

# Aligned Guidance for At-Sea Transshipment

Tuna Fisheries Management, Monitoring, Data Reporting & Worker Rights & Safety Practices





*Adam Baske/The Pew Charitable Trusts*

## **The Purpose of These Practices**

Leading NGOs focused on global tuna stock sustainability agree that at-sea transshipment activity requires improved management, monitoring, compliance and transparency.

The following practices and recommendations are designed to inform and guide tuna RFMOs, Marine Stewardship Council (MSC) certified fisheries with conditions, and commercial processing and harvesting sectors across the supply chain in developing and/or reforming regulations, policies and procedures to ensure at-sea transshipment is effectively managed and the rights and safety of crew are protected on all vessels engaged in transshipment, including carrier and fishing vessels.

The groups endorsing this document believe these practices can and must be implemented now and will result in substantial benefits to tuna stocks, their ecosystems, crew, and tuna supply chains.

## Management Practices

- Prohibit vessels from acting as both a fishing vessel and carrier vessel on the same trip.
- Require all carrier vessels to be flagged to the relevant RFMO member or Cooperating Non-Member.
- Ensure that all RFMOs establish a publicly available record of all fishing and carrier 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.
- Establish clear and transparent processes for the RFMO to annually review authorizations issued by flag States to ensure compliance with these guidelines.
- Ensure at-sea transshipment measures cover all RFMO regulated species and those caught in association with those regulated fisheries (e.g., sharks), and to require the catch of these species are also recorded on the transshipment declaration.
- Require the transfer of all RFMO-regulated species harvested in the RFMO's convention area be recorded on the transshipment declaration, regardless of where the transfer occurs (i.e., inside or outside of the convention area).
- Require carrier vessels intending to undertake transshipment in an RFMO's convention area to notify the RFMO Secretariat when it enters and exits the area and confirm that the carrier has operational VMS and AIS and is meeting the RFMO's observer requirements.

## Monitoring Practices

- 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 manual reporting every 4 hours in the case of VMS malfunction.
- Require the use of AIS by all vessels engaged in at-sea transshipment activities.
- Require 100 percent 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 are mandatory data collection protocols for transshipment observers, including data for both scientific and compliance purposes.



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## Data Reporting Practices

- 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, intended port state and coastal state(s).
- Require annual summarized information, by flag State, on transshipments (including species and location of the transshipment) and their compliance with reporting requirements, be publicly reported by the RFMO.
- Require advance notifications of planned transshipment operations be provided by flag States to all relevant authorities (RFMO Secretariat and relevant coastal States) at least 48 hours before the activity.
- Require that all post-transshipment activity declarations be provided electronically to all relevant authorities (relevant RFMO Secretariats, flag States of both vessels and relevant coastal State(s)), ideally immediately, but in every instance, no greater than 24 hours after the event.
- Require that all post-transshipment activity declarations be provided electronically to the relevant authorities of the intended landing State and/or port State at least 48 hours before landing or requesting port entry.
- Establish procedures to share data (transshipment declarations, reported catch, position reports, observer reports) among tuna and non-tuna RFMO Secretariats.
- Standardize transshipment declaration forms and the information required across RFMOs to simplify reporting, reduce duplication and close loopholes.



ISSF (2012)/Photo: David Itano

## Worker Rights & Safety Practices

- For fishing vessels that are authorized to engage in at-sea transshipment activities:
  - Require a policy that ensures vessels cannot stay at sea for more than 3 months at a time before returning to port for fishery and labor inspections.
  - Require and implement a policy that ensures crew receive at least 3-5 days of shore leave each time a vessel returns to port after an extended period at sea (more than one month at sea at a time).
  - Require and implement a policy to ensure maximum cumulative time at sea for crew in any calendar year does not exceed 330 days (~11 months).
- Require a health and safety-oriented policy on rest and leave hours per international guidelines for maritime operations.\*
- Prohibit the transfer of crew among all fishing and carrier vessels at sea, with exceptions for reasons of health and safety.
- Suspend RFMO authorization of carrier vessels, pending further RFMO/member state investigations, that have been documented by NGOs, RFMOs/member states or other sources to be involved in the transfer of crew at sea (with exceptions for reason of health and safety) and/or facilitating human rights abuses at sea.
- Remove the RFMO authorization for carrier vessels that are determined by RFMOs/member states to have been involved in the transfer of crew (with exceptions for reasons of health and safety) and/or facilitated human rights abuses at sea; and require cooperation of the fishing vessel owner to provide effective remedy to the survivors of human rights abuses, including compensation, repatriation and changes to corporate policies and procedures relating to human rights abuses connected to transshipment at sea.

\* ILO Maritime Labor Convention & ILO C188 sets maximum hours of work at 14 hours in any 24-hour period or 72 hours in a seven-day period. Additionally, seafarers are entitled to annual leave.