



WCPFC2/Aust-Phil/Draft/Res/Trans/Rev1

Australian/Philippine Proposal – 14 December 2005

Revised Draft Resolution on Regulating Transshipment by Purse Seine Vessels

TAKING ACCOUNT of Article 29.5 of the Western and Central Pacific Fisheries Convention which 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.

NOTING that the Forum Fisheries Agency (FFA) Minimum Terms and Conditions prohibits licensed foreign fishing vessels from transshipping at sea under any circumstances except for the transfer of catch by a licensed group seiner to its licensed carrier vessel which is in good standing on the FFA Vessel Register:

RESPONDING to the Technical and Compliance Committee recommendations to the Western and Central Pacific Fisheries Commission, particularly paragraph 46a:

‘That the Commission take early action to regulate transshipment in the Convention Area by developing procedures and other measures to give effect to Article 29 and Article 4 of Annex III of the Convention. In doing so, the Commission is further requested to consider transshipment regulation schemes adopted by other regional fisheries management organizations, such as ICCAT.’

IN ACCORDANCE with Article 29 and Annex 3 of the Western and Central Pacific Fishing Convention, the Commission decides;

1. Each Member and Co-operating non-Member of the Commission shall prohibit transshipment at sea by purse seine vessels flying its flag operating within the Convention Area, subject to specific exemptions as agreed by the Commission.
2. Each Member and Co-operating non-Member of the Commission shall ensure that purse seine vessels flying its flag only transship in designated ports.

3. Members and Co-operating non-Members of the Commission should designate one or more of their ports in the Convention Area as transshipment ports and submit, electronically where possible, a list of such designated ports to the Executive Director, by 1 July 2006.
4. The Executive Director shall circulate periodically to all Commission Members and Co-operating non-Members a list of such designated ports.
5. Each Member and Co-operating non-Member of the Commission shall ensure that transshipments or landings at its designated ports are restricted to vessels included in the WCPFC Record of Fishing Vessels.
6. Each Member and Co-operating non-Member of the Commission shall take the necessary measures to ensure that transshipments by purse seine and carrier vessels flying its flag comply with the obligations set out in annex A.
7. Each Member and Co-operating non-Member of the Commission should develop regulatory measures to ensure that transshipments by purse seine and carrier vessels within its ports, comply with the obligations set out in annex A.
8. The Technical and Compliance Committee shall, as necessary, consider and recommend for adoption at the Commission specific exemptions to the prohibition on transshipments at sea by purse seine vessels, consistent with Article 29.5 and 29.3, and recommend procedures to be applied to any such exempted operations.
9. Existing transshipping operations at sea in support of licensed group seine operations and small purse seiners less than 600 tonnes, that are regulated and monitored by current arrangements including 100% observer coverage and catch reporting and on the WCPFC Record of Fishing Vessels, are temporarily exempt from the prohibition on transshipments at sea by purse seine vessels until the Commission agrees on specific exemptions.
10. The Member with purse seine transshipping at sea operations referred to in paragraph 9 shall notify the executive director of their intent to undertake these operations, and their monitoring and reporting arrangements, by 1 February 2006.

Annex A. In Port Transshipments by purse seine fishing vessels.

- i) Transshipment operations in port may only be undertaken in accordance with the procedures detailed below.

Notification Obligations

Fishing Vessel:

- ii) Prior to transshipping, the Captain of the purse seiner must notify the following information to the port state authorities, at least 48 hours in advance
 - a. the name of the purse seiner and its WCPFC Identification Number (WIN);
 - b. the name of the carrier vessel(s) and its WIN;
 - c. the product (to species level) to be transshipped and its estimated tonnage;
 - d. the date and location of transshipment;
 - e. the geographic location of the tuna catches
- iii) The Captain of a purse seiner shall, at the time of the transshipment, inform its flag State of the following;
 - a. the products and quantities involved;
 - b. the date and location of transshipment;
 - c. the name, registration number, WIN and flag of the receiving carrier vessel(s);
 - d. the geographic location of the tuna catches
- iv) The Captain of the purse seine vessel shall complete and transmit to its flag State the WCPFC transshipment declaration, along with its WIN, in accordance with the format set out in Annex B, no later than 15 days after the transshipment.

Receiving Carrier Vessels:

- v) Not later than 24 hours before the beginning and at the end of the transshipment, the Master of the receiving carrier vessel shall inform the port State authorities of the quantities of catches of tuna and tuna like species transhiped to their vessel, and complete and transmit the WCPFC transshipment declaration to the WCPFC Executive Secretary and the flag State member or co-operating non-member of the purse seiner, along with the carrier vessel's WIN, within 24 hours.

Landing State:

- vi) the Master of the receiving carrier vessel shall, 48 hours before landing, complete and transmit a WCPFC transshipment declaration along with its WIN to the competent authorities of the landing State where the landing takes place.
- vii) The Port State and the Landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received and shall co-operate with the flag Member or co-operating non-

member of the purse seiner to ensure that landings are consistent with reported catches amount 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.

- viii) Each flag Member or co-operating non-member of the purse seiner shall include in its annual report to the Commission the details on the transshipments by its vessels.