



# BELIZE HIGH SEAS FISHING VESSEL CIRCULAR



FVC-13/10

Issued: 22<sup>nd</sup> April 2013

Rev: 1

TO: ALL SHIPOWNERS, OPERATORS, CHARTERERS, MASTER AND CREW, DEPUTY REGISTRARS AND RESIDENT AGENTS

**SUBJECT: PROGRAM FOR TRANSHIPMENT AT SEA IN THE ICCAT CONVENTION AREA (ATLANTIC OCEAN)**

Reference: Issued in accordance with Part II 3 (1)(f) and Part VII 19(1)(2) of the Belize High Seas Fishing Act, 2003

## **BACKGROUND:**

*Taking account of the need to combat IUU fishing activities because they undermine the effectiveness of the conservation and management measures already adopted by ICCAT;*

*Expressing Grave concern that organized tuna laundering operations have been conducted and significant amount of catches by IUU fishing vessels have been transhipped under the names of duly licensed vessels;*

*In view therefore of the need to ensure the monitoring of the transshipment activities by large scale pelagic long line vessels (LSPLVs) in the convention area including the control of their landings;*

*Taking account of the need to ensure collection of catch data from such LSPLVs to improve scientific assessments of those stocks;*

## **APPLICABILITY**

This Circular is applicable only to Belize registered fishing vessels and carrier vessels engaged in transshipment at sea or in port in the ICCAT Convention Area (ICCAT) which harvest tuna, tuna-like species or other species caught in association with these species.

## **SECTION 1: GENERAL RULES**

- a) All transshipment operations within the ICCAT Convention area (Atlantic Ocean) of tuna and tuna like species and other species caught in association with these species, and
- b) Outside the Convention area of tuna and tuna-like species and other species caught in association with these species that were harvested in the ICCAT Convention area,

## **MUST TAKE PLACE IN PORT**

All Belize flagged vessels engaged in transshipment must comply with the obligations set out in the attached Annex 1 for in port transshipments.

## **SECTION 2: PROGRAM TO MONITOR TRANSSHIPMENT AT SEA**

At sea transshipment by fishing vessels which target tuna and/or tuna like species may only be authorized in accordance with the procedures set forth in Sections 3, 4 and 5 and Annexes 2 and 3

## **SECTION 3: RECORD OF VESSELS AUTHORIZED TO RECEIVE TRANSSHIPMENT IN THE ICCAT AREA**

- a) Transshipment of tuna and tuna-like species and other species caught in association with these species may only be authorized with regard to carrier vessels authorized in accordance with this Circular.
- b) ICCAT has established a Record of Carrier Vessels authorized to receive tuna and tuna like species and other species caught in association with these species from fishing vessels in the Convention Area. **Consequently, owners of fishing vessels that engage in transshipment at sea will need to notify this Administration of all carrier vessels to which it will tranship so that we in turn can notify ICCAT to include these vessels in their Record of Carrier Vessels.** Carrier vessels not entered in this Record will be deemed not to be authorized to receive tuna and tuna like species and any other species caught in association with these species in transshipment operations.
- c) Belize will notify the ICCAT Secretariat of the carrier vessels authorized to receive transshipment from its fishing vessels. **For such purpose owners are required to submit the following information pertinent to the carrier vessel being used for transshipment by its fishing vessel.**
  - Name of the vessel, register number
  - ICCAT Record Number (if any)
  - IMO Number (if any)
  - Previous Flag (if any)
  - Previous Name (if any)
  - Previous details of deletion from other registries (if any)
  - International Radio Call Sign
  - Type of vessels, length, gross registered tonnage (GRT) and carrying capacity
  - Name and address of owner(s) and Operator (s)
  - Time period authorized for transshipping
- d) Belize will notify ICCAT of the list of fishing vessels it has authorized to carry out transshipment at sea.
- e) Upon receipt of the list of fishing vessels authorized to tranship at sea, ICCAT will provide to the flag Member of the carrier vessel the list of fishing vessels authorized to operate with its carrier vessels.

## **SECTION 4: AT-SEA TRANSSHIPMENT**

Transshipment by fishing vessels in the EEZ of another country who are Members of ICCAT is subject to prior authorization from that country. An original or copy of the documentation of such Coastal State prior authorization must be retained on board the vessel and made available to the observer when requested. In complying with this measure owners must ensure the following:

## **Flag State Authorization**

- a) Fishing vessels are not authorized to tranship unless they have obtained prior authorization from Belize. An original or copy of this authorization must be retained on board the vessel and made available to the ICCAT observer upon request.

## **Notification Obligations**

### ***Fishing Vessels:***

- a) To receive the prior authorization mentioned above, the master and/or owner/operator of the fishing vessel must notify the following information to this Administration, and where applicable, the Coastal State Member, at least 24 hours in advance of its intended transhipment:
  - The name of the fishing vessel and its number in the ICCAT record of fishing vessels
  - The name of the carrier vessel and its number in the ICCAT record of carrier vessels authorized to receive transhipment in the ICCAT area, and the product to be transhipped, by species, where known, and if possible by stock,
  - The quantities of tuna and tuna-like species and, if possible, by stock, to be transhipped,
  - The quantities of other species caught in association with tuna and tuna-like species by species where known, to be transhipped,
  - The date and location of transhipment,
  - The geographical location of the catches by species, and where appropriate by stock, consistent with ICCAT statistical areas.

The fishing vessel shall complete and transmit to Belize, and where applicable, the Coastal State, not later than 15 days after the transhipment, the ICCAT transhipment declaration, along with its number in the ICCAT record of fishing vessels in accordance with Annex 2.

### ***Receiving Carrier Vessel***

- a) The master of the receiving carrier vessel shall complete and transmit the ICCAT Transhipment Declaration to the ICCAT Secretariat and the country of the Fishing Vessels, along with its number in the ICCAT Record of carrier vessels authorized to receive transhipment in the ICCAT area, within 24 hours of the completion of the transhipment.
- b) The master of the receiving carrier vessel shall, 48 hours before landing transmit an ICCAT Transhipment declaration, along with its number in the ICCAT record of vessels authorized to receive transhipment in the ICCAT Convention area, to the competent authorities of the State where the landing is to take place.

## **ICCAT Regional Observer Program**

- a) No transhipment shall take place if there is no ICCAT Observer on board the carrier vessel as the observer is responsible for ensuring adherence to ICCAT management measures for transhipment and the species to be transhipped.

## **SECTION 5: GENERAL PROVISIONS**

To ensure the effectiveness of ICCAT conservation and management measures pertaining to species covered by the Catch and Statistical Document Programs:

- a) No Catch or Statistical document shall be validated unless this Administration can ensure that transshipments are consistent with the reported catch amount by the fishing vessel.
- b) Belize shall validate the Catch or Statistical Document for transhipped fish only after confirming that the transshipment was conducted in accordance with this Circular. This confirmation shall be based on the information obtained through the ICCAT Observer Program.

All tuna and tuna like species and any other species caught in association with these species landed in or imported into the area or territory of another country who are Members of ICCAT, either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the ICCAT Transshipment Declaration until the first sale has taken place.

Period of authorization for modifications or additions to the lists indicated above for both fishing and carrier vessel record shall not include dates more than 30 days prior to the date of submission of the changes or additions to ICCAT.

### **IMPLEMENTATION**

This Fishing Vessel Circular replaces Notice is to be implemented with immediate effect and shall remain in force until further notification by the Belize Administration.

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***Any queries related to this Circular should be directed to:***

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## ANNEX 1

### **In-Port Transhipment**

1. In the exercise of their authority over ports located in areas under their jurisdiction, Member countries of ICCAT may adopt more stringent measures, in accordance with domestic and international law.
2. Pursuant to Section 1 of this Circular, transhipment in port of tuna and tuna like species and other species caught in association with these species from or in the Convention area may only be undertaken in accordance with ICCAT's Recommendation for an ICCAT Scheme for Minimum Standards for Inspection in Port (Re. 12-07) and the following procedures:

### **Notification Obligations**

#### **3. Fishing Vessel**

- 3.1 At least 48 hours in advance of transhipment operations, the captain of the fishing vessel must notify to the Port State authorities the name of the carrier vessel and date/time of transhipment.
- 3.2 The captain of a fishing vessel shall, at the time of the transhipment, inform its flag State of the following:
  - The quantities of tuna and tuna-like species, if possible, by stock, to be transhipped;
  - The quantities of other species caught in association with tuna and tuna like species by species where known, to be transhipped;
  - The date and place of the transhipment ;
  - The name, registration number and flag of the receiving carrier vessel; and
  - The geographic location of the catches by species and, where appropriate, by stock, consistent with ICCAT statistical area
- 3.3 The captain of the fishing vessel concerned shall complete and transmit to its flag State the ICCAT transhipment declaration, along with its number in the ICCAT record of fishing vessels, where applicable, in accordance with the format set out in Annex 2 not later than 15 days after the transhipment.

#### **4. Receiving vessel**

- 4.1 Not later than 24 hours before the beginning and at the end of the transhipment, the master of the receiving carrier vessel shall inform the port State authorities of the quantities of catches of tuna and tuna-like species transhipped to his vessel and complete and transmit the ICCAT transhipment declaration to the competent authorities within 24 hours.
- 4.2 The master of the receiving carrier vessel shall, at least 48 hours before landing, complete and transmit an ICCAT transhipment declaration to the competent authorities of the landing State where the landing takes place.

### **Port and Landing State Cooperation**

5. The port State and landing State referred to in the above shall review the information received pursuant to the provisions of this Annex, including in cooperation with the Flag State of the fishing vessel as necessary, to determine consistency between the reported catches, transhipments and landings of each vessel.



**Annex 2**

**ICCAT TRANSSHIPMENT DECLARATION**

<b>Carrier Vessel</b>	<b>Fishing Vessel</b>
Name of the Vessel and Radio Call Sign: Flag Country/Entity/Fishing Entity: Flag State Authorization number: Domestic Registration Number: ICCAT Record Number: IMO Number (if any):	Name of the Vessel and Radio Call Sign: Flag CPC: Flag State CPC Authorization number: Domestic Registration Number: ICCAT Record Number, if applicable: IMO Number (if any): External Identification:

Day      Month      Hour      Year      \_\_\_\_\_

Agent's Name and Signature: \_\_\_\_\_

Departure    |\_\_|\_\_|    |\_\_|\_\_|    |\_\_|\_\_|    from | \_\_\_\_\_ |  
Return        |\_\_|\_\_|    |\_\_|\_\_|    |\_\_|\_\_|    to    | \_\_\_\_\_ |  
Transhipment |\_\_|\_\_|    |\_\_|\_\_|    |\_\_|\_\_|    | \_\_\_\_\_ |

Fishing Vessel Master's name and Signature: \_\_\_\_\_

Carrier Vessel Master's name and Signature: \_\_\_\_\_

Indicate the weight in kilograms or the unit used (e.g. box, basket), and the landed weight in kilograms of this unit [\_\_\_] kilograms

LOCATION (COORDINATES) OF TRANSSHIPMENT:      LAT: \_\_\_\_\_      LONG: \_\_\_\_\_

Species	Port	Area <sup>2</sup>	Type of Product <sup>1</sup>						Net Weight (kg)					
			RD	GG	DR	FL	ST	OTH						

ICCAT Observer signature and date (if transhipment is at sea):

<sup>1</sup> Type of Product should be indicated as Round (RD), Gilled and Gutted (GG), Dressed (DR), Fillet (FL), Steak (ST), Other (OTH) (describe the type or product)

<sup>2</sup> Atlantic, Mediterranean, Pacific, Indian

## **ANNEX 3**

### **ICCAT Regional Observer Programme**

1. Each CPC shall require carrier vessels included in the ICCAT record of vessels authorized to receive transshipments in the ICCAT area and which tranship at sea, to carry an ICCAT observer during each transshipment operation in the Convention area.
2. The Secretariat of the Commission shall appoint the observers and shall place them on board the carrier vessels authorized to receive transshipments in the ICCAT area from LSPLVs flying the flag of CPCs that implement the ICCAT observer program.
3. The ICCAT Secretariat shall ensure observers are properly equipped to perform their duties.

#### **Designation of the observers**

4. The designated observers shall have the following qualifications to accomplish their tasks:
  - demonstrated ability to identify ICCAT species and fishing gear with a strong preference given to those with experience as observers on pelagic longline vessels;
  - satisfactory knowledge of the ICCAT conservation and management measures; the ability to observe and record accurately;
  - a satisfactory knowledge of the language of the flag of the vessel observed.

#### **Obligations of the observer**

5. Observers shall:
  - a) have completed the technical training required by the guidelines established by ICCAT;
  - b) to the extent possible, not be nationals or citizens of the flag State of the receiving carrier vessel;
  - c) be capable of performing the duties set forth in point 6 below;
  - d) be included in the list of observers maintained by the Secretariat of the Commission;
  - e) not be a crew member of the LSPLV or the carrier vessel or an employee of the LSPLV or carrier vessel company.
6. The observer shall monitor the LSPLV's and carrier vessel's adherence to the relevant conservation and management measures adopted by the Commission. The observers' tasks shall be, in particular, to:
  - 6.1 Visit the LSPLV intending to tranship to a carrier vessel, taking into account the safety concerns reflected in paragraph 10 of this Annex, and before the transshipment takes place, to:
    - a) Check the validity of the fishing vessel's authorization or license to fish for tuna and tuna-like species and any other species caught in association with those species in the Convention area;
    - b) Inspect the fishing vessel's prior authorizations to tranship at sea from the flag CPC and, if appropriate, the coastal State;
    - c) Check and record the total quantity of catch on board by species and, if possible, by stock, and the quantities to be transhipped to the carrier vessel;
    - d) Check that the VMS is functioning and examine the logbook and verify entries, if possible;

- e) Verify whether any of the catch on board resulted from transfers from other vessels, and check the documentation on such transfers;
- f) In the case of indication that there are any violations involving the fishing vessel, immediately report the violation(s) to the master of the carrier vessel (taking due regard of any safety considerations) and to the observer program implementing company, who shall promptly forward it to the flag CPC authorities of the fishing vessel; and
- g) Record the results of these duties on the fishing vessel in the observer's report.

6.2 Observe the activities of carrier vessel and:

- a) record and report upon the transshipment activities carried out;
- b) verify the position of the vessel when engaged in transshipping;
- c) observe and estimate quantities of tuna and tuna-like species transhipped by species, if known, and if possible by stock
- d) the quantities of other species caught in association with tuna and tuna-like species by species, where known;
- e) verify and record the name of the LSPLV concerned and its ICCAT record number;
- f) verify the data contained in the transshipment declaration, including through comparison with the LSPLV logbook, where possible;
- g) certify the data contained in the transshipment declaration;
- h) countersign the transshipment declaration; and
- i) observe and estimate quantities of product by species when offloaded in the port where the observer is disembarked to verify consistency with quantities received during at sea transshipment operations.

6.2 In addition, the observer shall:

- a) issue a daily report of the carrier vessel's transshipping activities;
- b) establish general reports compiling the information collected in accordance with the observer's duties and provide the captain the opportunity to include therein any relevant information.
- c) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
- d) exercise any other functions as defined by the Commission.

7. Observers shall treat as confidential all information with respect to the fishing operations of the LSPLV and of the LSPLV owners and accept this requirement in writing as a condition of appointment as an observer;

8. Observers shall comply with requirements established in the laws and regulations of the flag State and, where relevant, the coastal State, which exercises jurisdiction over the vessel to which the observer is

assigned.

9. Observers shall respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 10 of this program.

### **Responsibilities of the Flag States of carrier vessels**

10. The conditions associated with implementation of the regional observer program *vis à vis* the flag States of the carrier vessels and their captains include the following, notably:
  - a. Observers shall be allowed access to the vessel personnel, pertinent documentation, and to the gear and equipment;
  - b. Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 6:
    - i) satellite navigation equipment;
    - ii) radar display viewing screens when in use;
    - iii) electronic means of communication; and
    - iv) scale used for weighing transhipped product;
  - c. Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
  - d. Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties;
  - e. Observers shall be allowed to determine the most advantageous location and method for viewing transshipment operations and estimating species/stocks and quantities transhipped. In this regard, the master of the carrier vessel, giving due regard to safety and practical concerns, shall accommodate the needs of the observer in this regard, including, upon request, temporarily placing product on the carrier vessel deck for inspection by the observer and providing adequate time for the observer to carry out his/her duties. Observations shall be conducted in a manner that minimizes interference and avoids compromising the quality of the products transhipped.
  - f. In light of the provisions of paragraph 11, the master of the carrier vessel shall ensure that all necessary assistance is provided to the observer to ensure safe transport between the carrier and fishing vessels should weather and other conditions permit such an exchange; and
  - g. The flag States shall ensure that captains, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties. The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag State of the carrier vessel under whose jurisdiction the vessel transhipped and to the flag CPC of the LSPLV, copies of all raw data, summaries, and reports pertaining to the trip.

The Secretariat shall submit the observer reports (covering the information and activities of both the fishing and carrier vessels) to the Compliance Committee and to the SCRS.

### **Responsibilities of LSPLVs during transshipments**

11. Observers shall be allowed to visit the fishing vessel, if weather and other conditions permit, and shall be granted access to personnel, all pertinent documentation, and areas of the vessel necessary to carry out their duties set forth in paragraph 6 in this Annex. The master of the fishing vessel shall ensure that all necessary assistance is provided to the observer to ensure safe transport between the carrier and fishing vessels. Should conditions present an unacceptable risk to the welfare of the observer such that a visit to the LSPLV is not feasible prior to the start of transshipment operations, such operations may still be carried out.

### **Observer fees**

12. The costs of implementing this program shall be financed by the flag CPCs of LSPLVs wishing to engage in transshipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the program.
13. No LSPLV may participate in the at-sea transshipment program unless the fees, as required under paragraph 12, are paid.

### **Information Sharing**

14. To facilitate information sharing and, to the extent possible, harmonization of at sea transshipment programs across relevant regional fisheries management organizations, all training materials, including observer manuals, and data collection forms developed and used to support implementation of ICCAT's at sea transshipment regional observer program shall be posted on the public portion of the ICCAT website.

### **Identification Guides**

15. The SCRS shall work with the ICCAT Secretariat and others as appropriate to develop new or improve existing identification guides for frozen tuna and tuna-like species. The ICCAT Secretariat shall ensure that these identification guides are made broadly available to CPCs and other interested parties, including to ICCAT regional observers prior to deployment and to other regional fisheries management organizations running similar at sea transshipment observer programs.