



CCSBT-CC/1510/12

Draft Revised Minimum Performance Requirements (Compliance Policy 1)

1.0 Introduction

In accordance with the action items for 2015 included in the current Compliance Plan's 3-year Action Plan, the Secretariat has reviewed sections of the existing Minimum Performance Requirements (MPRs) for Authorisation Measures (sections 2.1, 2.2 and 2.3), and Transhipments (section 3.3). A consultant's original specifications for all these MPRs were detailed in paper CCSBT-SMEC/1108/05 in 2011 (provided to this meeting as paper CCSBT-CC/1510/BGD01), and those specifications have been taken into account as part of this review.

The Secretariat also took this opportunity to review section 6.5 of the MPRs (Annual Reporting to the Compliance Committee) in view of the recently adopted changes (2014) to the Transhipment Resolution's annual reporting requirements.

2.0 Background

This section provides relevant background information on each set of MPRs reviewed in this paper.

MPRs for Authorisation Measures

Authorisation Measures MPRs (section 2) include the following sub-sections:

- 2.1: Record of authorised farms
(established as part of the Authorised Farms Resolution),
- 2.2: Record of authorised vessels, and
(established as part of the Authorised Vessels Resolution),
- 2.3: Record of authorised carrier vessels.
(established as part of the Transhipment Resolution).

The 'Resolution on the Establishment of a Record of Authorised Farms' was most recently amended in 2010, and the "Resolution on amendment of the Resolution on "Illegal, Unregulated and Unreported Fishing (IUU) and Establishment of a CCSBT Record of Vessels over 24 meters Authorized to Fish for Southern Bluefin Tuna", in 2014.

Note that proposed revisions to the Authorised Vessel Resolution are being considered in paper CCSBT-CC/1510/11. Therefore, the Secretariat drafted the MPRs for the Record of Authorised Vessels (section 2.2) to take into account those proposed revisions. If these are not agreed or are further amended, then the obligations and MPRs in section 2.2 may need to be further revised accordingly.

MPRs for Transhipments

Major revisions to the Transhipment Resolution were agreed during 2014. The most significant of these revisions were:

- General re-structuring and re-organisation;
- The inclusion of a requirement for Members to authorise Carrier Vessels that receive transhipments of SBT in port and/or at sea. Previously Carrier Vessels only needed to be included on the List of authorised Carrier Vessels if they received at-sea transhipments involving SBT (and not if they received only in-port transhipments involving SBT); and
- The insertion of a new section (4) to specifically cover in-port transhipments involving SBT. Previously there were no special requirements/ notification obligations for in-port transhipments.

In order to reflect all the agreed changes, particularly the addition of in-port transhipment obligations, the transhipment-related MPRs required the most thorough review and amendment.

3.0 Draft revised MPRs

The Secretariat has prepared revised drafts of sections 2.1, 2.2, 2.3, 3.3 and 6.5 of the currently adopted MPRs. These proposed revisions are provided for Members' consideration at **Attachments A** (section 2), **B** (section 3.3) and **C** (section 6.5).

Authorisation Measures

The proposed revisions to the Record of authorised farms and Record of authorised vessels MPRs (sections 2.1 and 2.2) are a combination of:

- supplementary text originally drafted by a consultant and presented in paper CCSBT-SMEC/1108/05 (provided to this meeting as paper CCSBT-CC/1510/BGD01) in 2011, and
- the Secretariat's own proposed amendments to reflect either new or amended obligations, or simple editorial changes.

The proposed revisions to the Record of Authorised Carrier Vessel MPRs (section 2.3) are based on text that was drafted by the Secretariat only. This is because the consultant made no supplementary suggestions for this set of MPRs.

Transhipment Monitoring Program

Proposed revisions to the Transhipment Monitoring Program (section 3.3) are based on Secretariat proposed amendments only. Some additional requirements for section 3.3 were originally suggested by the consultant in paper CCSBT-SMEC/1108/05 including:

- slings may only have SBT on them;
- fixed number of fish per sling;
- designated person counting fish removed from fishing vessel;
- regional observer counting fish received on Carrier Vessel and
- confirmation of number of SBT transhipped.

However, those requirements have not been included in the Secretariat's revised draft because previous discussions with Members concluded that, while most of the suggestions were desirable, they would generally be impractical to implement.

The proposed revisions to section 3.3 include some significant changes such as:

- splitting this section into sub-sections A, B and C (for at-sea transhipments, in-port transhipments and general provisions respectively);
- including a new section (B) specifically for in-port transhipments; and
- re-ordering some of the obligations and associated MPRs so as to better reflect the new structure and organisation of the amended Transhipment Resolution.

Annual Reporting to the Compliance Committee

The revisions to the Annual Reporting MPRs (section 6.5) are based on Secretariat proposed amendments only, and simply reflect amendments to the text and paragraph numbering of the Transshipment Resolution that were agreed during 2014.

Prepared by the Secretariat

Revised Record of Authorised Farms Minimum Performance Requirements

2.1 Record of Authorised Farms (Resolution)

Title: Resolution on the Establishment of a Record of Authorised Farms

Link: http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_AuthorisedFarms.pdf

Note: For the purposes of this resolution, SBT farms not entered into the record are deemed not to be authorised to operate for farming of SBT.

Commented [Sec1]: All tracked changes added to this section (2.1) closely match text that was originally proposed by a consultant in paper CCSBT-SMEC/1108/05 unless otherwise noted

2.1 Record of Authorised Farms	
Obligations	Minimum performance requirements
i. Members shall submit to the Executive Secretary the list of SBT farms under the Member’s jurisdiction that are authorised to operate for farming of SBT.	1. Operating systems and processes <u>established and applied</u> to: <ol style="list-style-type: none"> a. authorise each farm to operate for farming of SBT; b. provide all required information on authorised farms to the Executive Secretary <u>within 15 days of the farm being authorised</u>; c. submit any updates to the Executive Secretary promptly, <u>and no later than 15 days from the date the change(s) occur(s)</u>; and d. submit the authorisation information, and any updates, electronically using the Data Provision Form for <u>the CCSBT Record of Farms Authorised SBT Farms to Fish for SBT</u>.
ii. Members shall notify the Executive Secretary of any addition to, any deletion from and/or any modification of the record of authorised farms at any time such changes occur.	
iii. Members shall ensure that their authorised farms comply with relevant CCSBT measures	1. <u>Rules, operating systems and processes in place to ensure:</u> <ol style="list-style-type: none"> a. <u>all authorised farm operators are aware of their obligations in relation to CCSBT measures;</u> b. <u>no stocking, harvesting or transfer of SBT is carried out before notifying the Executive Secretary of the authorised farms and, where relevant, any updates.</u>

Commented [Sec2]: The consultant originally specified the timeframe for this requirement as “1 month” but it has been updated by the Secretariat to specify “15 days” instead. The Secretariat has tried to make this timeframe change consistent within section 2.

Commented [Sec3]: The consultant originally specified the timeframe for this requirement as “1 month” but it has been updated by the Secretariat to specify “15 days” instead.

Commented [Sec4]: Editorial updates made by the Secretariat

2.1 Record of Authorised Farms	
Obligations	Minimum performance requirements
<p>iv. Members shall not permit landings of domestic product, exports, imports, and/or re-exports of SBT into and from farms which are not registered on the CCSBT record of authorised farms.</p>	<p><u>2. Rules in place to ensure:</u></p> <p><u>a. authorised farms comply with relevant CCSBT measures; and</u></p> <p><u>b. no SBT (whether from domestic product, exports, imports or re-exports) are landed into or (re-)exported from farms which are not on the Record of Authorised Farms.</u></p> <p><u>3. Apply operating systems and processes to:</u></p> <p><u>a. monitor farm compliance with rules; and</u></p> <p><u>b. impose sanctions and/or remedies on farms/operators where necessary in the event that non-compliance is detected.</u></p>
<p>v. To ensure effectiveness of the CDS:</p> <ul style="list-style-type: none"> • Members shall validate CDS documents only for farming facilities on the CCSBT record of authorised farms; • Members that farm SBT shall require sales of farmed SBT to the first point of domestic sale to be accompanied by CDS documents validated only for the farming facilities on the CCSBT record of authorised farms; • Members shall require imports of farmed SBT to be accompanied by CDS documents validated only for the farming facilities on the CCSBT record of authorised farms. 	<p>See section 3.1 D (CDS Validation)</p>

Revised Record of Authorised Vessels Minimum Performance Requirements

2.2 Record of Authorised Vessels

Title: Resolution on amendment of the Resolution on “Illegal, Unregulated and Unreported Fishing (IUU) and Establishment of a CCSBT Record of Vessels over 24 meters Authorized to Fish for Southern Bluefin Tuna” adopted at the CCSBT15 in 2008

Link: http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Amended_resolution_on_authorized_24m_vessel_list.pdf

Notes: For the purpose of this resolution, fishing vessels (FVs) not entered into the Record are deemed not to be authorised to fish for, retain on board, tranship or land SBT.

Commented [Sec5]: All tracked changes added to this section (2.2) closely match text that was originally proposed by a consultant in paper CCSBT-SMEC/1108/05 (CC10/2015) unless otherwise noted

2.2 Record of Authorised Vessels	
Obligations	Minimum performance requirements
<p>i. Members shall:</p> <ul style="list-style-type: none"> • <u>Effective from January 2017, ensure that all fishing vessels (except wooden and fibreglass vessels) flying their flag that are authorised to catch SBT, and that are at least 100GT/GRT in size, have IMO numbers issued to them.</u> • ensure that all vessels under their registry do not carry out IUU fishing activities for SBT; • take every possible action, consistent with relevant law, to prevent, deter and eliminate IUU fishing; • review progress on the issue of IUU fishing for SBT and the implementation of its IUU measures including adopting further measures as required on a regular basis. 	<ol style="list-style-type: none"> 1. <u>Rules are in place to require that:</u> <ol style="list-style-type: none"> a. <u>all authorised vessels to have a national unique vessel identifier or unique registration number;</u> a-b. <u>all authorised fishing vessels (except wooden and fibreglass vessels) of at least 100GT/GRT have IMO numbers issued to them from January 2017.</u> 2. <u>Operating systems and processes established and applied to detect, prevent and deter IUU fishing of SBT by any fishing vessel.</u> 3. <u>Once a year</u> review any evidence obtained of IUU fishing, and assess the effectiveness of Member measures to detect and deter IUU fishing.

Commented [Sec6]: This Obligation is proposed by the Secretariat and should be considered for inclusion only if the same tracked text is accepted for inclusion in a revised draft of the Authorised Vessel Resolution as proposed in paper CCSBT-CC/1510/11.

Commented [Sec7]: Added by the Secretariat to match the proposed new obligation inserted as obligation i), dotpoint 1. The addition of this requirement should only be considered if the associated new obligation is retained.

2.2 Record of Authorised Vessels	
Obligations	Minimum performance requirements
<p>ii. Members shall submit to the Executive Secretary, the list of fishing vessels (FV) flying the Member’s flag that are authorised to fish for SBT.</p>	<p>1. Operating systems and processes to:</p> <p>a. authorise specific fishing vessels flying the Member’s flag to fish for SBT;</p> <p>b. <u>provide the required information on authorised fishing vessels to the Executive Secretary no later than 15 days after the vessel is authorised;</u></p> <p>c. submit any updates to the Executive Secretary <u>not later than 15 days from the date the</u> changes occur; and</p> <p>d. ensure all authorisation information and any updates are submitted to the Executive Secretary electronically and using the CCSBT Data Provision Form for Authorised Fishing Vessels.</p>
<p>iii. Members shall promptly notify the Executive Secretary of any addition to, any deletion from and/or any modification of the CCSBT record at any time such changes occur.</p>	
<p>iv. Flag Members of the vessels on the record shall:</p> <ul style="list-style-type: none"> • authorise their FVs to fish for SBT only if they are able to fulfil in respect of these vessels the requirements and responsibilities under the CCSBT Convention and its conservation and management measures; • take necessary measures to ensure that their FVs comply with all the relevant CCSBT conservation and management measures; • take necessary measures to ensure that their FVs on the CCSBT Record keep on board valid certificates of vessel registration and valid authorization to fish and/or tranship; • affirm that if those vessels have record of IUU fishing activities, the owners have provided sufficient evidence demonstrating that they will not conduct such activities any more; 	<p>1. Ensure authorised FVs comply with relevant CCSBT measures, including requiring:</p> <p>a. <u>that at all times only FVs legitimately flying the Member’s flag and whose current details are correctly entered into the Record of Authorised Vessels are authorised to fish for, retain on board, tranship or land SBT;</u></p> <p>b. <u>owners of FVs or fishing concessions to be citizens or legal entities within the Member’s jurisdiction and subject to enforcement actions and the application of sanctions;</u></p> <p>c. <u>a bond for any Fishing Vessel with a record of IUU fishing activities; and</u></p> <p>a-d. <u>disclosure by owners and operators of all their SBT fishing activities.</u></p>

Commented [Sec8]: The consultant originally specified the timeframe for this requirement as “1 month” but it has been updated by the Secretariat to specify “15 days” instead.

Commented [Sec9]: These tracked changes are proposed by the Secretariat and are different to the changes originally suggested by the consultant. The Secretariat’s text is consistent with wording used in similar MPRs about timeframes for submitting updates to the Executive Secretary and includes the new timeframe of 15 days rather than the 1 month previously specified.

2.2 Record of Authorised Vessels	
Obligations	Minimum performance requirements
<ul style="list-style-type: none"> ensure, to the extent possible under domestic law, that the owners and operators of their FVs on the CCSBT Record are not engaged in or associated with fishing activities for SBT conducted by FVs not entered into the CCSBT Record; and take necessary measures to ensure, to the extent possible under domestic law, that the owners of the FVs on the CCSBT Record are citizens or legal entities within the flag Members and Co-operating Non-members so that any control or punitive actions can be effectively taken against them. 	<p>2. Operating systems and processes to:</p> <p>a. Ensure all vessel masters are aware of their obligations in relation to CCSBT measures;</p> <p>a-b. _____ provide information to Executive Secretary on any fishing vessel not on the Record of Authorised Vessels that is suspected of fishing for and/or transshipping of SBT as soon as practicable after investigation by the Member, including vessel name, flag and (if available) location, operator name and vessel identification number and call sign, and any other information that could assist in locating and identifying the vessel and operator.</p> <p>3. Operating systems and procedures applied to:</p> <p>a. monitor fishing vessel compliance with rules; and</p> <p>b. impose sanctions or remedies where necessary.</p>
<p>v. Members shall prohibit the fishing for, the retaining on board, the transshipment and landing of SBT by the FVs which are not entered into the CCSBT Record.</p>	<p>3. Operating systems and procedures applied to:</p> <p>a. monitor fishing vessel compliance with rules; and</p> <p>b. impose sanctions or remedies where necessary.</p>
<p>vi. To ensure effectiveness of the CDS</p> <ul style="list-style-type: none"> Flag Members shall validate CDS documents only for FVs on the CCSBT record; Members shall require that SBT caught by FVs, when transhipped, landed as domestic product, exported, imported or re-exported within their jurisdictions, shall be accompanied by CDS documents validated for the vessels on the CCSBT Record; and <p>Members shall co-operate to ensure that CDS documents are not forged or do not contain misinformation.</p>	<p>See section 3.1 D (CDS Validation)</p>

Commented [Sec10]: Added by the Secretariat

2.2 Record of Authorised Vessels	
Obligations	Minimum performance requirements
vii. Members shall notify the Executive Secretary of any factual information showing that there are reasonable grounds for suspecting FVs not on the CCSBT record to be engaged in fishing for and/or transshipment of SBT.	
viii. The Commission and the Members concerned shall communicate with each other, and make the best effort with FAO and other relevant regional fishery management bodies to develop and implement appropriate measures, where feasible, including the establishment of records of a similar nature in a timely manner so as to avoid adverse effects upon other tuna resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU FVs from fishing for SBT to other fisheries.	

Revised Record of Authorised Carrier Vessels Minimum Performance Requirements

2.3 Record of Authorised Carrier Vessels (part of Transhipment Resolution)

Title: Record of vessels authorised to receive transhipments ~~involving SBT~~-at-sea ~~or in port areas beyond national jurisdiction~~ (from section 2 of the “Resolution on Establishing a Program for Transhipment by Large-Scale Fishing Vessels”)

Link: http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_Transhipment.pdf

Notes: The obligations for the remainder of the Transhipment Resolution are in section 3.3 (Transhipment Monitoring Program). For the purposes of this Resolution, eCarrier vessels not entered on the record are deemed not to be authorised to receive SBT in ~~either~~ at-sea ~~or in-port~~ transhipment operations.

Commented [Sec11]: All of the tracked changes in this section are proposed by the Secretariat and represent either minor editorial changes or have been added to reflect that the Transhipment Resolution now pertains to both at-sea and in-port transhipments

2.3 Record of Authorised Carrier Vessels	
Obligations	Minimum performance requirements
i. Members shall submit to the CCSBT Executive Secretary, the list of eCarrier vessels that are authorised to receive at-sea SBT transhipments from its LSTLVs {at -sea or in -port} .	1. Operating systems and processes to: <ol style="list-style-type: none"> a. authorise specific eCarrier vessels to receive at-sea and/or in-port transhipments from its authorised Fishing Vessels (LSTLVs); b. ensure authorised eCarrier vessels that tranship at sea will meet their obligations to (see Transhipment Monitoring performance requirements 3.3): <ol style="list-style-type: none"> i. provide access and accommodation to observers, ii. cooperate with observers in relation to carrying out their duties, and iii. not interfere with, or seek to influence, observers in any way;

2.3 Record of Authorised Carrier Vessels	
Obligations	Minimum performance requirements
<p>ii. Each Member shall promptly notify the Executive Secretary, after the establishment of the initial CCSBT Record of Carrier Vessels, of any addition to, any deletion from and/or any modification of the CCSBT Record of Carrier Vessels, at any time such changes occur.</p>	<p>c. provide required information on authorised eCarrier vVessels to the Executive Secretary within <u>15 days 1 month</u> of the vessel being authorised, and before such vessels are actually used in transhipments;</p> <p>d. submit any updates to the Executive Secretary promptly, and not later than <u>15 days 1 month</u> from the <u>date the change(s) occur occur(s)ing</u>, and before such vessels are actually used in transhipments; and</p> <p>e. ensure all authorisations, and any updates, are submitted electronically to the Executive Secretary using the Data Provision Form for CCSBT Record of Authorised Carrier Vessels.</p>
<p>iii. <u>Carrier vVessels authorised for to conduct at-sea or in-port transhipments</u> shall be required to install and operate a Vessel Monitoring System (VMS).</p>	<p>1. Operating systems and processes to ensure that eCarrier vVessels are only to be authorised to carry out <u>at-sea</u> transhipments if:</p> <ol style="list-style-type: none"> The eCarrier vVessel already has an operational VMS installed, or the eCarrier vVessel undertakes to install an operational VMS before any authorisation and transhipments of SBT take place, and The VMS transmits at frequency sufficient to show transhipping operations, and The VMS will function effectively in the expected operating conditions.

Commented [Sec12]: Updated by the Secretariat to specify “15 days” so as to make it consistent with other authorisation notification timeframes throughout this section

Commented [Sec13]: Updated by the Secretariat to specify “15 days” so as to make it consistent with other authorisation notification timeframes throughout this section

Commented [Sec14]: Amendments to this obligation reflect agreed changes to paragraph 7 of the revised Transhipment Resolution.

Revised Transhipment Monitoring Program Minimum Performance Requirements

3.3 Transhipment ~~(at sea)~~ Monitoring Program (Resolution)

Title: Resolution on Establishing a Program for Transhipment by Large-Scale Fishing Vessels

Link: http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_Transhipment.pdf

Notes:

- To enable interoperability between the CCSBT, IOTC and ICCAT transhipment monitoring programs, for the purpose of this measure, the IOTC/ICCAT Secretariat, observers, transhipment declarations and registration numbers may be treated as being the CCSBT equivalents provided that the presence of SBT is reported at each stage (from the initial observer deployment request through to the transhipment declaration).
- Section 2 of this Resolution relates to the establishment and maintenance of a record of authorised ~~C~~carrier ~~v~~vessels (Carrier Vessel means any vessel, except a container vessel, that receives SBT transhipped from a LSTLV) that are authorised to receive SBT at sea or in port from tuna longline fishing vessels with freezing capacity (LSTLVs). Its obligations are set out in section 2.3 of this Appendix so that it is together with the other CCSBT Authorisation measures.

Commented [Sec1]: All of the tracked changes in this section (3.3) are proposed by the Secretariat. Note that this section has been split into sub-sections A, B and C to correspond to sections 3, 4 and 5 of the revised Transhipment Resolution respectively

3.3 Transhipment (at sea) Monitoring Program	
A. Obligations (At-sea Transhipments)	Minimum performance requirements
i. Transhipments by LSTLVs in waters under the jurisdiction of the Members are subject to prior authorisation from the Coastal State / Fishing Entity concerned. <u>An original or copy of the documentation of Coastal State/Fishing Entity prior authorisation must be retained on the LSTLV and made available to the CCSBT Observer when requested.</u>	<p><i>Unless otherwise specified, the Flag sState of the authorised fishing vessel (LSTLV) is responsible for meeting the minimum performance requirements set out in section 3.3.</i></p> <ol style="list-style-type: none"> 1. Operating systems and processes to ensure:

Commented [Sec2]: Added to reflect a new sentence inserted at the end of paragraph 11 of the revised Resolution

3.3 Transhipment (at-sea) Monitoring Program	
A. Obligations (At-sea Transhipments)	Minimum performance requirements
<p>ii. Members shall take the necessary measures to ensure that LSTLVs flying their flag comply with the following conditions:</p> <p>a. LSTLVs are not authorised to tranship at sea, unless they have obtained prior authorisation from their Flag State / Fishing Entity. <u>An original or copy of the documentation of prior authorisation must be retained on the LSTLV and made available to the CCSBT observer when requested.</u></p> <p>To receive prior authorisation, the master and/or owner of the LSTLV must notify the following information to its Flag State / Fishing Entity authorities at least 24 hours in advance of an intended transhipment:</p> <ul style="list-style-type: none"> • Name & CCSBT Registration Number of the transhipping LSTLV & receiving eCarrier vVessel; • <u>Product to be transhipped;</u> • Tonnage by product to be transhipped; • Date & location of transhipment; and • Geographic location of the SBT catches. <p>b. The LSTLV concerned shall complete and transmit to its fFlag State / Fishing Entity, <u>and, where applicable, the Coastal State/ Fishing Entity</u> not later than 15 days after the transhipment, the CCSBT</p>	<p>a. the authorisation document(s) <u>from the Coastal State Fishing Entity (where applicable) and/or Fishing State Entity</u>, including details of the intended transhipment provided by the master or owner of the LSTLV, is <u>are</u> available on the LSTLV prior to the transhipment occurring;</p> <p>b. any eCarrier vVessel receiving the transhipped SBT is meeting its obligations to provide access and accommodation to observers, and to cooperate with the observer in relation to the performance of his or her duties (see Carrier Vessel Authorisation minimum performance requirements, section 2.3).</p> <p>2. Rules in place to ensure:</p> <p>a. all SBT transhipments receive prior authorisation;</p> <p><u>b.</u> fishing vessels are authorised on the CCSBT authorised fishing vessel register on the date(s) the SBT are harvested, <u>retained on board, transhipped</u> and <u>landed;</u></p> <p>b.c. <u>c.</u> Carrier vVessels are authorised on the CCSBT authorised eCarrier vVessel register on the date(s) any transhipments occur;</p> <p>e.d. <u>d.</u> a named CCSBT observer is on board the eCarrier vVessel;</p>

Commented [Sec3]: Added to clarify that in the case where at-sea transhipments take place in waters under the jurisdiction of Members, then a Coastal State/Fishing Entity authorisation document should be kept on board as well as a Flag State/Fishing Entity authorisation

Commented [Sec9]: Added to reflect a new sentence inserted at the end of paragraph 13 of the revised Resolution

Commented [Sec10]: Added to reflect changes to paragraph 14 in the revised Transhipment Resolution.

Commented [Sec11]: These changes reflect updates to paragraph 15 of the revised Resolution

3.3 Transhipment (at-sea) Monitoring Program	
A. Obligations (At-sea Transhipments)	Minimum performance requirements
transhipment declaration ¹ along with its CCSBT Registration Number.	d.e. no SBT transhipment occurs without an observer on board except in the case of 'force majeure' (as notified to the Executive Secretary);
iii. The master of the receiving eCarrier v vessel shall: <ul style="list-style-type: none"> a. complete and transmit the CCSBT transhipment declaration to the CCSBT Secretariat and the fFlag Member/CNM of the LSTLV, along with its CCSBT Registration Number, within 24 hours of the completion of the transhipment; and- b. no later than 48 hours before landing, transmit a CCSBT transhipment declaration, along with its CCSBT Registration Number, to the competent authorities of the State / Fishing Entity where the landing takes place. 	e.f. transhipment declarations are completed, signed and transmitted by the LSTLV/fishing vessel and the eCarrier v vessel, in accordance with paragraphs 11-14 5 and 18 of the Transhipment Resolution , in particular that: <ul style="list-style-type: none"> i) The LSTLV shall transmit its CCSBT Registration Number and a completed CCSBT Transhipment Declaration to its fFlag State / Fishing Entity, within not later than 15 days after of the transhipment.
iv. Each Member shall ensure that all eCarrier v vessels transhipping at sea have on board a CCSBT observer in accordance with the CCSBT Regional Observer Program ² .	3. Operating systems and processes to: <ul style="list-style-type: none"> a. issue transhipment authorisations; b. verify the date and location of transhipments; c. request placement of observers on board eCarrier vvessels;
v. Vessels shall be prohibited from commencing or continuing at-sea transhipping at sea without a CCSBT regional observer on board,	

Commented [Sec4]: Added for clarity

Commented [Sec5]: This paragraph numbering change reflects the paragraph numbers now associated with Notification Obligations (concerning transhipment declarations) for at-sea transhipments in the revised Transhipment Resolution

Commented [Sec12]: This change reflects an update to paragraph 18 of the revised Resolution

Commented [Sec6]: This text has been updated to match the wording in paragraph 15 of the revised Resolution

Commented [Sec13]: Editorial correction to remove duplication of the words 'at sea'

¹ As specified in Annex 1 of the ~~eis~~ ~~Transhipment R~~ resolution.

² The CCSBT Regional Observer Program is described at Annex 2 of the ~~eis~~ ~~Transhipment R~~ resolution. The description includes obligations of the Flag State/Fishing Entity of ~~both~~ Carrier ~~v~~vessels and LSTLVs to the observers which are not described here. In order to place a CCSBT observer on board a eCarrier ~~v~~vessel, the Member must submit an observer deployment request to the Secretariat ~~before the transhipment~~, stating that SBT will be transhipped ~~before the transhipment~~.

3.3 Transhipment (at-sea) Monitoring Program	
A. Obligations (At-sea Transhipments)	Minimum performance requirements
<p>except in cases of 'force majeure' duly notified to the Executive Secretary.</p>	<ul style="list-style-type: none"> d. notify any cases of 'force majeure' (where transhipment occurs without an observer on the eCarrier vVessel) to Executive Secretary within 15 days of the event occurring as soon as practical; e. ensure observers can board the LSTLV fishing vessel (provided it is safe to do so) before transhipment takes place, and have access to personnel and areas necessary to monitor compliance with paragraph 56(a) of Annex 2 of the Transhipment Resolution; f. enable observers to report any concerns about inaccurate documentation or obstruction, intimidation, or influence in relation to carrying out their duties; g. monitor compliance with the control measures; and h. impose sanctions or corrective action programmes for any non-compliance detected.
<p>vi. To ensure the effectiveness of the CCSBT conservation and management measures pertaining to the Catch Documentation System (CDS):</p> <ul style="list-style-type: none"> a. In validating the necessary CCSBT CDS documentation, as required by the CDS, Flag Members of LSTLVs shall ensure that transhipments are consistent with the reported catch amount by each LSTLV. b. The Flag Member of LSTLVs shall validate the necessary CCSBT CDS documentation for the transhipped fish, as required by the CDS, 	<p>1. Operating systems and processes are in place to:</p> <ul style="list-style-type: none"> a. identify and resolve any discrepancies between the fishing vessel's reported catches, CDS documents and the amount of fish counted as transhipped, b. 100% supervision of all fish transhipped.

Commented [Sec7]: Proposed by the Secretariat to provide a definite timeframe for notification.

Commented [Sec8]: Updated an incorrect paragraph number reference

Commented [Sec14]: The following deleted obligations and their associated MPRs on pp 4-5 of this Attachment have been moved to new sub-section C Obligations (General Provisions) on pp10-11 of this Attachment

3.3 Transhipment (at-sea) Monitoring Program	
A. Obligations (At-sea Transhipments)	Minimum performance requirements
<p>after confirming that the transhipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the CCSBT Regional Observer Program.</p> <p>6. Members shall require that SBT caught by LSTLVs, when imported into the territory of a Contracting Party, be accompanied by necessary CCSBT CDS documentation validated for the vessels on the CCSBT Authorised Vessel List and a copy of the CCSBT transhipment declaration.</p>	<p>2. Operating systems and processes are in place to allow any CDS forms for domestically landed SBT that were transhipped at sea to be validated at the time of landing.</p>
<p>All SBT landed or imported into the Members either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the CCSBT transhipment declaration until the first sale has taken place.</p>	<p>1. Rules, systems and procedures to ensure:</p> <p>a. all transhipped product is accompanied by signed Transhipment Declaration until the first point of sale.</p>
<p>The costs of implementing this program shall be financed by the flag Members of LSTLVs wishing to engage in transhipment operations.</p>	

3.3 Transshipment Monitoring program	
B. Obligations (In-port Transshipments)	Minimum performance requirements
<p>vii-vi. <u>For effective in-port inspections, Flag States of fishing vessels shall designate foreign ports of transshipment of southern bluefin tuna for their vessels, prohibit such transshipment at other foreign ports and communicate with those designated Port States to share relevant information required for effective monitoring.</u></p>	<p>1. <u>Operating systems and processes in place to:</u></p> <p>a. <u>provide a list of designated foreign ports where SBT transshipments are permitted to occur to the Executive Secretary on an annual basis.</u></p>
<p>vii. <u>Members shall take necessary measures to ensure that the following conditions are complied with for in-port transshipments:</u></p> <p>a) <u>Prior to transshipping, the Captain of the LSTLV must notify the following information to the Port State authorities, at least 48 hours in advance or immediately after the end of fishing operations if the time to the port is less than 48 hours:</u></p> <ul style="list-style-type: none"> • <u>the-name of the LSTLV and its number in the CCSBT record of fishing vessels;</u> • <u>the name of the Carrier Vessel and its number in the CCSBT Record of Carrier Vessels,</u> • <u>the product to be transhipped;</u> • <u>the tonnage by product to be transhipped;</u> • <u>the date and location of transhipment;</u> • <u>the major fishing grounds of the SBT catches;</u> 	<p>1. <u>Rules in place to ensure:</u></p> <p>a. <u>Port State authorities are notified at least 48 hours prior to (or immediately after) any pending in-port transshipment by the LSTLV master, and this notification includes key details about the intended transshipment;</u></p> <p>b. <u>LSTLVs are authorised on the CCSBT authorised fishing vessel register on the date(s) the SBT are harvested, retained on board, transhipped and/or landed;</u></p> <p>c. <u>Carrier Vessels are authorised on the CCSBT authorised Carrier Vessel register on the date(s) any transshipment/ transportation of SBT occurs;</u></p> <p>d. <u>transshipment declarations are completed, signed and transmitted by the LSTLV and the Carrier Vessel, in accordance with paragraphs 25 and 28 of the Transshipment Resolution, in particular that:</u></p>

Commented [Sec15]: The Secretariat has added a new section B specifically for in-port transshipments, has inserted the appropriate obligations, and drafted a set of proposed MPRs to match these obligations

<u>3.3 Transhipment Monitoring program</u>	
<u>B. Obligations (In-port Transhipments)</u>	<u>Minimum performance requirements</u>
<p><u>b) At the time of the transhipment, the Captain of the LSTLV must inform its Flag State/ Fishing Entity of the LSTLV of the following;</u></p> <ul style="list-style-type: none"> - <u>the products and quantities involved;</u> - <u>the date and place of the transhipment;</u> - <u>the name, registration number and flag of the receiving Carrier Vessel, and its number in the CCSBT Record of Carrier Vessels authorised to receive transhipments;</u> - <u>the geographic location of the SBT catches-</u> 	<p><u>i) The LSTLV transmits a completed CCSBT Transhipment Declaration and its number in the CCSBT Record of Fishing Vessels to its Flag State / Fishing Entity, not later than 15 days after the transhipment occurs, or, if the SBT are being transferred temporarily to bonded cold storage, not later than 15 days from the date on which the SBT is transferred into the bonded cold storage facility.</u></p> <p><u>2. Operating systems and processes in place to:</u></p> <ul style="list-style-type: none"> <u>a. verify the date and location of transhipments;</u> <u>b. monitor compliance with the control measures; and</u> <u>c. impose sanctions or corrective action programmes for any non-compliance detected.</u>
<p><u>viii. The Captain of the LSTLV concerned shall complete and transmit to its Flag State/ Fishing Entity the CCSBT transhipment declaration, along with its number in the CCSBT Record of Fishing Vessels, in accordance with the format set out in Annex I not later than 15 days after the transhipment³.</u></p>	

³ In the case where the SBT are being transferred temporarily to bonded cold storage before being transferred to the receiving Carrier Vessel, then the LSTLV shall complete and transmit the transhipment declaration to its Flag State/ Fishing Entity, and where applicable, the Coastal State/ Fishing Entity, not later than 15 days from the date from which the SBT is transferred into the bonded cold storage facility. In such cases, the receiving Carrier Vessel agent shall sign the transhipment declaration on behalf of the Carrier Vessel master.

<u>3.3 Transshipment Monitoring program</u>	
<u>B. Obligations (In-port Transshipments)</u>	Minimum performance requirements
<p><u>ix. For in-port transshipments, the master of the Receiving Carrier Vessel shall:</u></p> <p><u>a. Not later than 24 hours before the beginning of the transshipment, inform the Port State authorities of the quantities of SBT to be transhipped to the receiving Carrier Vessel; and</u></p> <p><u>b. Within 24 hours of the completion of the transshipment, complete and transmit the CCSBT transshipment declaration to the Port State authorities, the Flag Member/ CNM of the LSTLV, and the CCSBT Secretariat. A copy of this transshipment declaration shall be retained on board the receiving Carrier Vessel.</u></p> <p><u>c. Following receipt of a transshipment including SBT, and after leaving the transshipment port, at least 48 hours before landing its transhipped SBT, complete and transmit a copy of the CCSBT transshipment declaration referred to in paragraph 27, to the competent authorities of the landing State/ Fishing Entity where the landing will take place.</u></p>	

3.3 Transshipment Monitoring programs	
B. Obligations (In-port Transshipments)	Minimum performance requirements
<p><u>ix.</u>The Port State and the Landing State (where the transshipment in port occurred) shall make an effort to take the appropriate measures to verify the accuracy of the information received and shall cooperate with the work of the Flag Member or CNM of the LSTLV to ensure that reported catches, transshipments and landings are consistent with the reported catch amounts of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience, and so that degradation of the fish is avoided.</p>	

2.3 Transshipment Monitoring program	
C. Obligations (General Provisions)	Minimum performance requirements
<p>*-xi. <u>LSTLVs which tranship at sea or in-port shall be required to install and operate a VMS in accordance with paragraph 3 of CCSBT's Resolution on the development and implementation of a Vessel Monitoring System (2006), and any successor Resolution, including any future revisions thereto.</u></p>	<p><u>1. Operating systems and processes and rules to ensure that LSTLVs are only to be authorised to conduct transshipments if:</u></p> <p style="margin-left: 20px;"><u>a) The LSTLV already has an operational VMS installed, or the LSTLV undertakes to install an operational VMS before any authorisation/transshipments of SBT take place, and</u></p> <p style="margin-left: 20px;"><u>b) The VMS transmits at frequency sufficient to show transshipping operations, and</u></p> <p style="margin-left: 20px;"><u>c) The VMS will function effectively in the expected operating conditions.</u></p>
<p>xii. <u>To ensure the effectiveness of the CCSBT conservation and management measures pertaining to the Catch Documentation System (CDS):</u></p> <p style="margin-left: 20px;">a. <u>In validating the necessary CCSBT CDS documentation, as required by the CDS, Flag Members and CNMs of LSTLVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLV.</u></p>	<p><u>1. Operating systems and processes are in place to:</u></p> <p style="margin-left: 20px;"><u>a. identify and resolve any discrepancies between the LSTLV's reported catches, CDS documents, transshipment declarations and the amount of fish counted as transhipped,</u></p> <p style="margin-left: 20px;"><u>b. 100% supervision of all fish transhipped at sea.</u></p> <p><u>2. Operating systems and processes are in place to allow any CDS forms for domestically landed SBT that were transhipped at sea to be validated at the time of landing.</u></p>

Commented [Sec16]: The following 'General Provisions' transshipment obligations and associated MPRs have been moved to this newly created Section C from pp 4-5 of this Attachment so that they are now completely separate from the specific at-sea and in-port obligations.

Commented [Sec17]: This Obligation and associated MPRs (opposite) were added by the Secretariat to reflect the new paragraph 8 in the revised Transshipment Resolution. The associated VMS MPRs are similar to those required for the Carrier Vessel in Section 2.3 on p8 of Attachment A.

Commented [Sec18]: The words "transshipment declarations", is additional text that was added to these pre-existing General Provisions MPRs by the Secretariat

Commented [Sec19]: The words "at sea", is additional text that was added to these pre-existing general provisions MPRs by the Secretariat

3.3 Transhipment Monitoring program	
C. Obligations (General Provisions)	Minimum performance requirements
<p><u>b. The Flag Member or CNM of LSTLVs shall validate the necessary CCSBT CDS documentation for the transhipped fish, as required by the CDS, after confirming that the transhipment was conducted in accordance with this Resolution. If transhipped at sea this confirmation shall be based on the information obtained through the CCSBT Regional Observer Program.</u></p> <p><u>c. Members and CNMs shall require that SBT caught by LSTLVs, when imported into the territory of a Member or CNM, be accompanied by the necessary CCSBT CDS documentation validated for the vessels on the CCSBT Authorised Vessel List and a copy of the CCSBT transhipment declaration.</u></p>	
<p>iii. <u>All SBT landed or imported by Members and CNMs, either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the CCSBT transhipment declaration until the first sale has taken place.</u></p>	<p><u>1. Rules, systems and procedures to ensure:</u></p> <p><u>a. all transhipped product is accompanied by a signed Transhipment Declaration until the first point of sale.</u></p>
<p>iii. <u>xiv. The costs of implementing this program shall be financed by the Flag Members of LSTLVs wishing to engage in transhipment operations.</u></p>	

Commented [Sec20]: The word "a" was inserted by the Secretariat as an editorial amendment.

6.5 Annual Reporting to the Compliance Committee (Suite of Decisions/Resolutions/Recommendations)

Title: Template for the Annual Report to the Compliance Committee and Extended Commission¹

Links: The following points provide the source of the associated obligations within this measure:

- i. Procedural Rule 10 of the Terms of Reference of the Compliance Committee: -
http://www.ccsbt.org/userfiles/file/docs_english/basic_documents/terms_of_reference_for_subsidary_bodies.pdf
- ii. Paragraph 26 (and Attachment 5) of the CC7 report:-
http://www.ccsbt.org/userfiles/file/templates/Annual_CC-EC_Reporting_Template.doc
- iii. Paragraph 3 (a) of the Resolution on establishing the CCSBT vessel monitoring system:-
http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_VMS.pdf
- iv. Paragraph 1831 of the Resolution on establishing a program for transshipment by large-scale fishing vessels:-
http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_Transshipment.pdf
- v. Paragraph 4 of the Recommendation to mitigate the impact on ecologically related species of fishing for southern bluefin tuna:-
http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Recommendation_ERS.pdf
- vi. Paragraph 66 of the EC20 report (Attributable Catch):-
http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_20/report_of_CCSBT20.pdf
- vii. Paragraph 25 (and Attachment 5) of the CC7 report (best estimates of all sources of mortality):-
http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_19/report_of_CC7.pdf

Commented [Sec1]: All of the tracked changes in this section 6.5 are proposed by the Secretariat

Commented [Sec2]: This paragraph reference has been updated to reflect the new paragraph numbering in the revised Transshipment Resolution

¹ The reporting template can be found at the following link: http://www.ccsbt.org/userfiles/file/templates/Annual_CC-EC_Reporting_Template.doc

6.5 Annual Reporting to the Compliance Committee	
Obligations	Minimum performance requirements
i. Each Member shall submit the above Annual Report to the Compliance Committee (CC) and Extended Commission (EC) in accordance with the agreed format for the template of the annual Report to the CC and EC ¹ four weeks prior to the convening of the Compliance Committee meeting.	1. The report is submitted electronically to Executive Secretary at least 4 weeks before the annual meeting of Compliance Committee. No sections of the template should be left empty. If the required information is not collected, this should be stated rather than leaving a section empty. Similarly, if a section is not applicable to a particular fishery, this should be stated instead of leaving that section empty.
ii. Each Member should continue to improve the detail in its report to the Compliance Committee and Extended Commission ¹ , and the report should be kept up to date and submitted to future annual meetings of the Compliance Committee.	
iii. Members shall provide VMS summary reports in advance of the Compliance Committee meeting.	1. Complete section II(1)(d): VMS of the Annual National Report template. ¹
iv. Members shall report the following to the Executive Secretary 4 weeks prior to the Annual Meeting of the Commission: <ul style="list-style-type: none"> o The quantities of SBT transhipped <u>at sea and in port</u> during the previous fishing season; o The list of the LSTLVs registered in the CCSBT Authorised Vessel List which have transhipped <u>at sea and in port</u> during the previous fishing season, and- o A comprehensive report assessing the content and conclusions of the reports of the observers assigned to <u>Carrier vessels</u> which have received <u>at-sea</u> transhipments from their LSTLVs <u>during the previous fishing season</u>. 	1. Complete sections II(3)(a) i – iii of the Annual National Report template. ¹

Commented [Sec3]: Changes made to the Obligation text here reflect changes made to the text in paragraph 31 a) – c) of the revised Transhipment Resolution

6.5 Annual Reporting to the Compliance Committee	
Obligations	Minimum performance requirements
v. Members will report annually to the Compliance Committee on the action they have taken pursuant to paragraphs 1, 2 and 3 of the Recommendation to mitigate the impact on ecologically related species of fishing for SBT.	1. Complete sections III(2)(a) – (c) of the Annual National Report template. ¹
vi. Members will report annually on the details of their implementation timetable and implementation progress with respect to the development of a common definition of Attributable SBT Catch that takes into account the importance of including all sources of mortality.	1. Complete section I(3) of the Annual National Report template. ¹
vii. Members will report annually on their best estimates of all sources of mortality including recreational catch and discards.	1. Complete section III(3) of the Annual National Report template. ¹