Transshipment Regulation

What Are the Rules for At-Sea Transshipment in RFMOs?

The regional fisheries management organizations responsible for highly migratory species ("tuna RFMOs") each have measures that either regulate or prohibit the transfer of tuna between vessels at sea, and many have provisions that extend to transfers in port, including what data must be collected and reported. Regulation of transshipment is a flag State duty prescribed in the 1995 UN Fish Stocks Agreement (Article 18).

Benefits of Regulation

The transfer of tuna at-sea, without effective monitoring and data collection, undermines tuna sustainability. Unregulated, or poorly regulated, transshipment comprises the accuracy of RFMO stock assessments, provides a loophole for IUU activities and fish to enter the supply chain, and disrupts traceability and supply chain integrity. When comprehensively regulated and monitored, transshipment management measures will support rigorous traceability and help combat IUU fishing and fish from entering the supply chain. In addition, lawful transshipment can allow fishing vessels to remain at sea longer, thereby increasing their efficiency, because they no longer have to travel to port to offload their catch.

How Do They Work?

Transshipment measures share four common components:

1. General provisions for the gears & vessel sizes and species covered by the measure;

2. Authorization procedures (e.g., how far in advance of a transshipment activity must notice from the flag State be given to the RFMO);

3. Reporting requirements; and

4. Observer and other MCS requirements, such as VMS, port State monitoring, transshipment declarations and in some instances, catch documentation schemes.

These regulations primarily apply to at-sea transshipment activity by large scale longline vessels.

IOTC, ICCAT, IATTC and the WCPFC have prohibited transshipment at-sea by purse seine vessels (with some exceptions); these vessels must transship in port.

For comprehensive review of **Transshipment in Tuna RFMOs** please refer to ISSF Technical Report 2019-03.
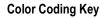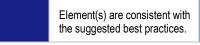
Assessment of Transshipment Regulation by RFMO
Recommended Best Practices

The following table shows the **level of progress in each tuna RFMO** in implementing the recommended best practices.

RFMO	Application				MCS, Data Reporting & Sharing					Authorisation & Notifications		
	Includes all vessels operating outside their EEZ and/or in one or more EEZs	*Includes all RFMO spp, and non-target spp caught in association with regulated fisheries, that are or could be trans-shipped*	*Covers all spatial areas under the remit of the RFMO, including reporting in archi-pelagic and territorial waters[1]*	*Receiving vessels must be flagged to CPs or CNMs*	*100% observer coverage by independent observers or e-monitoring on both the fishing vessel and the carrier vessel for all at-sea transshipping events + Binding measure on observer safety*	*Require VMS and AIS on all authorised t'shipment vessels, polling to the RFMO in near real-time*	*Prohibit from acting as both fishing and receiving vessel on the same trip*	*Standardise all t'shipment declaration data and formats[2] + Data Sharing among RFMOs[3]*	*Provide a public list of all vessel authorised to transship*	*Infractions reported to flag States and RFMO; if insufficient action taken vessel automatically included on Draft IUU Vessel list*	*Guidelines, incl. criteria, for authorizing transshipment by flag State, and a review process of authorisations*	*Fishing vessel: advanced notification at least 48 hrs prior. + Near real-time for all other elements*
CCSBT	✗	✓	*Covers only HS and EEZs*	✗	100% observer coverage on carriers ✗ Safety	*Not required to report to RFMO*	✗	✓ Forms ✗ Data sharing	✗	✗	✗	✗

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Color Coding Key

■ (dark blue)	Element(s) are consistent with the suggested best practices.	■ (medium blue)	Some element(s) are present, but amendments or a change in procedure is needed to be consistent with best practices.	■ (light blue)	Element (s) are missing or inconsistent with best practices.

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[1] The IOTC, IATTC and ICCAT transshipment measures do not make reference to archipelagic waters and/or territorial seas in their provisions.

[2] IOTC, ICCAT and IATTC all have nearly identical transshipment declarations. A copy of the WCPFC declaration was not publicly available; however, a number of elements to be provided in the declaration, which are contained in Annex I of CMM 2009-06, differ from the other RFMOs.

[3] The WCPFC has MOUs with IOTC, IATTC and ICCAT, which provide that data and information can be exchanged consistent with the policies of each Commission. However, it is not clear if transshipment data is being shared or used to promote harmonized measures or action related to MCS.

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RFMO	Application				MCS, Data Reporting & Sharing					Authorisation & Notifications		
	Includes all vessels operating outside their EEZ and/or in one or more EEZs	Includes all RFMO spp, and non-target spp caught in association with regulated fisheries, that are or could be trans-shipped	Covers all spatial areas under the remit of the RFMO, including reporting in archi-pelagic and territorial waters[4]	Receiv-ing vessels must be flagged to CPs or CNMs	100% observer coverage by independent observers or e-monitoring on both the fishing vessel and the carrier vessel for all at-sea transshipping events + Binding measure on observer safety	Require VMS and AIS on all authorised t'shipment vessels, polling to the RFMO in near real-time	Prohibit from acting as both fishing and receiving vessel on the same trip	Standardise all t'shipment declaration data and formats[5] + Data Sharing among RFMOs[6]	Provide a public list of all vessel authorised to transship	Infractions reported to flag States and RFMO; if insufficient action taken vessel automatically included on Draft IUU Vessel list	Guidelines, incl. criteria, for authorizing transshipment by flag State, and a review process of authorisations	Fishing vessel: advanced notification at least 48 hrs prior. + Near real-time for all other elements
IATTC	❌	✅	Covers only HS and EEZs	❌	100% observer overage on carriers ✅ Safety	Does not require reporting to RFMO	❌	✅ Forms ❌ Data sharing	❌	❌	❌	❌
ICCAT	✅	✅	Covers only HS and EEZs	❌	100% observer overage on carriers ❌ Safety	Does not require reporting to RFMO	❌	✅	List is not public	❌	❌	❌

4 The IOTC, IATTC and ICCAT transshipment measures do not make reference to archipelagic waters and/or territorial seas in their provisions.

5 IOTC, ICCAT and IATTC all have nearly identical transshipment declarations. A copy of the WCPFC declaration was not publicly available; however, a number of elements to be provided in the declaration, which are contained in Annex I of CMM 2009-06, differ from the other RFMOs.

6 The WCPFC has MOUs with IOTC, IATTC and ICCAT, which provide that data and information can be exchanged consistent with the policies of each Commission. However, it is not clear if transshipment data is being shared or used to promote harmonized measures or action related to MCS.

RFMO	Application				MCS, Data Reporting & Sharing					Authorisation & Notifications		
	Includes all vessels operating outside their EEZ and/or in one or more EEZs	Includes all RFMO spp, and non-target spp caught in association with regulated fisheries, that are or could be trans-shipped	Covers all spatial areas under the remit of the RFMO, including reporting in archipelagic and territorial waters[7]	Receiving vessels must be flagged to CPs or CNMs	100% observer coverage by independent observers or e-monitoring on both the fishing vessel and the carrier vessel for all at-sea transshipping events + Binding measure on observer safety	Require VMS and AIS on all authorised t'shipment vessels, polling to the RFMO in near real-time	Prohibit from acting as both fishing and receiving vessel on the same trip	Standardise all t'shipment declaration data and formats[8] + Data Sharing among RFMOs[9]	Provide a public list of all vessel authorised to transship	Infractions reported to flag States and RFMO; if insufficient action taken vessel automatically includeed on Draft IUU Vessel list	Guidelines, incl. criteria, for authorizing transshipment by flag State, and a review process of authorisations	Fishing vessel: advanced notification at least 48 hrs prior. + Near real-time for all other elements
IOTC	❌	❌	❌	❌	100% observer coverage on carriers (except Indonesia) ❌ Safety	Not required to report to RFMO	❌	✅ Forms ❌ Data sharing	❌	✅ Infractions ❌ Draft IUU Listing	❌	❌
WCPFC	✅	✅	❌	Except when non-member flagged vessel is under charter, lease or other arrangement	100% observer coverage on carriers or offloading vessel[10] ✅ Safety	✅	❌	❌	✅	❌	❌ In 2017, mandated to develop guidelines for "impracticability" of not transshipping at sea	Requires 36 hour advance notice

[7] The IOTC, IATTC and ICCAT transshipment measures do not make reference to archipelagic waters and/or territorial seas in their provisions.

[8] IOTC, ICCAT and IATTC all have nearly identical transshipment declarations. A copy of the WCPFC declaration was not publicly available; however, a number of elements to be provided in the declaration, which are contained in Annex I of CMM 2009-06, differ from the other RFMOs.

[9] The WCPFC has MOUs with IOTC, IATTC and ICCAT, which provide that data and information can be exchanged consistent with the policies of each Commission. However, it is not clear if transshipment data is being shared or used to promote harmonized measures or action related to MCS.

[10] Paragraph 13(a) of CMM 2009-06 states, "for transhipments to receiving vessels less than or equal to 33 meters in length, and not involving purse seine caught fish or frozen longline caught fish, 100% observer coverage starting on the effective date of this Measure, with the observer(s) deployed on either the offloading vessel or receiving vessel."

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