



CCSBT-CC/1710/16

## Transshipment Memorandum of Cooperation (MoC) with the WCPFC

### 1. Introduction

During 2016, a Transshipment Memorandum of Cooperation<sup>1</sup> (MoC) was agreed by both the CCSBT and the WCPFC<sup>2</sup>. The MoC provides for observed High Seas transshipments involving SBT to be carried out within the WCPFC Convention Area.

The MoC was signed by the WCPFC Chair on 18 April 2017 and then by the CCSBT Chair on 5 June 2017<sup>3</sup>, which was as soon as possible after the CCSBT Chair was nominated. A copy of the agreed and signed MoC is provided for reference at **Attachment A**.

The CCSBT Secretariat has commenced working with the WCPFC Secretariat on developing the systems and processes necessary to operationalise the Transshipment MoC. However, as this work is still in progress, the MoC cannot yet be implemented. Background information and a progress update with regard to implementation is provided below.

### 2. Background

During 2016 the CCSBT and WCPFC Secretariats worked collaboratively to prepare and agree on the text of a draft proposed Transshipment MoC. This draft was provided to the Twelfth Regular Session of the WCPFC's Technical and Compliance Committee (TCC) in September 2016. TCC recommended it for consideration at WCPFC13 without amendment.

It was also provided to the Eleventh Meeting of the CCSBT's Compliance Committee (CC11) for its consideration. CC11 generally supported the MoC and agreed that this support was conditional on no subsequent amendments being made to the MoC by the WCPFC, and on the CCSBT's Extended Commission (EC) agreeing to a related change to paragraph 37 of the CCSBT's Transshipment Resolution. CCSBT's EC agreed the MoC and the associated change to paragraph 37 of the Transshipment Resolution. The WCPFC then also agreed the proposed MoC (without modification) on 9 December 2016.

### 3. Progress Update

Following CCSBT 23, the CCSBT and WCPFC Secretariats continued communication regarding the Transshipment MoC.

During February 2017, the CCSBT Secretariat provided the WCPFC Secretariat with a high-level summary of items that would likely need to be considered before implementation could occur, including observer training and deployment arrangements, reporting requirements, revision of any associated key documents, and potential associated costs. The WCPFC Secretariat then provided comments and feedback in relation to these items.

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<sup>1</sup> Memorandum of Cooperation (MoC) on the Endorsement of WCPFC Regional Observer Programme Observers for Observing Transshipments of Southern Bluefin Tuna on the High Seas of the WCPFC Convention Area

<sup>2</sup> The Western and Central Pacific Fisheries Commission

<sup>3</sup> 5 June 2017 is also the date the MoC came into effect

During the second half of 2017, and following a request from the WCPFC Secretariat, the CCSBT Secretariat produced a draft summary document identifying key data elements to be collected and/or reports to be produced by WCPFC ROP observers that are assigned/endorsed to observe High Seas transshipments involving SBT within the WCPFC Convention Area<sup>4</sup>. This information exchange will assist with discussions on whether there are any specific observer training materials that need to be developed prior to implementation of the MoC, and the extent to which specific observer training courses might need to be considered.

#### **4. Next Steps**

Following CCSBT 24, it will become a priority for the CCSBT Secretariat to continue working with the WCPFC Secretariat to establish the systems and processes necessary to implement the agreed MoC as soon as possible.

**Prepared by the Secretariat**

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<sup>4</sup> This item is relevant with respect to paragraph 4 of the MoC

**MEMORANDUM OF COOPERATION (MoC) ON THE ENDORSEMENT OF WCPFC  
REGIONAL OBSERVER PROGRAMME OBSERVERS FOR OBSERVING  
TRANSSHIPMENTS OF SOUTHERN BLUEFIN TUNA ON THE HIGH SEAS OF THE WCPFC  
CONVENTION AREA**

**between**

**THE COMMISSION FOR THE CONSERVATION AND MANAGEMENT OF HIGHLY  
MIGRATORY FISH STOCKS IN THE WESTERN AND CENTRAL PACIFIC OCEAN**

**and**

**THE COMMISSION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA**

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT):

**UNDERSTANDING** that the CCSBT and the WCPFC have overlapping jurisdictions for transshipment monitoring in the western and central Pacific Ocean;

**CONSIDERING** the Memorandum of Understanding between the WCPFC and the CCSBT signed in 2009;

**NOTING** that the CCSBT has adopted a Resolution<sup>1</sup> for tuna longline fishing vessels with freezing capacity (LSTLVs) that applies globally to all transshipments involving Southern Bluefin Tuna (SBT);

**ALSO NOTING** that the WCPFC has adopted a Conservation and Management Measure on the regulation of transshipment (CMM 2009-06) that applies to all transshipments in the WCPFC Convention Area of all highly migratory fish stocks covered by the Convention, and a Conservation and Management Measure for the Regional Observer Programme (CMM 2007-01) that establishes the Regional Observer Programme (ROP);

**RECALLING** paragraph 86 (a) of the Final Report of the Preparatory Conference for the Establishment of the Commission for the Conservation of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean of 7 December 2004, which recognises the need to establish an understanding between the WCPFC and the CCSBT clarifying that, because the CCSBT has competence with respect to Southern Bluefin Tuna throughout its migratory range, the WCPFC recognises that the CCSBT is the appropriate body to develop and implement Southern Bluefin Tuna conservation and management measures;

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<sup>1</sup> Resolution on establishing a program for transshipment by large-scale fishing vessels (hereafter referred to as the “CCSBT Transshipment Resolution”)

**CONFIRM** the following conditions for the endorsement of WCPFC ROP observers to operate on authorised vessels that are involved in High Seas transshipments of Southern Bluefin Tuna (*Thunnus maccoyii*) in the WCPFC Convention Area:

1. The CCSBT and the WCPFC recognise the importance of facilitating mutual cooperative participation between the Members of both Commissions.
2. Fishing vessels may fish for, retain, transship or land Southern Bluefin Tuna in the WCPFC Convention Area only if they are included on the WCPFC Record of Fishing Vessels and the CCSBT Record of Authorised Fishing Vessels on the date that these activities occur. Carrier Vessels may only receive and transport Southern Bluefin Tuna transshipments in the WCPFC Convention Area if they are included on the WCPFC Record of Fishing Vessels and the CCSBT Record of Authorised Carrier Vessels on the date that these activities occur.
3. CCSBT endorsement of a WCPFC ROP observer to monitor transshipments of Southern Bluefin Tuna in the High Seas of the WCPFC Convention Area will occur only when the CCSBT Secretariat agrees that the WCPFC ROP observer has met the necessary requirements for observing transshipments of Southern Bluefin Tuna as specified in the CCSBT's Transshipment Resolution. The CCSBT Secretariat will provide the WCPFC Secretariat with a list of ROP observers that have been endorsed by the CCSBT for observing transshipments in accordance with this MoC. The list of CCSBT-endorsed ROP observers will be updated by the CCSBT Secretariat whenever changes (*e.g.* additions/deletions) occur.
4. Each Secretariat will identify the transshipment data and information requirements for its Commission and will ensure that ROP observers will be able to meet all such requirements with respect to vessels to which this MoC applies.
5. If a transshipment involving Southern Bluefin Tuna occurs in the High Seas of the WCPFC Convention Area, the relevant transshipment observer data and information requirements of each Commission will be met by the WCPFC ROP observers that have been endorsed by the CCSBT. The data and information collected will be provided to both the CCSBT and the WCPFC Secretariats, in accordance with procedures of each respective Commission, and will be considered to be held by each respective Commission.
6. Data and information collected by a WCPFC ROP observer endorsed by the CCSBT may be used for compliance purposes and in legal proceedings.
7. The Secretariats of each Commission may assist in facilitating the training of observers to meet requirements for endorsement by the CCSBT, with a view towards developing a core group of ROP observers who may be assigned to carrier vessels operating on the High Seas in the WCPFC Convention Area to meet the requirements of both the CCSBT and WCPFC with respect to observing at-sea transshipments.

8. Endorsement of a WCPFC ROP observer by the CCSBT Secretariat does not affect the application of domestic legislation and procedures of coastal CCMs<sup>2</sup> of the WCPFC or Members/Cooperating Non-Members of the CCSBT.

9. A WCPFC ROP observer endorsed by the CCSBT remains under the control of the respective national or subregional observer programme and will be made available to fulfil duties in the WCPFC Convention Area subject to approval of such programmes.

10. This MoC is subject to periodic review, and may be modified as agreed by both Commissions. Either Commission may terminate this MOC with three months' notice of such intention to the other Commission.

11. This MoC will commence from the date of signature<sup>3</sup>.

Signed on behalf of the WCPFC and the CCSBT:



Rhea Moss-Christian  
Chair of the WCPFC

Date: 18-April-2017



Chair of the CCSBT

Date: 5 June 2017

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<sup>2</sup> CCMs means Members, Cooperating Non-Members and Participating Territories

<sup>3</sup> If the signature dates differ, this MoC will commence from the more recent date of signature.