

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**95<sup>TH</sup> MEETING**

**(By videoconference)  
30 November-4 December 2020**

**PROPOSAL IATTC-95 D-1**

**SUBMITTED BY ECUADOR**

**RESOLUTION ON ESTABLISHING A MANDATORY PROGRAM FOR  
TRANSSHIPMENTS IN AUTHORIZED PORTS BY LARGE-SCALE  
FISHING VESSELS IN REPLACEMENT OF RESOLUTION C-12-07**

**RESOLUTION C-20-XX**

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TRANSSHIPMENTS IN AUTHORIZED PORTS BY LARGE-SCALE FISHING VESSELS  
IN REPLACEMENT OF RESOLUTION C-12-07**

*The Inter-American Tropical Tuna Commission (IATTC), gathered virtually, on the occasion of its 95<sup>th</sup> Meeting:*

*Deeply concerned* that illegal, unreported and unregulated fishing has a detrimental effect upon fish stocks, marine ecosystems and the livelihoods of legitimate fishers in particular in developing States;

*Conscious* of the importance of the Port State to combat illegal, unregulated and unreported fishing and to monitor the compliance with measures adopted by Regional Fisheries Management Organizations for the sustainable use and the long-term conservation of living marine resources;

*Bearing in mind* that, under the 1995 FAO Code of Conduct for Responsible Fisheries, the right to fish carries with it the obligation to do so in a responsible manner so as to ensure effective conservation and management of living aquatic resources;

*Recognizing* that the fight to combat illegal, unreported and unregulated fishing should be based on diligent and coordinated actions among Flag States, Coastal States and Port States, using all their sovereignty and jurisdiction in accordance with international law;

*Noting* that transshipments of fish on the high seas contribute to hiding illegal, unreported and unregulated (IUU) fishing and degrading labor practices prohibited by the Maritime Labour Convention adopted in Geneva, Switzerland, on 7 February 2006, which threaten food security, the traceability of catches and facilitate the impunity of the perpetrators; while such operations, when carried out in authorized ports, make it possible to adopt and implement effective measures to prevent, deter and eliminate illegal, unreported and unregulated fishing, strengthen the human rights of crew members and ensure the traceability and legality of catches.

*Recalling* the relevant provisions of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993, the 1995 FAO Code of Conduct for Responsible Fisheries, and the Agreement on Port State Measures aimed at preventing, deterring and eliminating Illegal, Unreported and Unregulated fishing, and other relevant international law;

*Agrees:*

## **SECTION 1. GENERAL RULES**

1. All trans-shipment operations in the Antigua Convention Area of tuna and tuna-like species and sharks caught in association with the fisheries covered by the Convention (hereinafter referred to as “tuna and tuna-like species”) must take place in port.
2. Each Member and Cooperating Non-Member of the Commission (CPC) shall take the necessary measures to ensure that large-scale tuna-fishing vessels<sup>1</sup> (LSTFVs) flying its flag comply with the obligations set out in Annex 1 when transshipping in port.
3. This Resolution does not apply to troll vessels, pole-and-line vessels or vessels under 24 meters of length overall engaged in the trans-shipment of fresh fish at sea.

## **SECTION 2. RECORD OF VESSELS AUTHORIZED TO RECEIVE TRANSSHIPMENTS AT SEA IN THE CONVENTION AREA**

4. The Commission shall establish and maintain a record of carrier vessels authorized by their respective flag governments to receive tuna and tuna-like species from LSTLFVs in the Convention Area (IATTC Record of Carrier Vessels). For the purposes of this Resolution, carrier vessels not on this Record are deemed not to be authorized to receive tuna and tuna-like species in transshipment operations at authorized ports.
5. Each CPC shall submit to the Director, in electronic format if possible, the updated initial list of the carrier vessels that it has authorized to receive at-sea transshipments from its LSTLFVs in the Convention Area. This list shall include the following information for each vessel:
  - a. The flag of the vessel;
  - b. Name of vessel, register number;
  - c. Previous name (if any);
  - d. Previous flag (if any);
  - e. Details of previous deletion from other registries (if any);
  - f. International radio call sign;
  - g. Type of vessel, length, gross tonnage (GT) and carrying capacity;
  - h. Name and address of owner(s) and operator(s); and
  - i. Time period authorized for transshipping at authorized ports.

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<sup>1</sup> For the purposes of this Resolution, “Large-scale tuna fishing vessels” are defined as all vessels greater than 24 meters length overall fishing beyond areas of national jurisdiction or beyond each CPC-controlled areas and targeting tuna, tuna-like species or sharks.

6. Each CPC shall promptly notify the Director, of any addition to, deletion from and/or modification of the IATTC Record, at the time such changes occur.

7. The Director shall maintain the IATTC Record and take measures to ensure publicity of the Record through electronic means, including placing it on the IATTC website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.

8. Carrier vessels authorized for at-sea transshipment shall be required to install and operate a VMS in accordance with Resolution C-14-02 on the establishment of a Vessel Monitoring System (VMS).

### **SECTION 3. TRANSSHIPMENTS IN PORT**

9. Transshipments by LSTLFVs in ports under the jurisdiction of the CPCs are subject to prior authorization from the Port State of said port. CPCs shall take the necessary measures to ensure that LSTLFVs flying their flag comply with the following conditions:

#### **Flag State Authorization**

10. LSTLFVs are not authorized to transship unless they have obtained prior authorization from their flag State, as evidenced by their inclusion in the Commission's **RECORD OF VESSELS AUTHORIZED TO RECEIVE TRANSSHIPMENTS IN THE CONVENTION AREA**.

#### **Fishing vessel:**

11. Before the transshipment, the master and/or owner of the LSTLFV must notify the following information to its flag State authorities and the Port State at least 24 hours in advance:

- a. the name of the LSTLFV, and its number in the LSTLFV List,
- b. the name of the carrier vessel and its number in the IATTC Record of Carrier Vessels, and the product to be transshipped,
- c. the tonnage by product to be transshipped,
- d. the date and location of transshipment, and
- e. the geographic location of the tuna catches.

The LSTLFV concerned shall complete and transmit to its flag State, not later than 5 days after the transshipment, the IATTC transshipment declaration, along with its number in the IATTC LSTLFV List, in accordance with the format set out in Annex 2.

#### **Receiving carrier vessel:**

12. The master of the receiving carrier vessel shall complete and transmit the IATTC transshipment declaration to the Director, the flag CPC of the LSTLFV, along with its number in the IATTC Record of Carrier Vessels, within 24 hours of the completion of the transshipment.

13. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an IATTC transshipment declaration, along with its number in the IATTC Record of Carrier Vessels, to the competent

authorities of the State where the landing takes place (Port State) which shall authorize and monitor the operation.

#### **SECTION 4. GENERAL PROVISIONS**

14. To ensure the effectiveness of the IATTC conservation and management:

a) The flag CPCs of LSTLFVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLFV and confirm that the transshipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the IATTC Observer Program and the information gathered by the CPC of the Port State.

b) CPCs shall require that the catches of species covered by the Statistical Document Programs by LSTLFVs in the Convention Area, when imported into the territory or area of a CPC, be accompanied by validated statistical documents and a copy of the IATTC transshipment declaration.

15. Each CPC shall report annually before 15 September to the Director:

- a. The quantities by species transshipped by their vessels and/or at its ports during the previous year.
- b. The names of the LSTLFVs and carrier vessels authorized to receive transshipments, registered with the IATTC, which have transshipped during the previous year;

16. All tuna and tuna-like species and sharks landed in, or imported into, the territory or area of a CPC, either unprocessed or after having been processed on board and which are transshipped, shall be accompanied by the IATTC transshipment declaration until the first sale has taken place.

17. Each year, the Director shall present a report on the implementation of this Resolution to the annual meeting of the Commission, which shall review compliance with this Resolution.

18. These provisions shall apply from January 2021.

19. The Commission shall review and, as appropriate, amend this Resolution at the next annual meeting.

19. This Resolution replaces Resolution C-12-07.