



**TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS,  
PARTICIPATING TERRITORIES AND OBSERVERS**

**Circular No: 2021/67  
Date: 10 August 2021  
No. pages: 04**

**Outcome of Decision on Extension of WCPFC Decisions in the Context of COVID-19  
relating to Purse Seine Observer Coverage, At-Sea Transhipment for Purse Seine Vessels,  
and At-Sea Transhipment Observers until 15 December 2021**

Dear Colleagues,

Thank you again for your cooperation on the proposal to extend, until 15 December 2021, the three WCPFC decisions relating to purse seine observer coverage, at-sea transhipment for purse seine vessels, and at-sea transhipment observers taken in response to COVID-19.

The proposed extension Decision was circulated in Circular 2021/65 of 2 August 2021. At the end of the 7 - day review period on 9 August 2021, all CCMs that responded were supportive of the proposed extension. The Chair of the FFA provided a more detailed response to the circular, which is attached for your information.

The Decision endorsed by the Commission is therefore set out in the attached Annex.

Thank you again for your cooperation. I would like to take this opportunity to express my best wishes for a successful Scientific Committee meeting and I look forward to seeing you all again in early September at the Second Tropical Tuna Workshop.

Keep well and stay safe.

Best Regards,

Jung-re Riley Kim  
**WCPFC CHAIR**

cc: Feleti P Teo, OBE, WCPFC Executive Director  
Josie Tamate, WCPFC Vice Chair

## **DECISION**

### **The Commission endorses that:**

#### **A. Purse Seine Observer Coverage**

1. The Commission agrees to suspend the requirements for observer coverage on purse seine vessels set out in paragraphs 34 and 35 of CMM 2018-01 and CMM 2018-05 until 15 December 2021.
2. The temporary suspension will apply to new trips after a vessel operator has met any requirement for repatriation of observers currently on board a vessel. Repatriation, in this context, means returning the observer to his/her home port, in consultation with the observer provider.
3. Repatriation is to be expedited by the vessel operator and the relevant flag State, in close consultation with the relevant national Observer Provider. The observer's costs will continue to be met by the vessel operator until such time as the observer is returned to his/her home port.
4. During the period of suspension, the VMS requirements and procedures of paragraphs 33 and 37 of CMM 2018-01 that apply to purse seine vessels during FAD closure periods will also apply to purse seine vessels which are not carrying observers.

#### **B. At-sea Transhipment for Purse Seine Vessels**

1. Until 15 December 2021, and without prejudice to the provision that “transhipment at sea by purse seine vessels shall be prohibited” as stipulated by paragraph 25 of CMM 2009-06, if it is not feasible for a purse seine vessel to tranship in port despite its best effort due to port closures and relevant access restrictions related to the prevention of COVID-19, that particular vessel may tranship at sea in an area under the jurisdiction of a Port State on the following conditions:
  - (1) Subject to any temporary measures that Port States may take regarding transhipment within a designated area of their national jurisdiction in relation to COVID-19, purse seine vessels may tranship at sea in areas under national jurisdiction of a port state in the area between 20°N and 20°S in accordance with the domestic laws and regulations of the port State.
  - (2) CCMs shall ensure that their purse seine vessels comply with all other binding requirements established under the Convention and Commission decisions using all MCS tools available, including but not limited to verification of catch and effort and logbook data, VMS and AIS (when available) monitoring and examination of other relevant information such as landing and transhipment data.
  - (3) The flag State CCM of any such authorized purse seine vessel that is required to be on the WCPFC Record of Fishing Vessels shall notify the Executive Director that the vessel is authorized to engage in transhipment outside of port.

2. CCMs whose vessels are subject to these temporary arrangements are encouraged, to the extent practicable and in accordance with their domestic rules and regulations, to implement additional MCS measures and to follow-up these transhipments through inspection or observation or monitor these transhipments electronically if available during the application of the arrangements. In doing so, the requirements of the port State or coastal State are to be adhered to by all vessels within that State's jurisdiction.

### **C. At-sea Transhipment Observers**

1. The requirements in paragraph 13 of CMM 2009-06 are temporarily suspended until December 15 2021. Paragraphs 14, 15 and 16 of CMM 2009-06 will be also suspended during the same period when a vessel is not carrying an observer. The temporary suspension will apply to new trips after disembarkation of the observers currently on board the vessels participating in the at-sea transhipments indicated in the aforementioned paragraph of CMM 2009-06 on the following conditions:

(1) Concerned flag CCMs shall indicate, when they send the Transhipment Declaration referred to in paragraph 35(iv) of CMM 2009-06 to the Executive Director, whether the particular at-sea transhipment had occurred under this temporary suspension. The Secretariat shall provide a summary of at-sea transhipments without observers that occurred under this temporary suspension, based on Transhipment Declarations submitted to the Executive Director in accordance with paragraph 35(iv) of CMM 2009-06, in the Annual Report on Transhipment to and for consideration of TCC17.

(2) CCMs shall ensure that their vessels comply with all other binding requirements established under the Convention and Commission decisions using all MCS tools available, including but not limited to verification of catch and effort and logbook data, VMS and AIS (when available) monitoring and examination of other relevant information such as landing and transhipment data.

(3) If the at-sea transhipment takes place in areas under national jurisdiction of a coastal State, the vessels shall tranship in accordance with the domestic laws and regulations of the coastal State.

2. CCMs whose vessels are subject to this temporary arrangement are encouraged, to the extent practicable and in accordance with their domestic rules and regulations, to implement additional MCS measures and to follow-up these transhipments through inspection or observation or monitor these transhipments electronically if available during the application of the arrangements. In doing so, the requirements of a coastal State are to be adhered to by all vessels within that coastal State's jurisdiction.

### **D. Review**

1. This decision takes effect immediately once the Commission has endorsed it. The Commission will review its decision by 15 December 2021. In undertaking such review, the Commission should take into consideration Article 30 of the Convention and the safety and livelihoods of ROP observers, in particular SIDS observers.



**FFA**

**9 August 2021**

Jung-Re Riley Kim  
Chair  
Western and Central Pacific Fisheries Commission  
PO Box 2356, Kolonia  
FEDERATED STATES OF MICRONESIA

Dear Ms Kim,

**FFA Members' views on WCPFC Circular 2021/65: Proposed Extension of WCPFC Decisions in the Context of COVID-19 relating to Purse Seine Observer Coverage, At-Sea Transhipment for Purse Seine Vessels, and At-Sea Transhipment Observers until 15 December 2021**

I write on behalf of the 17 members of the Pacific Islands Forum Fisheries Agency. This is without prejudice to long-standing positions of FFA Members individually or collectively.

FFA Members have considered the proposed decision set out in the Annex of Circular 2021/65 and make the following comments:

1. As stated in previous correspondence to you on this issue (dated 3 February), while we support this extension, we would like to underline that this is not the end goal.
2. FFA Members reiterate that our goal is to ensure that observers are able to return to work safely. The FFA COVID-19 Operating [Protocols](#) for the Fishing Sector in the Pacific, shared with the WCPFC prior to TCC16 and updated recently in April 2021, plays an important role in this regard.
3. Notwithstanding the temporary suspension of observer coverage requirements and noting that the suspension does not prevent the placement of observers on fishing vessels, FFA Members encourage CCMs that are able to, to start deploying observers back on their vessels and to work with observer providers to operationalise the Protocols in order to enable observers to be safely placed on fishing vessels again.
4. FFA Members are considering minimum requirements for observer redeployment covering pre-deployment, during deployment and post-deployment to ensure that observers are safe.

FFA Members sincerely thank you for your continuing leadership and look forward to working with you and other CCMs on this matter.

Yours sincerely

G.P.N. Baleinabuli  
**FFC Chair and Permanent Secretary for Forestry and Acting Permanent Secretary for Fisheries, Fiji**

cc: Mr. Feleti Penitala Teo, WCPFC Executive Director