

11TH MEETING OF THE SPRFMO COMMISSION

Manta, Ecuador, 13 to 17 February 2023

COMM 11 – Obs 03

Proposal to strengthen transshipment in the squid fishery

CALAMASUR

11TH MEETING OF THE SPRFMO COMMISSION

Manta, Ecuador, February 2023

COMM 11 – Prop xx

PROPOSAL TO:

Amend <input checked="" type="checkbox"/> Create	Conservation and Management Measure for the regulation of Transshipment and Other Transfer Activities in the jumbo flying squid fisheries in the Convention Area (it supersedes CMM 12-2020 regarding specifically Jumbo Flying Squid)		
Submitted by: xxxxxxxxxxxx			
Summary of the proposal: <p>The proposal provides a clear framework for the management of transshipments of Jumbo Flying Squid caught in the Convention Area. It strengthens the existing transshipment measure by setting clear objectives and procedures that help Members and CNPCs to improve cooperation and collaboration in the monitoring, control, surveillance and data collection.</p> <p>While the current measure for transshipments does not consider the magnitude of this type of operations in the Jumbo Flying Squid fishery, this proposal seeks to comply with the Convention objectives by establishing a mandatory regime for transshipment of jumbo giant squid fishing vessels both at sea and at port. The proposal will require that fishing vessels operating in the Convention Area comply with indispensable protocols to provide verifiable, reliable and consistent data, while ensuring that transshipment of jumbo giant squid does not occur arising from illegal, unreported and unregulated fishing actions.</p> <p>The measure aligns with the most recent strategies that, while recognizing the need of facilitating the fisheries operations, ensure effectiveness of the monitoring, control and surveillance of the fishing activities, promote compliance, and encourage cooperation and collaboration to prevent, deter and eliminate IUU fishing.</p>			
Objective of the proposal: <p>The objective of this proposal is to strengthen the current transshipment regime in SPRFMO, consistent with the importance of the Jumbo Flying Squid fisheries in the Convention Area and the current fishery operations. It establishes a mandatory transshipment regime for jumbo giant squid caught in the Convention Area, to promote at port transshipments in the locations authorized by SPRFMO Members or CNPCs. While these provisions do not forbid the At Sea transshipments of Jumbo Flying Squid, the proposal sets the minimum standards aimed at achieving transparency and traceability of the activities at sea, to ensure that Members to SPRFMO attach themselves to the principles enshrined in the Code of Conduct for Responsible Fisheries and promote reliable data for the correct management of Jumbo Flying Squid.</p>			
Has the proposal financial impacts or influence on the Secretariat work?	<table border="1"><tr><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr></table>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Ref: COMM11 - PROP xx	Received on: xx December 2022		

CMM XX-2023

Conservation and Management Measure for the regulation of Transshipment and Other Transfer Activities in the jumbo flying squid fisheries in the Convention Area

The Commission of the South Pacific Regional Fisheries Management Organisation;

RECALLING that Article 1(1)(o) of the Convention defines "transshipment" as the unloading of all or any of the fishery resources or fishery resource products derived from fishing in the Convention Area on board a fishing vessel to another fishing vessel either at sea or in port;

NOTING THAT Transshipment plays a vital role in the commercial fishing industry which can be essential to reduce operating costs and maximizing fishing opportunities in the high-seas;

RECOGNISING that transshipment at sea is a common global practice, but that unregulated and unreported transshipment of catches of fishery resources, in particular on the high seas, contributes to distorted reporting of catches of such stocks and supports illegal, unreported and unregulated (IUU) fishing in the Convention Area;

RECOGNISING that States should take all necessary measures to ensure that vessels flying their flag do not engage in transshipment of fish caught by fishing vessels engaged in IUU fishing through adequate regulation, monitoring and control of such transshipment of fish, *and that* members to the Regional Fisheries Management Organizations should adopt common regulations effective enough to provide cooperation and collaboration in the monitoring of the fishing activities jointly governed;

NOTING THE CONCERN expressed by the international community about the risks that transshipment could represent in relation to supporting Illegal, Unreported and Unregulated (IUU) fishing and associated illegal activities;

TAKING INTO ACCOUNT that the FAO In-depth Study on Transshipment, presented to the FAO Committee of Fisheries in February 2021, concluded that transshipment, if insufficiently regulated, monitored and controlled, can increase the risk of IUU caught fish entering the food supply chain, thus undermining sustainable and responsible fisheries;

TAKING FURTHER INTO ACCOUNT the Voluntary Guidelines for Transshipment recently endorsed by the FAO Committee of Fisheries aiming to assist when developing new transshipment measures to regulate, monitor and control transshipment to support sustainable fisheries and further close loopholes that enable fish derived from IUU fishing to enter the market;

RECOGNIZING the effectiveness of SPRFMO CMM 12-2020 in fisheries other than Jumbo Flying Squid, for obtaining accurate and timely data necessary for the assessment of the fish stocks and for ensuring compliance of the corresponding CMMs;

NOTING THAT jumbo flying squid fisheries has become one of the most productive and participative activity in the Convention Area;

DESIRING to adopt effective regulatory management of transshipment for jumbo flying squid;

ADOPTS the following Conservation and Management Measure (CMM) in accordance with Article 8 of the Convention:

General Provisions

1. The purpose of this CMM is to ensure that all relevant movement of jumbo flying squid as transshipment and its related activities are sufficiently documented, following reporting procedures to facilitate pre-event and post-event verification of authorizations and transshipment data;
2. For the purposes of this CMM, “competent authorities” means the authorities of the Member or CNCP under whose flag the vessel involved is operating, as well as the authorities of the Port State where the fish is unloaded and/or transshipped;
3. These provisions apply for all vessels that transfer or receive jumbo flying squid (*Dosidicus gigas*) derived from fishing in the Convention Area either at sea or in port, regardless of the location of the event;
4. Members and CNCPs shall implement monitoring, control and surveillance of transshipments under this CMM based on risk assessments and the verification of documentary evidence to satisfy the analysis of compliance. Competent authorities of relevant vessels and ports shall collaborate as appropriate in accordance with international law.
5. Transshipments at sea and in port shall only be undertaken between vessels included in the Commission Record of Vessels, provided that:
 - a) The vessels involved fly the flag of a Member or a CNCP;
 - b) The vessels involved are authorized by their flag State;
 - c) The vessels involved have an IMO number when they are eligible to it;
 - d) The vessels involved have an operational vessel monitoring system (VMS) onboard;
 - e) The vessels involved are not authorized to act as both unloading and receiving vessel on the same trip, from port exit to the next port entry;
 - f) The vessels involved maintain logs and records of their activities in accordance with the Commission’s CMMs
6. All transshipped jumbo flying squid should be accompanied by a declaration containing the information as detailed in Annex 1.

Procedure for Transshipments of Jumbo Flying Squid Caught in the Convention Area:

7. All transshipment events shall be notified to the Secretariat by the competent authorities. Reporting procedures shall be electronic via the dedicated email that the Secretariat will determine and inform to the Members and CNCPs.
8. Pre-event notification:

- a) Vessels intending to carry out transshipments shall provide to their competent authorities advance notification of the specific transshipment event, including date, time (UTC) and estimated or proposed location for the transshipment event.
 - i. The unloading vessel should report quantities on board prior to the transshipment event, name, flag and IMO number, when applicable, of the receiving vessel, as well as quantities to be transshipped.
 - ii. The receiving vessels should report the quantities of jumbo flying squid onboard prior to the transshipment event, name, flag and IMO number, when applicable, of the unloading vessel.
 - iii. Upon receiving an advance notification of transshipment and prior to confirming that the same could proceed, the corresponding flag State should verify the vessel's compliance with near real-time VMS reporting and other monitoring and observer coverage requirements.
 - iv. Unloading and receiving vessels could proceed to the transshipment provided that they are confirmed to do so by their corresponding flag State.
- b) The competent authorities of the receiving fishing vessel (carrier vessel) shall notify the Secretariat, at least 7 days in advance, of a 14-day period during which transshipments of jumbo flying squid caught in the Convention Area, regardless of where the transshipment takes place, are scheduled to occur.
- c) The receiving vessel notification shall include the relevant information available regarding the transshipment operation, including the estimated date and time (UTC), anticipated location, and information about the vessels intending to tranship, in accordance with Annex 2.
- d) The competent authorities of both the unloading and receiving vessels shall notify the Secretariat of an intention to tranship at least 12 hours before the estimated time of such activity. The notification shall include the estimated date and time (UTC), anticipated location, and information about the vessels intending to tranship, in accordance with Annex 2.
- e) The competent authorities may authorise the vessel operator to provide notification directly to the Secretariat.
- f) The Secretariat shall make this information available on the Members' section of the Commission website as soon as possible.

9. Monitoring of transshipment:

- a) Transshipment at sea:
 - i. Transshipments at sea will only be authorized when a qualified observer is onboard as provided by CMM 16-2022 to monitor the transshipment activities.
 - ii. The observer shall complete the transshipment log sheet, as set out in Annex 3, to verify the quantity and species of the fishery resources being transshipped and shall provide a copy of the logsheet to the competent authorities of the

observed vessel. The competent authorities of the observed vessel shall submit the observer data of the transshipment logsheet to the Secretariat, no later than 15 days from debarkation of the observer.

- iii. For the purpose of verifying the quantity and species of the fishery resources being transhipped, and in order to ensure that proper verification can occur, the observer on board shall have full access to the observed vessel, including crew, gear, equipment, records maintained and fish holds.

b) Transshipment at Port:

- i. The conduct of transshipment operations at port shall be authorised only in the ports designated by Members and CNCPs and reported to the Secretariat. The name and contact of the port authority will be provided for assistance and correspondence. By designating the corresponding ports, Members and CNCPs guarantee the capacity to perform inspections as required in this CMM. The list of authorized ports shall be available at the Commission webpage.
- ii. The Port State competent authorities shall be notified in advance of the intention to transship, port of transshipment, and estimated date and time.
- iii. Port authorities shall verify the authorizations to transship issued by the flag States involved and inspect the transshipment event to verify the quantity and species of the fishery resources being transhipped and complete the transshipment log sheet, as set out in Annex 3.
- iv. Port competent authorities shall provide a copy of the logsheet to the competent authorities of the receiving vessel who shall submit the data of the transshipment logsheet to the Secretariat, no later than 15 days after the information is received.

10. Post-event notification:

- a) The competent authorities of the unloading fishing vessel and the receiving fishing vessel shall notify all the operational details to the Secretariat, as specified in Annex 3, no later than 7 days after the transshipment is carried out.
- b) The competent authorities may authorise the vessel operator to provide this information directly to the Secretariat by email; should the Secretariat require any clarification, those requests shall be directed to the competent authorities of the relevant vessel. The Secretariat shall make a summary of this information available on the Members' section of the Commission website.

11. Follow up procedures:

- a) Competent authorities of the Port and vessels involved shall establish efficient verification procedures of the transshipment data resulting from the events that they were reported of with a view of ensuring consistency of the information received.

- b) Flag and Port States shall collaborate in the necessary cross-reference confirmation process of transshipments and sharing of transshipment notifications, authorizations and declarations, reported fish, landing declarations, observer and inspection reports, infractions and sanctions. In any event of possible infraction, the competent authority shall initiate and prosecute the case under due process, whose results shall be informed to the Secretariat.
- c) Receiving vessels pending to report the information specified in Annex 3 to the Secretariat resulting from one transshipment shall be banned from engaging in any future transshipment until the Secretariat confirms that they have received the information in due order.

Review

- 12. This CMM supersedes CMM 12-2020 for the transshipment of Jumbo Flying Squid and shall enter into force 30 days after the conclusion of the annual Commission meeting in 2023.
- 13. This CMM shall be reviewed at any time that it deems necessary taking into account the latest advice of the Compliance and Technical Committee with respect to the effectiveness of this CMM in providing the Commission with information about transshipments and other transfer activities and supporting monitoring, control, and surveillance activities; appropriate levels of observer coverage; and the scope of this CMM.

ANNEX 1
JUMBO FLYING SQUID (*Dosidicus gigas*) LANDING DECLARATION

1. Name of Vessel	
2. Flag State	
3. Vessel type	
4. IMO number (if eligible)	
5. SPRFMO Registration ID	
6. International Radio call sign	
7. Vessel Contact information	
- Master or vessel's representative	
- Phone number	
- email	
8. Vessel master & nationality	
9. Vessel owner / company information	
- name	
- address	
- Contact information	
10. Port State	
11. Port of landing	
12. Date and time of landing	
14. Landed fish	
- Catch areas	
- Product form	
- Quantity (weight)	
- Next destination (if applicable)	
15. Fish retained onboard (not landed)	
- Catch areas	
- Quantity (weight)	
16. Signature of vessel's master	

**ANNEX 2
TRANSHIPMENT NOTIFICATION**

1. 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	

2 Details of Receiving 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	

3. Details of the intended event

Date and time of the intended transshipment (UTC)	
Proposed location to the transshipment	
<ul style="list-style-type: none"> • At Sea: Lat /Long • At port: Name 	
Estimate quantity of product to be transshipped	
Quantity on board of the receiving vessel	
Name of the observer onboard (if applicable)	
Master's name and nationality	

**ANNEX 3
TRANSHIPMENT LOGSHEET**

1. Details of the Unloading Fishing Vessel

Name of vessel	
Registration number	
Radio call sign	
Vessel flag State	
IMO number / IHS Fairplay number (if applicable)	
Master's name and nationality	
Vessel Contact information	
<ul style="list-style-type: none"> • Master or Vessel's representative 	
<ul style="list-style-type: none"> • Phone number 	
<ul style="list-style-type: none"> • email 	
Caught at FAO fishing Area #	
Vessel Master's signature	

2. Details of the Receiving Fishing Vessel

Name of vessel	
Registration number	
Radio call sign	
Vessel flag State	
IMO number / IHS Fairplay number (if applicable)	
Master's name and nationality	
Vessel Contact information	
<ul style="list-style-type: none"> • Master or Vessel's representative 	
<ul style="list-style-type: none"> • Phone number 	
<ul style="list-style-type: none"> • email 	
Vessel Master's signature	

3. Transhipment Operation

Name and ID of the onboard observer:	
Name and ID of the Port Inspector:	
Date and time of commencement of transhipment (UTC)	
Date and time of completion of transhipment (UTC)	
If transhipment in port: Name, country, and code ¹ of port	

¹ United Nations Code for Trade and Transport Locations (UN/LOCODE).

If transshipment at sea: Position (nearest 1/10th degree) at commencement of transshipment					
If transshipment at sea: Position (nearest 1/10th degree) at completion of transshipment					
Description of product type (e.g. whole, frozen fish in 20 kg cartons)					
Species	<i>Dosidicus gigas</i>	Product type			
Species	<i>Dosidicus gigas</i>	Product type			
Species	<i>Dosidicus gigas</i>	Product type			
Species	<i>Dosidicus gigas</i>	Product type			
Species	<i>Dosidicus gigas</i>	Product type			
Number of cartons, net weight (kg) of product, by species.					
Species	<i>Dosidicus gigas</i>	Cartons		Net weight	
Species	<i>Dosidicus gigas</i>	Cartons		Net weight	
Species	<i>Dosidicus gigas</i>	Cartons		Net weight	
Species	<i>Dosidicus gigas</i>	Cartons		Net weight	
Species	<i>Dosidicus gigas</i>	Cartons		Net weight	
Total net weight of product transhipped (kg)					
Hold numbers in reefer vessel in which product is stowed					
Destination port and country of receiving fishing vessel					
Estimated arrival date					
Estimated landing date					

4. Observations (if applicable)

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5. Verification

Name of observer:	
Authority	
Signature and Stamp	