Best Practices for At-Sea Transshipment Regulation

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GTA Webinar

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Transshipment At Sea

- **Widely used** in distant water longline tuna fishing fleets
- Reduces operational costs
- **Maximizes time** on fishing grounds

- No RFMO has a complete prohibition of at-sea transshipment

- Tropical tuna RFMOs (IATTC, ICCAT, WCPFC, IOTC)
  - General prohibition of at-sea transshipment for certain gear types (PS)
  - **Rules to permit at-sea transshipment**
    by other specific gear types/vessel types (LSLL mostly) under certain conditions/rules
Issues with At-Sea Transshipment

- Takes place far from land or ports
- There is a lack of effective monitoring, control, verification & management of at sea-transshipment
- The result is that transshipment at sea can occur in a black box increasing risks of IUU activities

Misreporting of catch
Non-reporting of data
Overfishing quotas or catch limits
Fishing in closed or restricted areas
Non-compliance with bycatch measures
Labor and human rights issues
Issues with Transshipment At Sea

2014-2018 Tuna RFMO: Number of Transhippments by Year

- ICCAT
- WCPFC at-sea transhippments ~ tripled between 2014-2018
- IOTC at-sea transhippments ~ doubled between 2014-2018

Special thanks to Pew Charitable Trusts for compiling these data.
Issues with Transshipment At Sea

WEAK COMPLIANCE

- EXAMPLE: In IOTC, in 2018:
  - Out of 1300+ t/ship events there were ~250 reported infractions
  - 62% level of compliance with IOTC rules
  - 6 out of 7 fleets that transshipped (86%) had vessels with one or more repeated infringements

INSUFFICIENT RFMOs REGULATIONS

- EXAMPLE: In IATTC, at-sea transshipment increased significantly (67% jump between 2012–2017)… but its transshipment measure does not require:
  - Carrier vessels to be flagged to a Contracting Party or Cooperating Non-Member
  - Reports to be submitted in near-real time
  - Carrier and observer report to be shared with all appropriate authorities
Issues with Transshipment At Sea

LACK OF EFFECTIVE MONITORING OF ACTIVITIES

- Observers are usually deployed on the carrier

- Current **observer coverage of non-purse seine fishing vessels is ~5%** & so RFMOs are unable to verify where tuna transshipped at sea are harvested

- EM not yet required by tRFMOs; development of standards progressing

- **Requirements for T/ship observers to monitor activities or verify records** of the fishing vessel varies

- Observer reports are not shared among all the needed authorities
  
  For example in WCPFC, observers on a fishing vessel are **not required to submit a transshipment report** to the Sect or observer program

**RESULT** = In WCPFC between 2016 – 2017, the Sect only received 1 observer transshipment report despite more than 2000 reported at sea transshipments during that period
Key LL nations are RFMO Members

tRFMOs unlikely to agree by consensus to ban t/ship at sea

Strengthening regulation and closing loopholes is essential

Why?

Advocate for adoption of best practices at RFMOs

How?
Advocate for adoption of best practices at RFMOs

What are these Best Practices?

- ISSF and Pew Charitable Trusts both developed best practices to reform transshipment.

- ISSF and Pew then collaborated with others in the NGO Tuna Forum to develop a set of Best Practices for Well-Managed Transshipment.

NGO Tuna Forum Best Practices for Transshipment endorsed by 13 NGOs in 2020. The GTA also supports the Best Practices.
TRANSSHIPMENT AT SEA
Need for Stronger Regulation

NGO Tuna Forum Best Practices

- Includes 14 specific Best Practices and other recommendations
- Reviewed annually
- Cover three core areas
▪ Prohibit vessels from acting as both a fishing vessel and carrier vessel on the same trip.

▪ Require all carrier vessels to be flagged to an RFMO member or at minimum a Cooperating Non-Member.

▪ Ensure that all RFMOs establish a publicly available record of all vessels authorized to engage in at-sea transshipment activities.

▪ Require that vessels have an IMO number in order to be authorized to transship.

▪ Establish and implement guidelines for how vessels receive authorization to transship at sea, including criteria defining under which circumstances a flag state can authorize its flag vessels to transship at sea, the MCS measures that must be in place, data collection and reporting requirements, and process for the RFMO to review issued flag state authorizations to ensure compliance.
NGO Tuna Forum Best Practices

IMPROVE DATA & REPORTING

- Require information on all at-sea transshipment events (notifications, declarations, observer reports) to be reported to the relevant RFMO Secretariats, flag states of both vessels, port state and coastal state, with summarized information reported publicly by the RFMO.

- Require advanced notification be provided to all relevant authorities at least 48 hours before the at-sea transshipment activity.

- Mandate that all post activity declarations and observer reports be provided to all relevant authorities, ideally immediately, but in every instance, no greater than 24 hours after the event.

- Establish procedures to share data (transshipment declarations, reported catch, position reports, observer reports) among relevant flag state, coastal state, port state authorities and RFMO Secretariats.
Require that all vessels authorized to conduct at-sea transshipment have an operational VMS system onboard and that VMS position data are provided to the relevant RFMO Secretariat in near-real time.

- Require the use of AIS in case of VMS unit malfunction.

- Require 100% observer coverage (human, electronic or combination) on board both the fishing vessel and the carrier vessel for all at-sea transshipping events.

- Require binding measures and specific training to ensure human observer safety, such as those highlighted in Policies and Recommendations to Improve the Safety of Fisheries Observers Deployed in Tuna Fisheries.

- Ensure there is a mandate for binding data collection protocols for transshipment observers, including data for both scientific and compliance purposes.
### Tuna RFMO Implementation

**IOTC & WCPFC as of Feb. 2020**

<table>
<thead>
<tr>
<th>RFMO</th>
<th>Application</th>
<th>MCS, Data Reporting &amp; Sharing</th>
<th>Authorisation &amp; Notifications</th>
</tr>
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<tbody>
<tr>
<td><strong>IOTC</strong></td>
<td>Includes all vessels operating outside their EEZ and/or in one or more EEZs</td>
<td>Covers all spatial areas under the remit of the RFMO, including reporting in archipelagic and territorial waters</td>
<td>100% observer coverage by independent observers or e-monitoring on both the fishing vessel and the carrier vessel for all at-sea transshipping events + Binding measure on observer safety</td>
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<td>Includes all RFMO spp, and non-target spp caught in association with regulated fisheries, that are or could be transshipped</td>
<td>Receiving vessels must be flagged to CPs or CNMs</td>
<td>Require VMS and AIS on all authorised transshipment vessels, polling to the RFMO in near real-time</td>
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<td><strong>WCPFC</strong></td>
<td>Excludes non-member flagged vessel is under charter, lease or other arrangement</td>
<td>100% observer coverage on carriers or offloading vessel</td>
<td>IMO numbers are included on the transshipment declaration</td>
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<td>Standardise all transshipment declaration data and formats + Data Sharing among RFMOs</td>
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**Notes:**
- **IOTC** requires VMS and AIS on all authorised transshipment vessels, polling to the RFMO in near real-time.
- **WCPFC** requires 36 hour advance notice.
- The WCPFC prohibits from acting as both fishing and receiving vessel on the same trip.
### Tuna RFMO Implementation

**IATTC & ICCAT as of Feb. 2020**

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<td>Guidelines, incl. criteria, for authorizing transhipment by flag State, and a review process of authorisations</td>
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<td>Fishing vessel: advanced notification at least 48 hrs prior + Near real-time for all other elements</td>
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**IATTC**

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Making Progress in Meeting the Commitments of the Tuna 2020 Traceability Declaration & Goals of the GTA

- **Traceability is a fundamental building block** in the fight to eliminate IUU fishing and achieve sustainable tuna fisheries.

- **The Tuna 2020 Traceability Declaration (TTD)** commits signatories to ensure all tuna products in their supply chains will be fully traceable to the vessel and trip dates.

- **The TTD Government Partnership commitment** also commits signatories to work with governments to establish systems to identify and restrict illegal seafood and through government-led measures on traceability and transparency.

Supporting and advocating for reform of transshipment at sea will assist TTD signatories in meeting your commitments by strengthening the transparency, traceability and accountability of your tuna supply chain.
Strengthening Transshipment At Sea

What YOU can do:

Use the NGO Forum Best Practices to:

▪ Advocate to governments where you have business interest or sourcing tuna products.

▪ Participate in national RFMO advisory bodies or send letters/comments.

▪ Talk to your suppliers/FIPs & ask about the practices of source vessels & request they follow the Best Practices

▪ Collect KDES on transshipped tuna in your supply chain — e.g. GDST Standard 1.0.

▪ Publically support GTA, ISSF and NGO Tuna Forum Advocacy Appeals and Position Statements.

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iss-foundation.org
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Thank You!