



Office of
Deputy Commissioner
of Maritime Affairs

THE REPUBLIC OF LIBERIA

LIBERIA MARITIME AUTHORITY

Marine Notice

FTP-001
09/15

TO: ALL SHIPOWNERS, OPERATORS AND MASTERS OF LIBERIAN-FLAGGED REEFER, BUNKER, AND SUPPLY VESSELS

SUBJECT: Requirements for Engaging in Transshipment Activities

Reference: (a) NEAFC; WCPFC; SPRFMO; IOTC; ICCAT; IATTC
(b) Liberia Maritime Law, Sections 11, 12, 13 and 51
(c) Liberia Maritime Regulation 1.13(2)

PURPOSE:

This Marine Notice (“Notice”) advises and provides guidance and regulations for Owners, Operators and Masters of Liberian-flagged vessels, including reefer, bunker and supply vessels, involved in or that plan to be involved in transshipment activities in certain sea areas or of specific species of fish managed by Regional Fisheries Management Organizations (“RFMOs”) worldwide.

BACKGROUND

Experts estimate that the global value of economic losses from Illegal, Unreported and Unregulated (“IUU”) fishing range between \$10 billion and \$23.5 billion annually. IUU fishing generally refers to fishing conducted in violation of national laws or internationally agreed Conservation and Management Measures (“CMMs”) in effect in oceans around the world. IUU fishing can include fishing without a license or quota for certain species, unauthorized transshipments to cargo vessels, failing to report catches or making false reports, keeping undersized fish or fish that are otherwise protected by regulations, fishing in closed areas or during closed seasons, and using prohibited fishing gear. Illegal fishing also occurs when States, Owners, Operators and Masters fail to comply with the CMMs of the regional fisheries bodies.

To help curb IUU fishing, RFMOs, which are regional organizations formed by countries with fishing interests, some of which manage all the fish stocks found in a specific area, have established measures to enhance monitoring, control and surveillance and to penalize non-compliance. As a Cooperating Non-Contracting Member to certain RFMOs, the Liberia Administration, Owners, Operators and Masters of vessels registered in Liberia must ensure that their vessels comply with applicable regulations to prevent IUU fishing, which includes unauthorized transshipment activities.

APPLICABILITY:

This Notice applies to all Liberian-flagged vessels engaging in or planning to engage in transshipment activities in certain areas or of specific species of fish managed by the following RFMOs:

1. North East Atlantic Fisheries Commission (NEAFC);
2. Western Central Pacific Fisheries Commission (WCPFC);
3. Southern Pacific Regional Fisheries Management Organization (SPRFMO);
4. Indian Ocean Tuna Commission (IOTC),
5. International Commission for the Conservation of Atlantic Tunas (ICCAT);
6. Inter-American Tropical Tuna Commission (IATTC) ¹

Pursuant to the RFMOs' principles, Contracting and Cooperating Non-Contracting/ Parties or Members (collectively "Members") are advised to:

- 1) Ensure that all their fishing, transport and support vessels involved in transshipment have obtained prior authorization or a transshipment license issued by the Flag Administration and to report to the RFMOs or other designated institution the required information about operations;
- 2) Implement and enforce Conservation and Management Measures ("CMMs") through effective monitoring, control and surveillance; and
- 3) Transship and land fishery resources caught in the Regulatory or Convention Areas in accordance with standards and procedures.

DEFINITIONS:

A. Transshipment

Transshipment means the transfer, over the side, of any quantity of fisheries resources or products thereof retained on board, from one fishing vessel to another vessel. This includes transporting fish products, participating in joint operations such as re-supply or re-fuelling of vessels engaged in fishing activities.

B. Illegal, Unreported and Unregulated (IUU) Fishing

Illegal, Unreported and Unregulated fishing is the term used to describe fishing activity which contravenes national or international agreements and management measures. Vessels are presumed to have carried out IUU fishing activities when they:

1. Engage in unlicensed/unauthorized fishing for fishery resources;
2. Are not registered on the list of vessels authorized to fish, transship, or supply fishing vessels in a Convention Area;
3. Do not record and/or report their catches made in the Convention Area, or make false reports;
4. Take on board, transship or land undersized fish in a way that undermines CMMs;
5. Use prohibited or non-compliant fishing gear in a way that undermines CMMs;
6. Transship with, or participate in joint operations such as re-supply or re-fuelling vessels

¹ See Annexes 1-6 of Marine Notice.

included on the IUU List and or Record of Vessels.

C. IUU Vessels List

Vessels that are confirmed to have conducted one or more of the above activities are listed on an 'IUU Vessels List'. The Flag Administration has the responsibility to notify the owner of the vessels of their inclusion on the list and of the consequences that may result. Some probable actions against vessels determined to have engaged in IUU activities, include:

- 1) Delisting the vessel from the Liberian Registry;
- 2) Withdrawal or suspension of licenses;
- 3) Monetary penalty and/or civil liability;
- 4) Prohibition of port access;
- 5) Confiscation of catch; and
- 6) Refusal to grant a flag certificate of registration.

REGULATIONS:

The RFMOs have established regulations that require their Members take the necessary measures to ensure that fishing/reefer/bunker and supply vessels flying their flag comply with certain requirements when fishing or engaging in transshipment activities. Below are some relevant requirements:

A. Transshipment Authorization/Application Process

For vessels that intend to engage in transshipment activities, the Owners/Operators are required to submit an application to this Administration for an authorization to do so. The Administration will conduct IUU background checks and then send the VMS equipment to the vessel for installation before issuing a license. Prior to issuing the license, the Administration will add the vessel to the Record of Vessels in the respective RFMO regions.

An application for a transshipment license should be sent to transshipment@liscr.com; questions about our transshipment program may be sent to the above address or call our Fisheries Monitoring Center at (703) 251-2405.

B. Establishing a Record of Vessels Authorized to Fish/Transship

Transshipments at sea and in port must only be undertaken between vessels included in the RFMOs' Record of Vessels. Once a license is issued, the vessel is then placed on the RFMOs' respective Record of Vessels.

C. Vessel Monitoring System (VMS)

Vessels authorized for transshipment are required to install and operate a VMS, including Automatic Location Communicator (ALC) and reporting tablet. The VMS must be activated at all times and automatically communicate: (i) static unique identifier; (ii) current geographical position (latitude and longitude) of the vessel; (iii) date/ time (expressed in UTC) of the position of the vessel; (iv) where applicable, data relating to the catch onboard; and (v) data relating to transshipment.

The VMS package will be sent by the Administration to the vessel for installation. The tablet is capable of transmitting reports and transshipment declarations.

In case of an emergency and if the vessel is unable to transmit the forms, email us at transshipment@liscr.com.

In the event of a technical failure of the VMS, the device must be repaired or replaced within one (1) month. A dispensation must be obtained from the Liberian Administration during this period. The master of the vessel is prohibited from commencing a transshipment operation with a defective satellite tracking device. Where a device stops functioning and a trip lasts more than one month, the repair or the replacement must take place as soon as the vessel enters a port. Notwithstanding, a vessel with a defective VMS tracking device shall communicate, at least every 4 hours, reports to the Fish Monitoring Center (“FMC”); the report must include: the name of the vessel, call sign, trip number, vessel registration number, latitude and longitude, speed, course, activity, date and time.

D. Establishing a List of Vessels Presumed to have Carried Out IUU Fishing Activities

Flag Administrations are required to transmit every year to the RFMOs a list of the vessels presumed to have been carrying out IUU fishing activities in a given Regulatory Area during the current and previous year, accompanied by evidence supporting the presumption of IUU fishing activity. Following the requirements of this Marine Notice and Annexes will help your vessel comply with the requirements of each RFMO; if in doubt, contact transshipment@liscr.com for clarification.

E. Regional Observer Program

In certain regions, Flag Administrations vessels are to ensure that vessels they are responsible for carry observers to monitor transshipments at sea. *See* respective Annexes for more information.

F. Reporting

Flag Administrations are required to annually report on all transshipment activities; VMS implementation; Observer Programs; etc. Specific requirement per region is annexed to this Notice. Owners are responsible for reporting on individual transshipment operations, including landings, which will be transmitted to the RFMOs as required and consolidated for annual reports.

G. High Seas Boarding/Inspection

High seas control and surveillance are intended to be carried out by inspectors assigned by certain RFMOs. *See* Annex for more information. Ships must comply with each RFMO’s high seas inspection and boarding requirements.

Flag State Obligations

Flag Administrations are required to take all necessary measures to ensure that vessels flying their flag and are transporting fish products, participating in joint operations such as re-supply or re-fuelling of vessels engaged in fishing:

- a) Comply with the provisions of RFMOs' Conventions and the CMMs adopted, and that such vessels do not engage in any activity which undermines the effectiveness of such measures;
- b) Do not conduct unauthorized transshipment activities within waters under national jurisdiction adjacent to the Convention Areas;
- c) Land or transship fishery resources caught in the Convention Areas in accordance with standards and procedures;
- d) Ensure that VMS units are installed on vessels;
- e) Take all necessary measures to support efforts to prevent, deter and eliminate IUU fishing;
- f) Investigate immediately and report on actions taken in response to any alleged violation by vessels;
- g) Ensure that penalties applicable for such violations are of an appropriate severity, taking into account relevant factors including the value of the catch, to secure compliance, discourage further violations and deprive offenders of the benefits accruing from their illegal activities;
- h) Issuing transshipment licenses and adding vessels to the RFMOs' Record of Vessels;
- i) Conducting detailed IUU background checks before issuing license; and
- j) Reporting as required.

Owners/Operators/Master Obligations

Owners, Operators and Masters of vessels must comply with the applicable national laws of each RFMO in whose jurisdiction it enters and must be responsible for the compliance by the vessels and crew. Shipowners, Operators and Masters of vessels engaging in transshipment activities in the various Convention Areas must:

- a) Ensure that they obtain transshipment license from the flag Administration before engaging in transshipment activities;
- b) Ensure that authorization issued by the flag Administration of the vessel and, if applicable, any license shall be carried on board the vessel at all times and produced at the request of an authorized enforcement official of any member of the Commission;
- c) Ensure that data on landings and transshipment operations are provided to the flag Administration for submission to the RFMOs;
- d) Ensure that the VMS on the vessels remains operational;
- e) Comply with any procedures established by the RFMOs to verify the quantity and species transshipped, and any additional procedures and measures established thereby; and
- f) Comply with the RFMOs' specific requirement outlined in the applicable Annexes with respect to reporting, inspections, boarding, etc. *See* respective Annexes for more information.

List of Annexes

- a) - North East Atlantic Fisheries Commission (NEAFC);
- b) - Western Central Pacific Fisheries Commission (WCPFC);
- c) - Southern Pacific Regional Fisheries Management Organization (SPRFMO);
- d) - Indian Ocean Tuna Commission (IOTC),
- e) - International Commission for the Conservation of Atlantic Tunas (ICCAT);
- f) - Inter-American Tropical Tuna Commission (IATTC)

ANNEX 1

NORTH EAST ATLANTIC FISHERIES COMMISSION (NEAFC)

The four parts of the NEAFC Regulatory Area consist of the Arctic Ocean, the Barents Sea, the Norwegian Sea, and the North East Atlantic Ocean (<http://www.neafc.org/>).

Reference: NEAFC Scheme of Control and Enforcement
(<http://www.neafc.org/mcs/scheme>)

1. Reporting Requirements for Transshipment Vessels

The vessel Operator/Master shall provide the following notifications/reports directly to the NEAFC Secretariat and Liberian Administration via the vessel's pre-programmed VMS tablet. These reports shall include the quantities on-loaded and off-loaded for each transshipment operation during the vessel's stay in the NEAFC Regulatory Area.

The Liberia issued VMS Tablets are pre-programmed with the required forms.

The term "catch" for purposes of reporting requirements of NEAFC, includes fish taken on board and landed by vessels engaged in transshipment activities.

The reports on "catches" shall be given in kilograms (rounded to the nearest 100kg) total round weight by species using the FAO code as set out in Annex V of the NEAFC Scheme of Control and Enforcement (SCE). The total quantity of species for which the total round weight by species is less than one ton may be reported under the 3-alpha code MZZ.

1. Catch on Entry Report (Fish onboard on entry)

A Catch on Entry Report shall be communicated in accordance with the specification and format set out in Annex VIII of the SCE, i.e., the quantities on board when entering the Regulatory Area. This report shall be made no more than 12 hours and at least 2 hours in advance of each entry into the Regulatory Area.

2. Catch on Exit Report (Fish onboard on exit)

When exiting the Regulatory Area, the report shall be made no more than 8 hours and at least 2 hours in advance of each exit. It shall include, where appropriate, the number of days since the vessel first entered the Regulatory Area and the catch transshipped.

3. Cancel Report

The reports (Catch on Entry/Exit) may be cancelled using the format specified in Annex VIII of the SCE. If a report is subject to correction, a new report must be sent without delay after the Cancel report within time limits set out in Articles 12 and 13 of the SCE.

4. Communication of Transshipment

Masters of each vessel shall communicate VMS reports of transshipments to the Administration in accordance with the specifications set out in Annex VIII of the SCE. These reports shall include the quantities on-loaded and off-loaded for each transshipment during the vessel's stay in the Regulatory Area.

Masters of donor vessels shall make this report at least 24 hours in advance, and concerning receiving vessels, this report shall be made no later than one hour after transshipment.

5. Communication of Port of Landing

Masters of each vessel involved in a transshipment operation shall report total catch onboard, total weight to be landed, name of port and date and time of landing at least 24 hours in advance of any landing, regardless of whether the landing is to take place in a port inside or outside the Convention Area.

Masters shall ensure that the form for port of landing is communicated using the VMS tablet in accordance with the format set out in Annex VIII of the SCE.

2. Port State Control (PSC) requirements for landings or transshipments in port

These are additional requirements to notify the Port State of the vessel's activities in their ports. Inasmuch, Masters are required to send the following reports to Port States via NEAFC website <https://psc.neafc.org/> (NEAFC EPSC - The electronic Port State Control system for the NEAFC Convention Area). Emails and spreadsheets are not acceptable means of sending these PSC reports.

Creating a web account for EPSC is simple, but it is not an instant process. Getting an account activated can take several days during busy periods; therefore accounts must be requested several days in advance of sending forms.

NOTE: The following additionally required forms are NOT sent via the VMS tablet.

1. Prior Notice of Entry into Port

Masters of vessels or their representative intending to call into a port shall notify the competent authorities of the port they wish to use at least 3 working days before the estimated time of arrival.

The prior notification referred to above shall be made using the formats and specifications in Annex XV of the SCE as follows:

Annex XV(b) Part A shall be completed where the vessel has engaged in transshipment operations, providing the information separately for catches from each donor vessel.

Notification form(s) shall be done through an online application established on the NEAFC website. A fax-based system, using the forms set out in Annex XV, shall be used as a back-up system in the event that the NEAFC website is offline.

The prior notification may be cancelled by the sender pursuant to Article 22.1 of the SCE by notifying the competent authorities of the port they wish to use no later than 24 hours before the notified estimated time of arrival in the port. Notice of Entry into Port will expire after seven (7) days if the vessel has not entered into the port as notified.

The port State shall forward a copy of the notification to the NEAFC Secretary who shall update the status of any prior notification of landing on the NEAFC website.

Port States can change the list of designated ports, contacts and minimum notification and cancellation periods. For current information, go to <https://psc.neafc.org/designated-contacts> .

2. Authorization to Land or Transship

In response to a notification transmitted per above, the flag Administration of the vessel intending to land or transship, or where the vessel has engaged in transshipment operations outside a port, the flag State or States of donor fishing vessels, shall confirm by completing Part B of Annex XV(b).

Landing or transshipment operations may only commence after authorization has been given by the competent authorities of the port State, by completing Part C of Annex XV(b). Such authorization shall only be given if the confirmation from the flag State of the donor fishing vessel has been received.

Landing, transshipment and other use of ports shall not be authorized if the port State receives clear evidence that the catch on board was taken in contravention of applicable requirements of a Contracting Party in respect of areas under its national jurisdiction.

The port State shall notify without delay its decision whether or not to authorize the landing or transshipment and other use of ports to the Master of the vessel or his representative, to the flag Administration of the donor fishing vessel and to the Secretary by completing as appropriate Part C of the relevant notification.

3. Labelling of Frozen Fish

The donor fishing vessel is responsible for that fish caught in the Convention Area and subsequently frozen, are identified with a clearly legible label or stamp. The label or stamp shall be placed on each box or block of frozen fish, indicating the species, production date, the International Council for the Exploration of the Sea (ICES) sub-area and division where the catch was taken and the name of the vessel which caught the fish. (<http://www.fao.org/fishery/area/Area27/en>)

4. Record Keeping

Any vessel engaged in transshipment operations is exempt from keeping a fishing logbook required under Article 9 of the SCE; however, in its place it shall have and record in a production logbook and stowage plan:

- a. date and time (UTC) of transmission of a report;
- b. in case of radio transmission, name of radio station through which the report is transmitted. the date and time (UTC) of the transshipment operation;
- c. the location (longitude/latitude) of the transshipment operation;
- d. the quantities of species on-loaded;
- e. the name and international radio call sign of the fishing vessel from which the catch has been off-loaded.

Vessels with frozen catch on board of fisheries resources caught in the Convention Area by more than one fishing vessel, may stow the fish from each of these vessels in more than one part of the hold but shall keep it clearly separate (for example by plastic, plywood, netting etc.) from fish caught by other vessels. Similarly, all catches taken inside the NEAFC Convention Area shall be stowed separately from all catches taken outside the area.

The quantities recorded shall correspond accurately to the quantities kept on board. The original recordings contained in the production logbook and stowage plan shall be kept on board the vessel for period of at least 12 months.

5. Boarding and Inspection

Control and surveillance shall be carried out by NEAFC inspectors. Each inspector carries special documentation of identity as a NEAFC inspector. No boarding is conducted without prior notice by radio being sent to the vessel or without the vessel being given the appropriate signal. An inspector has the authority to examine all relevant areas, decks and rooms of the vessels, catch (whether processed or not), equipment, and any relevant documents which the inspector deems necessary to verify the compliance with the measures established by NEAFC.

The Master of a vessel is required to facilitate prompt and safe boarding and disembarkation of inspectors; cooperate with and assist in the inspection of the vessel; shall not obstruct, intimidate or interfere with the inspectors in the performance of their duties; allow the inspectors to communicate with the authorities of the Administration, etc.; and provide access to any areas, decks and rooms of the vessel, catch (whether processed or not), equipment, and any information or documents which the inspector deems necessary.

6. Inspection Vessel

If at any time more than 10 Liberian flagged vessels are engaged in fishing activities (transshipment, bunkering and/or supply) in the NEAFC Convention Area, an inspection vessel must be in the Area. Accordingly, Liberian flagged vessels engaging in transshipment activities in the NEAFC Convention Area must share their schedules with the Administration to ensure effective monitoring and limit, if necessary, the number of vessels operating in the NEAFC Area.

7. NEAFC Regional Observer Program

The NEAFC does not require that vessels carry observers.

Map showing NEAFC Convention Area and Regulatory Areas



 Convention Area

 Regulatory Area

ANNEX 2

WESTERN CENTRAL PACIFIC FISHERIES COMMISSION (WCPFC)

The WCPFC Convention applies to the high seas of the Western Central Pacific, including Hawaii and French Polynesia.

Reference: Conservation and Management Measure on the Regulation of Transshipment (<https://www.wcpfc.int/transshipment-verification>)

Bunkering, transshipments or any other exchange of supplies or provisions between vessels in the Convention Area, other than transshipments of fish caught and transshipped only in territorial seas or archipelagic waters, may only be conducted with vessels in any of the following categories;

- a. Vessels flagged to a Member or Cooperating Non-Member of the WCPFC. The current list of WCPFC Members and cooperating Non-Members is maintained on the WCPFC Web site at <http://www.wcpfc.int/>.
- b. Vessels on the WCPFC Record of Fishing Vessels. The current WCPFC Record of Fishing Vessels is maintained on the WCPFC Web site at <http://www.wcpfc.int/>.
- c. Vessels on the WCPFC Interim Register of Non-Member Carrier and Bunker Vessels. The current WCPFC Interim register of Non-Member Carrier and Bunker Vessels is maintained on the WCPFC Web site at <http://www.wcpfc.int/>.

Pre and Post Transshipment Reporting Requirements for Transshipment Vessels

A pre- and post- WCPFC Transshipment Declaration (TD) shall be completed by both the offloading and receiving vessel for each transshipment activity in the WCPFC Convention Area, and each transshipment activity of catch taken in the Convention Area.

The vessel Operator/Master shall provide these TDs directly to the WCPFC Secretariat with copy to the Administration at Transshipment@liscr.com

Where transshipment occurs on the high seas, the timeline to report is as follows:

1. Pre-Transshipment: Provide the WCPFC Executive Director with a Transshipment Notification 36 hours in advance of each transshipment activity.

The information to be included in the WCPFC Transshipment Notification:

- a. the name and WCPFC Identification Number (WIN) of the offloading vessel,
- b. the name and WIN of the receiving vessel,
- c. the product (including species and its processed state) to be transshipped,
- d. the tonnage by product to be transshipped,
- e. the date and estimated or proposed location of transshipment (latitude and longitude to a tenth of a degree with a margin of error of 24 nautical miles), and
- f. the geographic location of the highly migratory fish stock catches.

2. Post-Transshipment: Provide the WCPFC Executive Director with a Transshipment Declaration within 15 days of completion of each transshipment activity.

The information to be included in the WCPFC Transshipment Declaration:

- a. a unique document identifier,
- b. the name of the fishing vessel and its WIN,
- c. the name of the receiving vessel and its WIN,
- d. the fishing gear used to take the fish,
- e. the quantity of product (including species and its processed state),
- f. the state of fish (fresh or frozen) to be transshipped,
- g. the quantity of by-product,
- h. the geographic location to be transshipped,
- i. the date and location of the highly migratory fish stock catches,
- j. if applicable, the name and signature of the WCPFC Observer of the transshipment,
- k. the quantity of product already on board the receiving vessel and the geographic origin.

3. Observer Coverage Requirements

Observer coverage is required for all transshipments at sea in the Convention Area, unless the transshipment is an emergency transshipment. An emergency transshipment is a transshipment conducted under circumstances of force majeure or other serious mechanical breakdown that could reasonably be expected to threaten the health or safety of the vessel or crew or cause a significant financial loss through fish spoilage.

In case of an emergency transshipment, the WCPFC Executive Director must be notified of the transshipment and the circumstances giving rise to the force majeure within 12 hours of the completion of transshipment. The owner or operator responsible for each vessel shall provide the Administration with a WCPFC Transshipment Declaration consistent with the requirement under paragraph 10 of the Conservation and Management Measure within 10 days of the transshipment.

Receiving vessels cannot receive transshipments from more than one vessel at a time, unless there is a separate WCPFC Observer on either the offloading or receiving vessel to monitor each additional transshipment.

The vessel owner is responsible for the costs of carrying an observer deployed under the new regulations (e.g., food, accommodations, and medical facilities) and is not eligible for reimbursement of these costs.

- 1) Observers will monitor and confirm to the extent possible that the transshipped quantities of fish are consistent with other information available to the observer, which may include:
 - a. the catch reported in the transshipment declaration;
 - b. data in catch and effort logsheets, including catch and effort logsheets reported to coastal States for fish taken in waters of such coastal States;
 - c. vessel position data; and

- d. the intended port of landing.

The owner or operator of a vessel required to carry a WCPFC Observer during transshipment at sea must provide notice to the Administration (transshipment@liscr.com) at least one (1) month prior to the transshipment trip in order to schedule an observer with one of the WCPFC participating ROP providers. Fees and other travel costs for observers are borne by the receiving vessels.

- 2) The notice must include the following information:
 - a. the IMO number and WCPFC Identification Number (WIN) of the vessel
 - b. the name of the vessel;
 - c. the intended departure date, time, and location;
 - d. the name of the operator (i.e., master on board) of the vessel;
 - e. a telephone number at which the vessel owner or operator or designated agent may be contacted during the business day

4. Rights and responsibilities of vessel operators, Masters and Crew

- 1) The rights of vessel operators and Masters shall include:
 - a. Expectation that a reasonable period of prior notice of the placement of an ROP observer shall be given.
 - b. Expectation that the observer will comply with the general rules of behavior, hierarchy, and laws and regulations of the Administration.
 - c. Timely notification from the observer provider on completion of the observer's trip of any comments regarding the vessel operations. The Master shall have the opportunity to review and comment on the observer's report, and shall have the right to include additional information deemed relevant or a personal statement.
 - d. Ability to conduct lawful operations of the vessel without undue interference due to the observer's presence and performance of necessary duties.
 - e. Ability to assign, at his or her discretion, a vessel crew member to accompany the observer when the observer is carrying out duties in hazardous areas.
- 2) The responsibilities of vessel operators and Master shall include:
 - a. Accepting onboard the vessel any person identified as an observer under the ROP when required by the Commission.
 - b. Informing the crew of the timing of the ROP observer boarding as well as their rights and responsibilities when an ROP observer boards the vessel.
 - c. Assisting the ROP observer to safely embark and disembark the vessel at an agreed upon place and time.
 - d. Giving notice to the ROP observer at least fifteen (15) minutes before the start of a set or haul onboard, unless the observer specifically requests not to be notified.
 - e. Allow and assist the ROP observer to carry out all duties safely.
 - f. Allowing ROP observer full access to the vessel's records including vessel logs and documentation for the purpose of records inspection and copying.

- g. Allowing reasonable access to navigational equipment, charts and radios, and reasonable access to other information relating to fishing.
 - h. Permitting access to additional equipment, if present, to facilitate the work of the ROP observer while onboard the vessel, such as high powered binoculars, electronic means of communication, etc.
- 3) The responsibilities of the vessel crew shall include:
- a. Not assaulting, obstructing, resisting, intimidating, influencing, or interfering with the ROP observer or impeding or delaying observer duties.
 - b. Compliance with regulations and procedures established under the Convention and other guidelines, regulations, or conditions established by the CCM that exercises jurisdiction over the vessel.
 - c. Allowing and assisting full access to and use of all facilities and equipment of the vessel which the observer may determine is necessary to carry out his or her duties, including full access to the bridge, fish onboard, and areas that may be used to hold, process, weigh, and store fish.
 - d. Allow and assist the ROP observer to carry out all duties safely.
 - e. Allow and assist the ROP observer to remove and store samples from the catch.
 - f. Compliance with directions given by the Master with respect to the ROP observer's duties.

5. Boarding and Inspection

Masters' must accept boarding and inspection by authorized WCPFC inspectors. Authorized inspectors will have the authority to inspect the vessel, its license, gear, equipment, records, facilities, fish and fish products and any relevant documents necessary to verify compliance with the conservation and management measures in force pursuant to the WCPFC Convention.

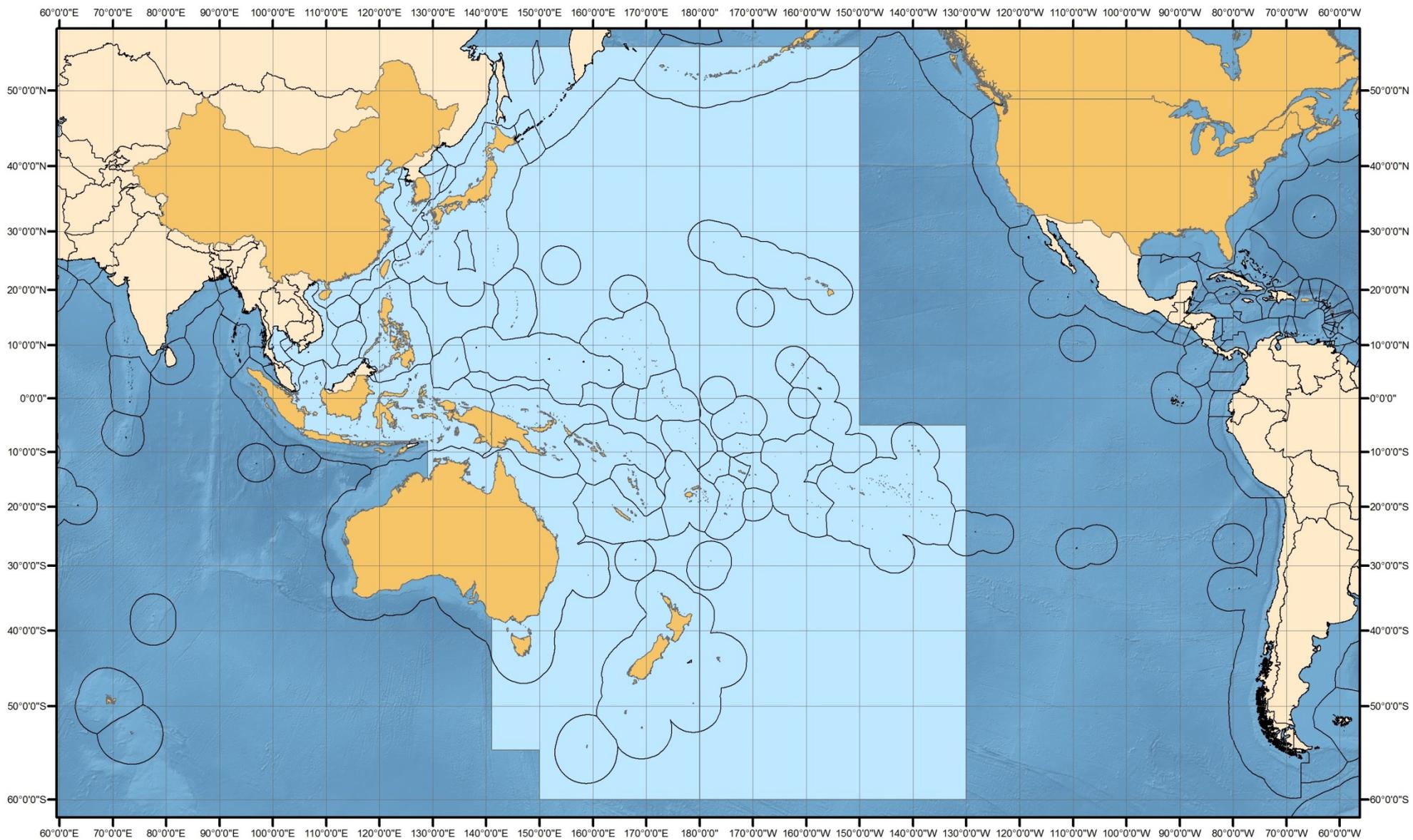
- 1) During the conduct of a boarding and inspection, the Master of the fishing vessel shall:
- a. Follow internationally accepted principles of good seamanship so as to avoid risks to the safety of authorized inspection vessels and inspectors;
 - b. Follow internationally accepted principles of good seamanship so as to avoid risks to the safety of authorized inspection vessels and inspectors;
 - c. Accept and facilitate prompt and safe boarding by the authorized inspectors;
 - d. Cooperate with and assist in the inspection of the vessel pursuant to these procedures;
 - e. Not assault, resist, intimidate, interfere with, or unduly obstruct or delay the inspectors in the performance of their duties;
 - f. Allow the inspectors to communicate with the crew of the inspection vessel, the authorities of the inspection vessel, as well as with the authorities of the fishing vessel being inspected;
 - g. Provide them with reasonable facilities, including, where appropriate, food and accommodation; and facilitate safe disembarkation by the inspectors.

6. Prohibitions Pursuant to WCPFC Conservation and Management Measures (CMMs)

- a. Liberian flagged vessels operating in the WCPFC Convention Area are prohibited from retaining onboard, transshipping, landing, or trading any fins harvested in contravention of WCPFC CMMs.
- b. Liberian flagged vessels under charter arrangements are prohibited from retaining onboard, transshipping, or landing any silky shark caught in the Convention Area, in whole or in part, in the fisheries covered by the WCPFC Convention.

* * * * *

WCPFC Convention Area



ANNEX 3

SOUTHERN PACIFIC REGIONAL FISHERIES MANAGEMENT ORGANIZATION (SPRFMO)

SPRFMO Convention applies to the high seas of the South Pacific

Reference: Conservation and Management Measure for the Regulation of Transshipment and Other Transfer Activities
(<https://www.sprfmo.int/assets/Meetings/Meetings-2013-plus/Commission-Meetings/3rd-Commission-Meeting-2015-Auckland-New-Zealand/Annex-N-CMM-3.05-Transshipment-other-transfer-activites-rev1.pdf>)

Transshipment Regulation

Transshipments at sea and in port shall only be undertaken between vessels included in the SPRFMO Commission's Record of Vessels.

At sea transfer of fuel, crew, gear or any other supplies between two vessels in the Convention Area shall only be undertaken between vessels included in the SPRFMO Commission's Record of Vessels.

Transshipments of *Trachurus Murphyi* and demersal species caught in the Convention Area:

Pre and Post Transshipment Reporting Requirements for Transshipment Vessels

A SPRFMO pre-Transshipment Notification and post-Transshipment Report shall be completed for each transshipment activity in the RFMO Convention Area.

The vessel Operator/Master shall provide these Notifications/Reports directly to the SPRFMO Secretariat and Liberian Administration via the vessel's pre-programmed VMS tablet.

1. Pre-Transshipment

Notification is needed for each transshipment activity which includes transshipment of *Trachurus Murphyi* and demersal species caught in the Convention Area, regardless of where the transshipment takes place, at least 36 hours before the estimated time of such activities. Please refer to ANNEX A for the details to be included in the Transshipment Notification.

2. Post-Transshipment

No later than 7 days after transshipment is carried out, the vessel involved in transshipment must send a Post-Transshipment Report. Please refer to ANNEX B for the details to be included in the Transshipment Report.

***Regional Observer Program**

SPRFMO has not yet implemented its Regional Observer Program; however, if an observer is on board the unloading or receiving vessel, the observer shall monitor the transshipment activities.

An observer monitoring transshipment shall complete a transshipment log sheet to verify the quantity and species of the fishery resources being transshipped, and shall provide a copy of the log sheet to the competent authorities of the observed vessel. The competent authorities of the observed vessel shall submit the observer data of the transshipment log sheet to the Secretariat, no later than 15 days from debarkation of the observer.

Boarding and Inspection

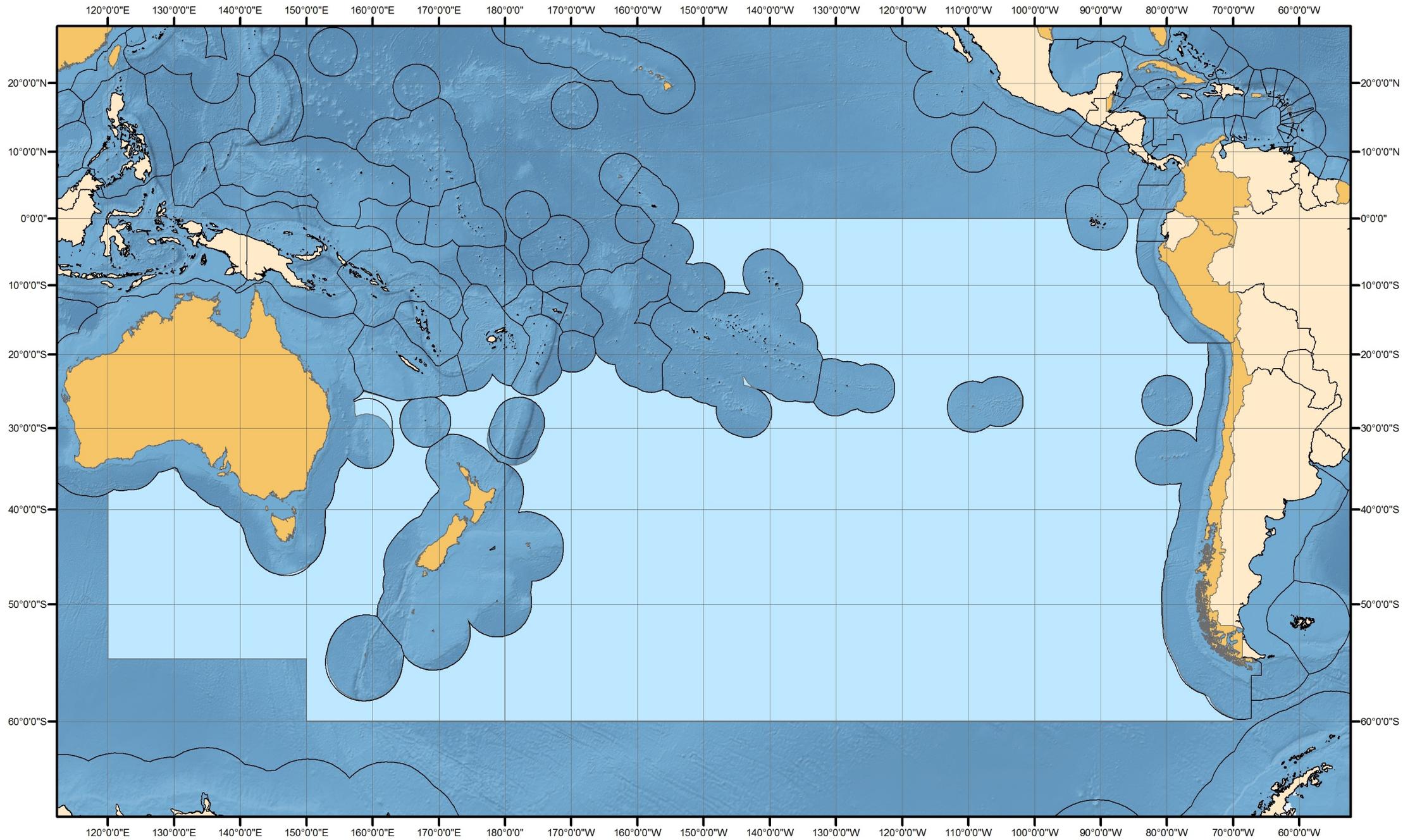
SPRFMO's procedures on at sea inspection in the Convention Area are parallel to those contained in Articles 21 and 22 of the United Nations Fish Stocks Agreement. This measure is effective until such time as the Commission adopts a specific SPRFMO at sea inspection regime.

http://www.un.org/depts/los/convention_agreements/convention_overview_fish_stocks.htm

Monthly Reporting to the Administration

On the first day of every month, Operators or Masters of receiving vessels shall report to the Administration (via email to transshipment@liscr.com) the quantities of fishery products transshipped to their vessel in the previous month, using the attached form in Annex C - attached.

* * * * *



Annex A

Transshipment Notification

Members and CNCPs shall provide the following information :

Details of unloading vessel

- a. Name of vessel
- b. Registration number
- c. Radio call sign
- d. Vessel flag state
- e. IMO number/ IHS Fairplay number (if applicable)
- f. Name and nationality of vessel master

Details of receiving vessel

- g. Name of vessel
- h. Registration number
- i. Radio call sign
- j. Vessel flag state
- k. IMO number/ IHS Fairplay number (if applicable)
- l. Name and nationality of vessel master

Annex B

Transshipment information to be reported

No later than 7 days after a transshipment is carried out, the competent authorities of the vessels involved shall report to the Secretariat:

Details of unloading vessel

- a. Name of vessel
- b. Registration number
- c. Radio call sign
- d. Vessel flag state
- e. IMO number/ IHS Fairplay number (if applicable)
- f. Name and nationality of vessel master

Details of receiving vessel

- g. Name of vessel
- h. Registration number
- i. Radio call sign
- j. Vessel flag state
- k. IMO number/ IHS Fairplay number (if applicable)
- l. Name and nationality of vessel master

Details of transshipment operation

- a. Date and time of commencement of transshipment (UTC)
- b. Date and time of completion of transshipment (UTC)
- c. If transhipped in port:
 1. Port State, name of port and port code⁴
- d. If transhipped at sea:
 1. Position (nearest 1/10th degree) at commencement of transshipment (decimal)
 2. Position (nearest 1/10th degree) at completion of transshipment (decimal)
- e. Hold numbers in receiving vessel in which product is stowed
- f. Destination port of receiving vessel
- g. Arrival date estimate
- h. Landing date estimate

⁴ International Standard Classification of Fishing Gears (ISSCFG). This information only needs to be provided by the unloading vessel.

Details of fishery resources transhipped

- i. Species transhipped
 - 1. Description of fish, by product type (*e.g.*, whole, frozen fish)
 - 2. Number of cartons and net weight (kg) of product, by species
 - 3. Total net weight of product transhipped (kg)

- j. Fishing gear used⁵

Verification (if applicable)

- k. Name of observer
- l. Authority

⁵ International Standard Classification of Fishing Gears (ISSCFG). This information only needs to be provided by the unloading vessel.

ANNEX 4

INDIAN OCEAN TUNA COMMISSION (IOTC)

The IOTC Area of Competence is the Western Indian Ocean and the Eastern Indian Ocean
(<http://www.iotc.org/about-iotc/competence>)

Reference: IOTC Conservation and Management Measures
(<http://www.iotc.org/cmms>)

Transshipment Regulations

Pre-Transshipment (Receiving Vessel)

Before starting transshipment, the Master of the receiving vessel shall confirm that the Large-scale Tuna Longline Fishing Vessel (LSTLV) is participating in the IOTC program to monitor transshipment at sea and has obtained the prior authorization from their flag State. The Master of the receiving vessel shall not start transshipment operation without such confirmation.

Post-Transshipment

The Master of the receiving vessel shall complete and transmit the post- IOTC Transshipment Declaration (TD) to the Administration, the IOTC Secretariat, and the flag of the LSTLV, along with its number in the IOTC Record of Carrier Vessels authorized to receive transshipment in the IOTC area of competence, within 24 hours of the completion of the transshipment. The TD is attached at the end of this Annex in Annex A.

Pre-Landing

The Master of the receiving carrier vessel shall, 48 hours before landing, transmit an IOTC TD, along with its number in the IOTC Record of Carrier Vessels authorized to receive transshipment in the IOTC area of competence, to the competent authorities of the State where the landing takes place. The TD may be sent by fax or email.

In-Port Transshipment (Receiving vessel)

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 tuna and tuna-like species and sharks transshipped to his vessel, and complete and transmit the IOTC TD to the competent authorities within 24 hours.

Regional Observer Program

Owners, Operators or Masters are required to notify the Administration at least one (1) month before a planned transshipment in the IOTC Convention Area to request an observer in order to meet the following requirements:

Each CPC shall require receiving vessels included in the IOTC Record of Carrier Vessels authorized to receive transshipments in the IOTC area of competence and which transship at sea, to carry an IOTC observer during each transshipment operation in the IOTC area of competence. The IOTC Executive Secretary shall appoint the observers and shall place them on board the receiving vessels authorized to receive transshipments in the IOTC area of competence from LSTLVs flying the flag of Contracting Parties and of Cooperating Non-Contracting Parties (collectively CPCs) that implement the IOTC observer program.

The costs of implementing this program shall be financed by the flag CPCs of LSTLVs wishing to engage in transshipment operations.

- 1) The observer tasks shall be to monitor the vessel's compliance with the relevant conservation and management measures adopted by the Commission. In particular, the observers shall:
 - a. record and report upon the transshipment activities carried out;
 - b. verify the position of the vessel when engaged in transshipping;
 - c. observe and estimate products transshipped;
 - d. verify and record the name of the LSTLV concerned and its IOTC number;
 - e. verify the data contained in the transshipment declaration;
 - f. certify the data contained in the transshipment declaration;
 - g. countersign the transshipment declaration;
 - h. issue a daily report of the carrier vessels transshipping activities;
 - i. establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information;
 - j. submit to the IOTC Secretariat the aforementioned general report within 20 days from the end of the period of observation;
 - k. exercise any other functions as defined by the Commission.

- 2) The responsibilities regarding observers of the receiving vessels and their Masters shall include:
 - a. Observers shall be allowed access to the vessel personnel and to the gear and equipment;
 - b. Upon request, observers shall also be allowed access to the following equipment:
 - i. Satellite navigation equipment;
 - ii. Radar display viewing screens when in use;
 - iii. Electronic means of communication.
 - c. Observers shall be provided accommodation, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d. Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and

- e. The flag States shall ensure that captains, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

3) Other obligations for transshipment vessels:

- a. Observers shall be allowed access to the vessel personnel, the gear and equipment;
- b. Upon request, observers shall also be allowed access to the following equipment: Satellite navigation equipment; Radar display viewing screens when in use; Electronic means of communication.
- c. Observers shall be provided accommodation, including lodging, food and adequate sanitary facilities, equal to those of officers;
- d. Observers shall be provided with adequate space on the bridge, as well as space on deck adequate for carrying out observer duties; and
- e. Masters, crew and vessel owners shall not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

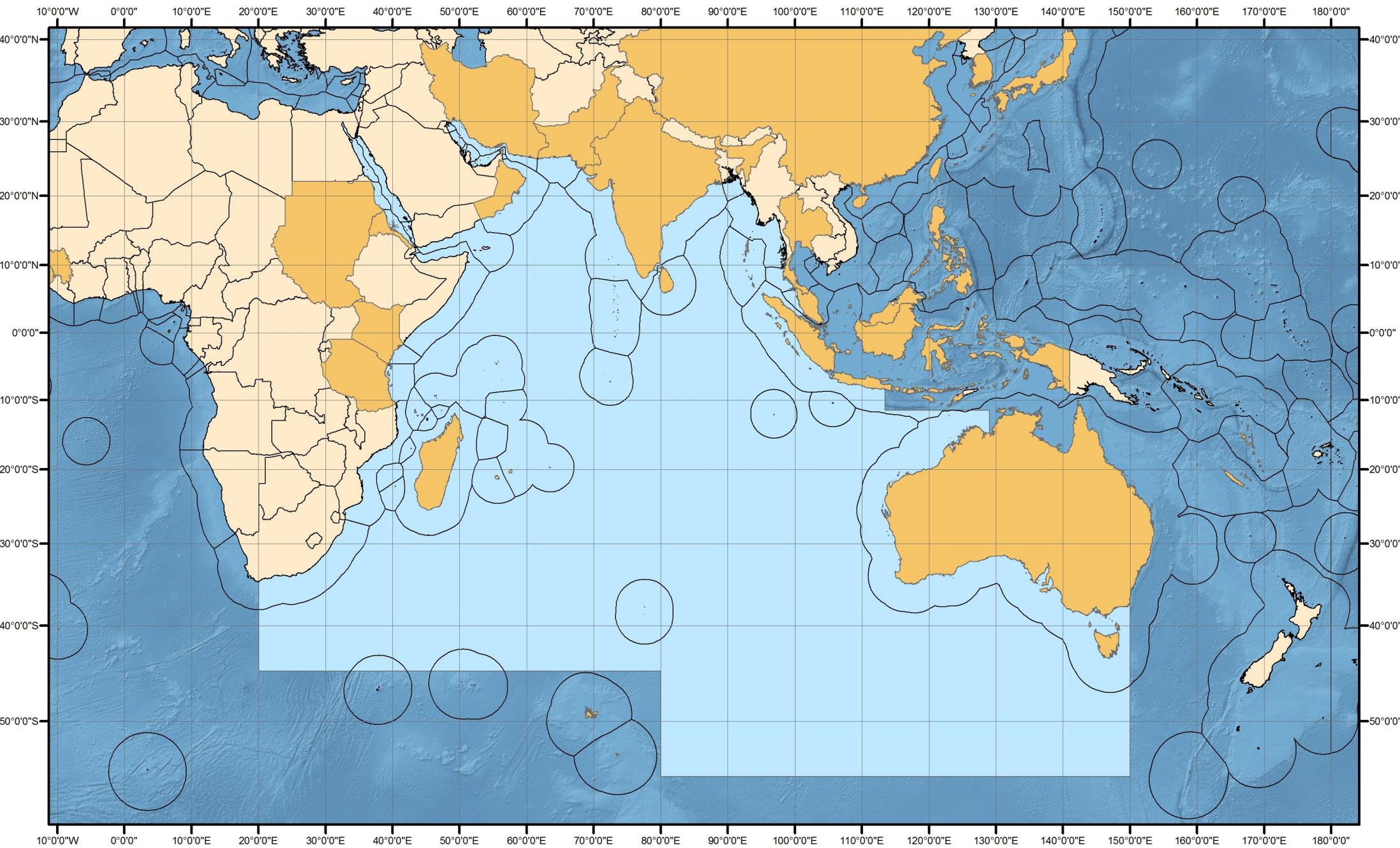
Boarding and Inspection

This measure is under review by the IOTC and is not yet implemented.

Monthly Reporting to the Administration

On the first day of every month, Operators or Masters of receiving vessels shall report to the Administration (via email to transshipment@liscr.com) the quantities of tuna and tuna-like species and sharks transshipped to their vessel in the previous month, using the attached form in Annex B.

* * * * *



ANNEX 5

INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT)

The ICCAT Convention applies to all waters of the Atlantic Ocean, including the adjacent Seas.
(<https://www.iccat.int/en/convarea.htm>)

Reference: Recommendation by ICCAT establishing a programme for transshipment
(<https://www.iccat.int/Documents/Recs/compendiopdf-e/2006-11-e.pdf>)

Transshipment Regulations

At Sea

Post Transshipment (Receiving Vessel)

The Master of the receiving vessel shall complete and transmit the ICCAT Transshipment Declaration (TD) to the Liberian Administration (transshipment@liscr.com), the ICCAT Secretariat (info@iccat.int), and the flag State of the Large-scale Tuna Longline Fishing Vessel (LSTLV), along with its number in the ICCAT Record of Carrier Vessels authorized to receive transshipment in the ICCAT area, within 24 hours of the completion of the transshipment. The TD is attached at the end of this Annex.

Pre-Landing

The Master of the receiving vessel shall, 48 hours before landing, transmit an ICCAT TD, along with its number in the ICCAT Record of Vessels authorized to receive transshipment in the ICCAT area, to the competent authorities of the State where the landing is to take place.

In Port

Pre-Transshipment

Not later than 24 hours before the beginning of the operation, the Master of the receiving vessel shall inform the Port State authorities of the quantities of catches of tuna and tuna-like species to be transshipped to his vessel, and complete and transmit the ICCAT TD to the competent authorities (i.e., Administration, the Secretariat, and the flag State of the LSPLV).

Post Transshipment

Not later than 24 hours from the completion of the transshipment, the Master of the receiving vessel shall inform the Port State authorities of the quantities of catches of tuna and tuna-like species transshipped to his vessel, and complete and transmit the ICCAT TD to the competent authorities (i.e., Administration, the Secretariat, and the flag State of the LSPLV).

Pre-Landing

The Master of the receiving vessel shall, at least 48 hours before landing, complete and transmit an ICCAT TD to the competent authorities of the landing State where the landing takes place, with a copy to the Administration.

Regional Observer Program (ROP)

Vessels included in the ICCAT Record of Vessels authorized to receive transshipments in the ICCAT area and which transship at sea, are to carry an ICCAT Observer during each transshipment operation in the Convention area. The Secretariat appoints the observers and places them on board the carrier vessels authorized to receive transshipments in the ICCAT area from LSPLVs flying the flag of the Contracting Party that implement the ICCAT observer program. The cost of implementing the observer program is financed by the flag Contracting Party of LSPLVs wishing to engage in transshipment operations.

In order for receiving vessels to receive transshipments of ICCAT species at sea, the following conditions must be met:

- a. The receiving vessel must be authorized by its flag State to operate in the Atlantic and be included in the ICCAT Record of Carrier Vessels;
- b. Receiving vessels must have an observer from the ICCAT ROP on board when receiving at-sea transshipments;
- c. Receiving vessels Masters/Operators must sign a Memorandum of Understanding (MOU) with MRAG & COFREPECHE (the consortium); and
- d. Pass a pre-sea inspection by the observer before embarkation.

Owners, Operators or Masters are required to notify the Administration at least one (1) month before a planned transshipment. The Administration will then complete the ICCAT Request Form; including details of the receiving vessel and its operators, where and when the observer will embark, where and when the observer will disembark, what longline vessels will transship and approximate dates and location, etc.

1) Obligations of the Observer

The observer shall monitor the LSPLV's and carrier vessel's adherence to the relevant conservation and management measures adopted by the Commission. The observers' tasks shall be, in particular, to visit the LSPLV intending to transship to a carrier vessel, taking into account safety concerns, and before the transshipment takes place, to:

- a. Check the validity of the fishing vessel's authorization or license to fish for tuna and tuna-like species and any other species caught in association with those species in the Convention area;
- b. Inspect the fishing vessel's prior authorizations to transship at sea from the flag CPC and, if appropriate, the coastal State;
- c. Check and record the total quantity of catch on board by species and, if possible, by stock, and the quantities to be transshipped to the carrier vessel;
- d. Check that the VMS is functioning and examine the logbook and verify entries, if possible;
- e. Verify whether any of the catch on board resulted from transfers from other vessels, and check the documentation on such transfers;

- f. In the case of indication that there are any violations involving the fishing vessel, immediately report the violation(s) to the master of the carrier vessel (taking due regard of any safety considerations) and to the observer program implementing company, who shall promptly forward it to the flag CPC authorities of the fishing vessel; and
- g. Record the results of these duties on the fishing vessel in the observer's report.

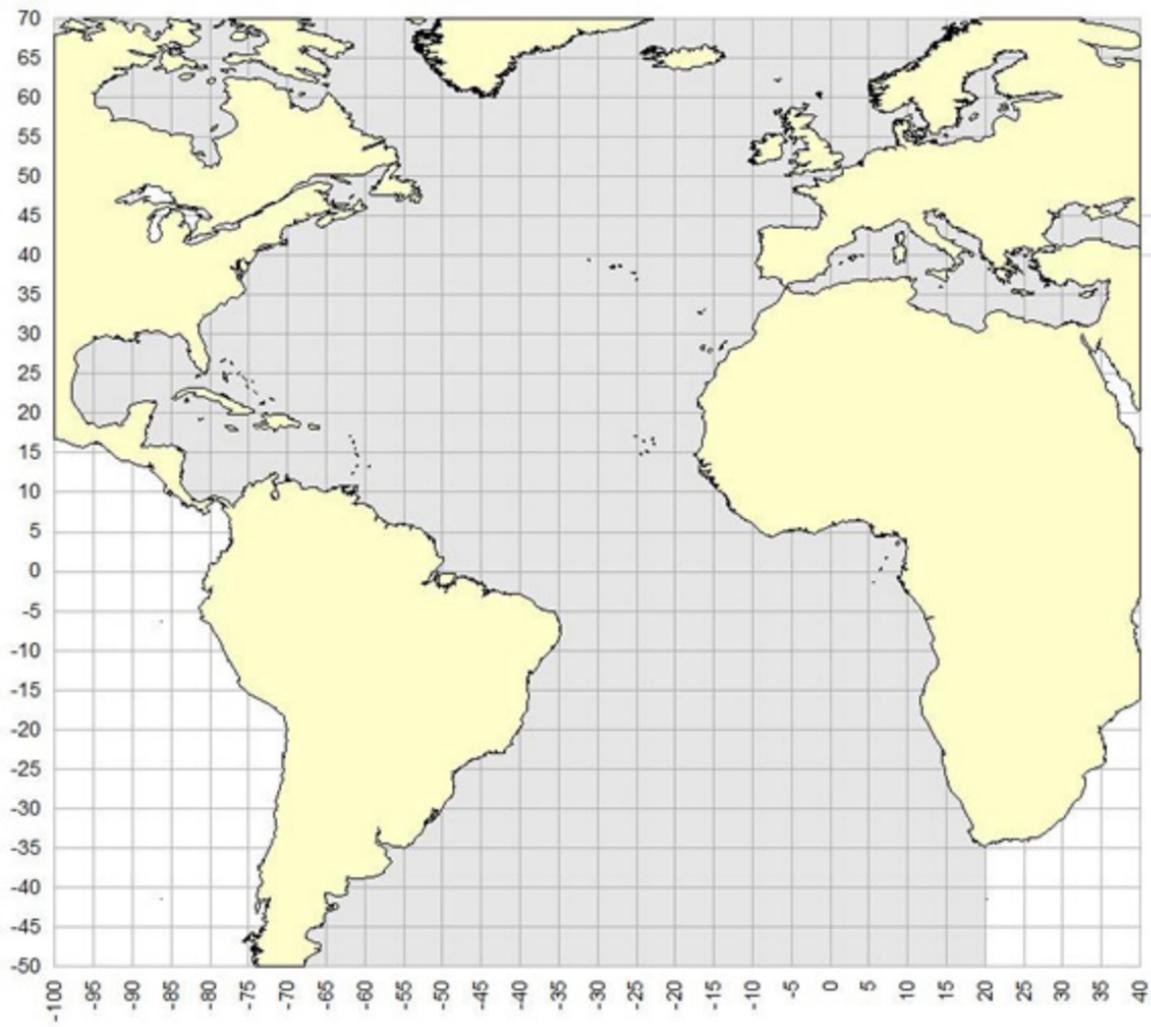
2) Responsibilities of the Masters of Carrier Vessels

- a. Observers shall be allowed access to the vessel personnel, pertinent documentation, and to the gear and equipment;
- b. Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 6:
 - i. satellite navigation equipment;
 - ii. radar display viewing screens when in use;
 - iii. electronic means of communication; and
 - iv. scale used for weighing transshipped product;
- c. Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
- d. Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties;
- e. Observers shall be allowed to determine the most advantageous location and method for viewing transshipment operations and estimating species/stocks and quantities transshipped. In this regard, the Master of the carrier vessel, giving due regard to safety and practical concerns, shall accommodate the needs of the observer in this regard, including, upon request, temporarily placing product on the carrier vessel deck for inspection by the observer and providing adequate time for the observer to carry out his/her duties. Observations shall be conducted in a manner that minimizes interference and avoids compromising the quality of the products transshipped.
- f. The Master of the carrier vessel shall ensure that all necessary assistance is provided to the observer to ensure safe transport between the carrier and fishing vessels should weather and other conditions permit such an exchange; and
- g. Ensure that Masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

Port Inspection

Vessels must allow inspections to be carried out by a competent authority of the port State.

Each year, port States shall inspect at least 5% of landing and transshipment operations in their designated ports as are made by foreign fishing vessels. Inspections shall involve the monitoring of the landing or transshipment and include a cross-check between the quantities by species. Inspections shall be carried out in such a way that the fishing vessel suffers the minimum interference and inconvenience, and that degradation of the quality of the catch is avoided, to the extent practicable.



ANNEX 6

Inter-American Tropical Tuna Commission (IATTC)

The IATTC convention area includes the waters of the Eastern Pacific Ocean east of 150° W longitude.

Reference: IATTC RESOLUTION C-12-07
Amendment to resolution c-11-09 on establishing a program for transshipments by large-scale fishing vessels
(<https://www.iattc.org/PDFFiles2/Resolutions/C-12-07-Amendment-C-11-09-Transshipments.pdf>)

Transshipment Regulations

At Sea

Post Transshipment

The Master of the receiving carrier vessel shall complete and transmit the IATTC Transshipment Declaration (TD) to the Administration (transshipment@liscr.com), the IATTC Director (gcompean@iattc.org / info@iattc.org) and the flag Member and Cooperating Non-Member of the Commission (collectively CPC) of the large-scale tuna longline fishing vessels (LSTLFV), along with its number in the IATTC Record of Carrier Vessels, within 24 hours of the completion of the transshipment. The TD is attached to this Annex.

Pre-Landing

The Master of the receiving carrier vessel shall, 48 hours before landing, transmit an IATTC TD along with its number in the IATTC Record of Carrier Vessels, to the competent authorities of the CPC where the landing takes place.

In Port

Pre-Transshipment

Not later than 24 hours before the beginning of the operation, the Master of the receiving carrier vessel shall inform the Port State authorities of the quantities of catches of tuna and tuna-like species transshipped to his vessel, and complete and transmit the TD to the competent authorities.

Post-Transshipment

Not later than 24 hours at the end of the operation, the Master of the receiving carrier vessel shall inform the Port State authorities of the quantities of catches of tuna and tuna-like species transshipped to the carrier vessel, and complete and transmit the TD to the competent authorities.

Pre-Landing

The Master of the receiving carrier vessel shall, at least 48 hours before landing, complete and transmit a TD to the competent authorities of the landing State where the landing takes place.

Regional Observer Program

Carrier vessels included in the IATTC Record of Vessels which transship at sea are required to carry an IATTC observer during each transshipment operation in the Convention Area.

Vessels must contact the Administration at least one (1) month prior to transshipping in the IATTC convention area to allow time to obtain an observer.

On the carrier vessel, the observer shall:

- i. record and report upon the transshipment activities carried out;
- ii. verify the position of the vessel when engaged in transshipping;
- iii. observe and estimate products transshipped;
- iv. verify and record the name of the LSTLFV concerned and its registration number;
- v. verify the data contained in the transshipment declaration;
- vi. certify the data contained in the transshipment declaration; and
- vii. countersign the transshipment declaration.

Obligations of the Carrier Vessels

The responsibilities regarding observers of the carrier vessels and their Masters shall include the following, notably:

- a. Observers shall be allowed access to the vessel personnel and to the gear and equipment;
- b. Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties:
 - i. satellite navigation equipment;
 - ii. radar display viewing screens when in use; and
 - iii. electronic means of communication.
- c. Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
- d. Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
- e. The flag CPCs shall ensure that Masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

Boarding and Inspection

The IATTC has not yet implemented this measure.

* * * * *

