



**COMMISSION  
SIXTEENTH REGULAR SESSION**  
Port Moresby, Papua New Guinea  
5 – 11 December 2019

---

**UPDATE FROM THE IWG TO REVIEW CMM 2009-06**

---

**WCPFC16-2019- IWGtranshipment  
4 December 2019**

**Submission from Co-Chairs of the IWG to Review CMM 2009-06**

Good day, TS-IWG Members.

We trust most if not everyone has arrived safely here in POM and are well-rested and ready for WCPFC16.

Your Co-Chairs take this opportunity to thank you all once again for your effective contribution to our work most notably the adoption of our TORs at our recent side meetings along the margins of TCC15 in Pohnpei a couple of months ago.

Going forward, we wish to draw your attention to the attached DRAFT Scope of Work that we have put together for your consideration here in POM where we are expecting to convene our IWG in one of the break-out rooms as last informed in Pohnpei.

In this connection, we are kindly seeking comments/inputs from IWG Members which we can take up and further discuss in our break-out sessions here in POM. We will be in touch momentarily on confirmed date/time/venue of our first break-out session.

Respectfully,  
Sam & Alex

---

**DRAFT SCOPE OF WORK FOR THE TRANSHIPMENT INFORMATION ANALYSIS  
IN SUPPORT OF THE REVIEW OF CMM 2009-06**

---

## **Background**

1. Transhipment is defined to mean “the unloading of all or any of the fish onboard a fishing vessel to another fishing vessel either at sea or in port” (WCPFC Convention Article 1 (h)). Article 29 (1) of WCPFC Convention states, as a general rule, “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.” Recognizing this point, the Commission adopted CMM 2009-06 which requires that there shall be no transhipment on the high seas except where a CCM has determined, in accordance with certain guidelines (para 37) that it is impracticable for certain vessels to operate without being able to tranship on the high seas and has advised the Commission of such (para 34).
2. CMM 2009-06 also operationalizes a number of Article 29 requirements including:
  - reiterating Article 29(2) and confirming that transshipment at a port or in an area within the waters under the national jurisdiction of a member of the Commission, shall take place in accordance with national laws (CMM 2009-06, paragraph 4);
  - elaborating on procedures prefaced in Article 29(3), through establishing reporting procedures for CCMs to submit data on the quantity and species transhipped both in port and at sea (CMM 2009-06 paragraph 10 -12);
  - establishing terms and conditions for transshipments in areas beyond national jurisdiction (Article 29(4) and Annex III (4)) including required reporting and the requirement to have a regional observer programme observer present to monitor and verify high seas transshipments (CMM 2009-06, para 14 – 17 and 35); and
  - establishing procedures in accordance with Article 29(5) to support the Commissions adoption of specific exemptions for existing operations, from the prohibition on transhipment at sea by purse seine vessels (CMM 2009-06 25 – 32).
3. In December 2018, and affirming TCC14’s recommendation, the Commission agreed to conduct a review of the existing transshipment measure, CMM 2009-06, in 2019 (Review). Paragraph 380 of the WCPFC15 Summary Report states:

*The Commission agreed to conduct a review of the existing transshipment measure (CMM 2009-06) in 2019, with the review to commence through an electronic intersessional working group, with the group led by two co-chairs, from RMI and the United States.*
4. WCPFC transshipment IWG (TSIWG) participants agreed on 30 September 2019, on the Terms of Reference (TOR) for a review of CMM 2009-06 on Transshipment. The stated objectives of the Review in the TOR are to:
  - a. Assess CMM 2009-06’s scope and effectiveness in regulating and monitoring transshipment activity in a manner consistent with the Convention, and

*b. Recommend amendments or other actions, if any, related to CMM 2009-06 to improve the regulation and monitoring of transshipment activities.*

One of the key inputs to the IWG process towards meeting these objectives will be an analysis of relevant information held by the Commission and public sources, that will be completed prior to 2021.<sup>1</sup> The TS-IWG will use the Analysis to inform its review of CMM 2009-06. The methodology for the TS-IWG's review of the Analysis will be developed and for consideration by the TS-IWG in 2020.

### **Scope of the Analysis**

5. The TOR describes the Analysis task as the following:  
*The transshipment information analysis will compile all relevant information during the period from the entry into force of CMM 2009-06 to the end of 2018 and provide an analysis to include, but not limited to, volume of transshipments by flag state, location of transshipment hot spots, nature and coverage of independent monitoring of transshipment events (including associated data flows), volume, gear type and type of fish transshipped by flag state, number, location and frequency of transshipment outside the Convention Area of fish caught under the Convention, implementation challenges, and an assessment of CCM submission of advance notifications and reporting as required by CMM 2009-06, as set out in the Compliance Monitoring Reports or other reports compiled by the Commission (e.g., for the TCC).*
6. Data for the Analysis will be compiled from information held by the Commission and from public sources, and will include information related to all identifiable transshipment activity in the Pacific. All information used in the Analysis will comply with the 2007 and 2009 WCPFC Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission.

#### **Information Related to Transshipment Activity in the Pacific**

*The Analysis will involve compilation and analysis of the following information during the period from the entry into force of CMM 2009-06 to the end of 2018:*

- geo-located volume of transshipment by offloading and receiving flag states
- date of transshipment events
- volume, gear type, and type of fish transshipped by flag state
- number, location, and frequency of transshipment outside the Convention Area of fish caught under the Convention

---

<sup>1</sup> The United States provided a voluntary contribution to the Commission to support this transshipment information analysis (Analysis) in 2020.

- landing data from each transshipment vessel
- transshipment notifications and declarations

### **Specific Questions to be addressed by the Analysis**

*In line with the purpose and scope of the Review, and in considering and analysing the information related to transshipment activity in the Pacific, the Analysis should address the following questions:*

- What are the reported quantities and species of at-sea transshipments within the scope of CMM 2009-06? Are there any apparent trends over time?
- Who are the flag States involved in at-sea transshipments in WCPFC? Are there any apparent trends over time?
- What are the reported locations and frequency of transshipments inside the Convention Area? Are there any hotspots and/or apparent trends over time?
- Which vessel monitoring systems are reporting vessel location during the transshipment by the vessels involved (VMS, AIS, or both)?
- What are the reported locations and frequency of transshipments outside the Convention Area? Are there any hotspots and/or apparent trends over time?
- What is the proportion of EEZ vs high seas catches of at-sea transshipments covered by CMM 2009-06? What proportion of transshipment in the convention area occurs in each of the high seas pockets, each year? Are there any apparent trends over time?
- What is the gear-type and species of fish transshipped? Are there any hotspots and/or apparent trends over time?
- Did flag states or vessels report or demonstrate challenges with implementing CMM 2009-06?
- How do changes in vessel capacity affect the relative efficiency and costs of at sea and in port transshipment, by gear type?
- What is the nature and coverage of independent monitoring of transshipment events (including associated data flows) reported to the WCPFC Secretariat? Are there any apparent trends over time?
- What is the potential utility, limitations and estimated costs to WCPFC of using other means of monitoring at-sea transshipment activities such as AIS, VMS observer coverage, electronic monitoring and other technology data sources?
- What is the rate of CCM submission of advance notifications and reporting as required by CMM 2009-06, as set out in the Compliance Monitoring Reports or other reports

complied by the Commission (e.g., for the TCC)? Are there any apparent trends over time?

- What is the rate of compliance with requirements in CMM 2009-06, including requirements for all transshipment activities, by offloading and receiving vessel flag states? Are there any apparent trends over time?
- Are there requirements in CMM 2009-06 that are not being achieved by a flag state?
- What are the comparative carbon footprints of transshipment at sea versus transshipment at port, by gear type?
- What are the costs of transshipping at sea versus transshipping in port?
- To what extent has the obligations under Article 29 of the Convention been achieved through the implementation of CMM 2009-06?

## Methodology

7. The completion of the Analysis by a Consultant will be overseen by the WCPFC Secretariat. The WCPFC Secretariat and the WCPFC Science Service Provider (SPC-OFP) are expected to provide data products and input to support the Analysis. All information used in the Analysis will comply with the 2007 and 2009 WCPFC Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission.

8. The Consultant is expected to undertake analyses of the available information related to Transshipment Activity in the Pacific and prepare a report which includes the following required analyses and products...

### Required Analyses and Products

*Using the compiled information related to transshipment activity in the Pacific, the Analysis will produce, but will not be limited to, the following:*

- Heat map of transshipment events by type of fish transshipped.
- Heat Map of transshipment events by gear type of offloading vessels.
- Table of yearly totals of CCM submission of advance notifications and reporting as required by CMM 2009-06.
- Heat map of landing ports for carrier vessels.

## **Scheduling**

The commencement date for the Analysis is expected to be in the first quarter of 2020, subject to the successful completion of the selection of a consultant by the Secretariat. The consultant is expected to deliver a draft report by 15 July 2020 for comment by the IWG, with a final report due by August 15, 2020.

DRAFT