the catch or if operating closer to base with ice carrier boat/s to store the fish,
 - ii. operate as one group together with their support vessels such as freezer carrier boat/s and/or ice carrier boat/s.
 - iii. undertake transhipment when refrigerated or other ice carrier boats dock alongside catcher boats and tranship fish from the catcher boats
- b. transhipment activities involving New Zealand flagged domestic purse-seine vessels where the fishing activity, transhipment and landing of fish all take place within New Zealand fisheries waters in accordance with New Zealand’s existing legal and operational framework for monitoring and control of transhipment activity and the verification of catch.

~~33.26.~~ CCMs seeking to apply an exemption for a vessel(s) that meets the conditions set out in paragraph 25, shall submit a written request to the Executive Director by 1 July of a given year that includes, at a minimum, the following information:

- a. Details about the vessel(s) as they are required to appear on the WCPFC Record of Fishing Vessels under CMM ~~2018-06~~ ~~2004-01~~ (or its replacement CMM);
- b. The vessel’s history of prior transhipment exemptions,
- c. The main species and product forms that would be transhipped,

Commented [A43]: House keeping

- d. The areas where transhipments would take place, to as much detail as possible,
- e. The period of exemption being requested, and
- f. An explanation for the exemption request.

~~34.~~27. The Executive Director shall compile all requests for transhipment exemptions and circulate them to all CCMs at least 30 days in advance of the regular annual session of the Technical and Compliance Committee (TCC). The TCC shall review the requests and make recommendations to the Commission regarding the application of the exemptions in paragraph 26.

~~35.~~28. Taking into account the recommendations of the TCC, the Commission, during its regular annual session, shall consider each request and may adopt exemptions in accordance with Article 29(5) of the Convention. The Commission may attach to each granted exemption any conditions or requirements that it determines necessary to achieve the objectives of the Convention, such as limitations on areas, time periods or species, the fishing vessels that may be transhipped to, and any additional requirements necessary for the purposes of monitoring, control and surveillance.

~~36.~~29. CCMs shall only authorize those purse seine vessels that ~~that~~ have received an exemption by the Commission to engage in transhipment outside of port. CCMs shall issue vessel-specific authorizations outlining any conditions or requirements identified by the Commission or CCM, and shall require that vessel operators carry such authorizations on board at all times.

~~37.~~30. The flag State CCM of any such authorized purse-seine vessel that is required to be on the WCPFC Record of Fishing Vessels (RFV) shall notify the Executive Director that the vessel is authorized to engage in transhipment outside of port, in accordance with the Commission-granted exemption and shall indicate in such notification any limitations, conditions or requirements on its authorization.

~~38.~~31. The Executive Director shall maintain and make publicly available, including on the Commission's website, the list of purse seine vessels that have been granted exemptions and are authorized to tranship outside of port, as well as any corresponding conditions or provisions attached to their exemption.

~~39.~~32. All purse seine vessels, including those that receive an exemption to tranship at sea under the process described in paragraphs 26 to 30 shall be prohibited from commencing transhipping on the high seas in the Convention Area.

SECTION 32 – TRANSHIPMENT FROM FISHING VESSELS OTHER THAN PURSE SEINE VESSELS

40.33. Transhipment from longline, troll and pole and line fishing vessels in national waters shall be managed in accordance with relevant domestic laws and procedures pursuant to paragraph 4.

41.34. There shall be no transhipment on the high seas except where ~~the Commission~~ a CCM has determined, in accordance with the guidelines described in paragraph 37 below, that it is impracticable for certain vessels ~~that it is responsible for~~ to operate without being able to tranship on the high seas, ~~and has advised the Commission of such.~~

42. ~~Where transhipment does occur on the high seas,~~

43.35. the CCMs responsible for reporting against both the offloading and receiving vessels shall, as appropriate:

- a) advise the Commission of its procedures for monitoring and verification of the transhipments;
- b) indicate vessels to which the determinations apply.
- c) electronically notify the information in Annex III to the ~~Commission Secretariat~~ Executive Director at least 36 hours prior, but no more than 72 hours prior to each transhipment.
- d) electronically provide the ~~Commission Secretariat~~ Executive Director with a WCPFC Transhipment Declaration information in Annex I within 10⁵ days of completion of each transhipment⁴; and
- e) Submit to the Commission annually a plan detailing what steps it is taking to encourage transhipment to occur in port in the future.

36. The Commission, through the TCC, shall annually review the efficacy of CCMs' implementation Article 29(1) of the WCPF Convention that requires CCMs to encourage their fishing vessels to conduct transhipment in port. On the basis of this review, the Commission may amend this measure to ensure effective transhipment regulation in accordance with the WCPF Convention

44.37. The Commission, through the TCC, shall review the application of the exemptions by relevant CCMs after a period of 3 years and every 2 years thereafter to establish whether monitoring and verification has been effective. After review, the Commission may prohibit transhipment on the high seas by any vessel or vessels in relation to which monitoring and verification of transhipment on the high seas is proven to have been ineffective, or establish or vary any conditions for transhipping on the high seas.

45.38. ~~The Executive Director shall prepare draft guidelines for the determination of circumstances where it is impracticable for certain vessels to tranship in port or in waters under national jurisdiction. The Technical and Compliance Committee shall consider these~~

⁴ The CCM may authorize its vessels to electronically provide the declaration to the Secretariat.

Commented [A44]: House keeping

Commented [A45]: [FFA Members] Could draw from the process set out in paragraphs 26-28 of 2009-06. Confirm paragraph reference if adopted.

Commented [A46]: [Japan] Need to consider how to operationalize electronic submissions from both the offloading and receiving vessels. For example, currently, one declaration is created, signed by the observer, and then the copies are submitted from both side.

Commented [A47]: [co-Chairs] housekeeping, combine into a single sentence, and switched list from roman numerals to letters for consistency with other sub-paragraph formatting.

Commented [A48]: [FFA Members]

Commented [A49]: [Canada] 10 days, to align with NPFC requirement. [USA] Shorten reporting timeframes.

Commented [A50]: [USA] proposed footnote for declarations.

Commented [A51]: [FFA Members]

Commented [A52]: [FFA Members]

~~guidelines, amend as necessary, and recommend them to the Commission for adoption in 2012. In the meantime,~~ CCMs shall use the following guidelines when determining the practicability of high seas transshipments

Commented [A53]: [co-Chairs] housekeeping

- a. The prohibition of transshipment in the high seas would cause a significant economic hardship, which would be assessed in terms of the cost that would be incurred to transship or land fish at feasible and allowable locations other than on the high seas, as compared to total operating costs, net revenues, or some other meaningful measure of costs and/or revenues; and
- b. The vessel would have to make significant and substantial changes to its historical mode of operation as a result of the prohibition of transshipment in the high seas;

39. ~~When adopting the Guidelines referred to in paragraph 37, As appropriate,~~ the Commission shall consider whether to prohibit transshipment in areas of high seas in the Convention Area entirely surrounded by the exclusive economic zones of members of the Commission and Participating Territories. This consideration will include a review of the catch and effort reported for fishing vessels in these areas, the information from Transshipment Declarations in these areas and the role of the areas in supporting IUU activities.

Commented [A54]: [co-Chairs] AGREED

SECTION 4 – CARRIER VESSELS DAILY ACTIVITY LOG

40. ~~Only fish carrier vessels identified on the WCPFC Record of Fishing Vessels (RFV) as authorized to tranship at-sea, may tranship fish caught in the WCPFC Area or tranship in the WCPFC Area, regardless of where the at-sea transshipment activity occurs.~~

Commented [A55]: [CT] Need to consider entire section once all input and edits are collected. [Canada, FFA Members, USA] Support new section.

Commented [A56]: [FFA Members]

Commented [A57]: [FFA Members]

41. Whereas each WCPFC authorized carrier vessel is recognized as “fishing” and operating as a “fishing vessel” under Convention Articles 1(d)(v) and 1(e), each carrier vessel shall complete a daily activity log ~~in accordance with the Conservation and Management Measure on Daily Catch and Effort Reporting. Reporting Recording under this provision does not apply to vessels not carrying fish caught in the WCPFC Convention Area or intending to transship fish caught in the WCPFC Area.~~

Commented [A58]: [Canada, Japan] Suggest moving this paragraph into General Provisions. [co-Chairs] propose moving to between paragraphs 7 & 8.

Commented [A59]: [Japan] CMM 2022-06 does not have specific requirements for carrier vessels. [co-Chairs] Seek advice form the Secretariat on reporting obligations under CMM 2022-06.

Commented [A60]: [Japan]

42. ~~In addition to any transshipment and carrier-related reporting requirements identified in the Conservation and Management Measure on Daily Catch and Effort Reporting,~~ The minimum required fields for carrier daily activity report are:

Commented [A61]: [Japan] Consistent with comments and Japan’s proposed revisions in paragraph 39.

- a. The name of the carrier vessel and its WCPFC Identification Number (WIN) and IMO Number
- b. Date and time of transmission of the daily activity report, in Universal Time Coordinates (UTC)
- c. Location of the carrier vessel in decimal Latitude and Longitude to the nearest 0.1 degrees and accompanied by a description of the location, such as high seas, outside the convention area or within a named EEZ.
- d. Transshipment activity within the last 24 hours (“yes” or “no”)

Commented [A62]: [co-Chairs] if retained, new first usage of WIN.

Commented [A63]: [USA]

e. Intended next port of call and expected arrival date.

f. Other fishing activity or operation of a fishing vessel as defined under the Convention.

g. Any other ship-to-ship transfers at sea.

~~46. The CCM responsible for reporting for a fish carrier vessel carrying fish caught in the WCPFC Area, intending to receive fish caught in the WCPFC Area and/or intending to tranship in the WCPFC Area shall electronically provide the Secretariat with a daily activity report for each carrier vessel, with the data in paragraphs 4138-39, at least every 24 hours via electronic reporting.~~

Commented [A64]: [FFA Members]

Commented [A65]: [USA]

Commented [A66]: [co-Chairs] for consistency if retained

Commented [A67]: [co-Chairs] for consistency if retained

Commented [A68]: [Japan] Do not support reporting requirement of daily activity log. The log will be useful as a reference for high seas inspection and/or port inspection etc.

ANNEX I⁵

INFORMATION TO BE INCLUDED IN WCPFC TRANSHIPMENT DECLARATION

1. A unique document identifier
2. the name of the fishing vessel and, its WIN, and its IMO Number
3. the name of the carrier vessel and, its WIN, and its IMO Number
4. the fishing gear used to take the fish
5. the quantity of product by weight⁶ (including species and its processed state⁷) to be transhipped
6. the state of fish (fresh or frozen)
7. the quantity of by-product⁸ to be transhipped,
8. the geographic location⁹ of the highly migratory fish stock catches

Commented [A69]: [USA]

Commented [A70]: USA

Commented [A71]: [FFA Members]

⁵ CCMs shall submit information required in Annex I or in accordance with WCPFC E-reporting Standards for high seas transshipment declarations and high seas transshipment notices.

⁶ Tuna and tuna-like species

⁷ Whole; gutted and headed; gutted, headed and tailed; gutted only, not gilled; gilled and gutted; gilled, gutted and tailed; shark fins.

⁸ Non tuna and tuna-like species

⁹ Geographic location of catch means sufficient information to identify what proportion of the catch was taken in the following areas: High seas, outside the WCPFC Convention Area, EEZs (listed separately). Location of catches not required for receiving vessel.

9. the date and location¹⁰ of the transhipment

~~9.~~^{10.} the start time and end time¹¹ of the transhipment

~~10.~~^{11.} If applicable, the name and signature of the WCPFC observer

~~11.~~^{12.} The quantity of product already on board the receiving vessel and the geographic origin¹² of that product.

Commented [A72]: [CT] Need to understand why this would be needed.
[co-Chairs] Seek the Secretariat's advice as to how this would be used to validate and verify transshipment events.

¹⁰ Location of transhipment is to be in decimal Latitude and Longitude to the nearest 0.1 degrees and accompanied by a description of the location, such as high seas, outside the convention area or within a named EEZ.

¹¹ Date and time reported without seconds in accordance with Appendix 2 of WCPFC E-reporting Standards for high seas transhipment declarations and high seas transhipment notices

¹² The origin of product shall be reported by RFMO area and will include the quantity of product from each different area.

ANNEX II

TRANSHIPMENT INFORMATION TO BE REPORTED ANNUALLY BY CCMs

Each CCM shall include in Part 1 of its Annual Report to the Commission¹³:

- (1) the total quantities, by weight, of highly migratory fish stocks covered by this measure that were transhipped by fishing vessels the CCM is responsible for reporting against, with those quantities broken down by:
 - a. offloaded and received;
 - b. transhipped in port, transhipped at sea in areas of national jurisdiction, and transhipped beyond areas of national jurisdiction;
 - c. transhipped inside the Convention Area and transhipped outside the Convention Area;
 - d. caught inside the Convention Area and caught outside the Convention Area;
 - e. species;
 - f. product form; and
 - g. fishing gear used

- (2) the number of transhipments involving highly migratory fish stocks covered by this measure by fishing vessels that is responsible for reporting against, broken down by:
 - a. offloaded and received;
 - b. transhipped in port, transhipped at sea in areas of national jurisdiction, and transhipped beyond areas of national jurisdiction;
 - c. transhipped inside the Convention Area and transhipped outside the Convention Area;
 - d. caught inside the Convention Area and caught outside the Convention Area; and
 - e. fishing gear.

ANNEX III¹⁴

**INFORMATION TO BE INCLUDED IN NOTICES TO THE ~~EXECUTIVE~~
DIRECTORSECRETARIAT**

1. the name and ~~WCPFC Identification Number (WIN)~~ and IMO Number of the offloading vessel,
2. the name, ~~and WIN, and IMO Number~~ of the receiving vessel,
3. the product (including species and its processed state) to be transhipped,
4. the tonnage by product to be transhipped,

Commented [A73]: [co-Chairs]

Commented [A74]: [co-Chairs] housekeeping if new first usage adopted in proposed section 4.

Commented [A75]: [USA]

Commented [A76]: [USA]

¹³ The Commission agreed at WCPFC15 (2018) to a template for paragraph 11 annual reports.
¹⁴ CCMs shall submit information required in Annex III or in accordance with WCPFC E-reporting Standards for high seas transhipment declarations and high seas transhipment notices.

5. the date, estimated start time¹⁵, and estimated or proposed location¹⁶ of transshipment (latitude and longitude to a tenth of a degree with a margin of error of 24 nautical miles), and
6. the geographic location of the highly migratory fish stock catches^{17 18}

Commented [A77]: [CT] Need to understand why this would be needed.
[co-Chairs] Seek the Secretariat's advice as to how this would be used to validate and verify transshipment events.

¹⁵ [Date and time reported without seconds in accordance with Appendix 2 of WCPFC E-reporting Standards for high seas transshipment declarations and high seas transshipment notices.](#)

¹⁶ Location of transshipment is to be in decimal Latitude and Longitude to the nearest 0.1 degrees with a margin of error of 24 nautical miles and accompanied by a description of the location, such as high seas, outside the convention area or within a named EEZ. Notice can be updated if location changes.

¹⁷ Not required for receiving vessels

¹⁸ Geographic location of catch means sufficient information to identify what proportion of the catch was taken in the following areas: High seas, outside the WCPFC Convention Area, EEZs (listed separately). Location of catches not required for receiving vessel.