

## RENEWAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE IOTC AND THE COMMISSION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA (CCSBT)

PREPARED BY: IOTC SECRETARIAT, 27 MARCH 2015

### PURPOSE

To provide the Commission with an opportunity to consider the revised Memorandum of Understanding (MoU) between the IOTC and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT).

### BACKGROUND

The IOTC Agreement, Article XV, paragraphs 1 and 2, on the *Cooperation with other organisations and institutions* state:

- 1. The Commission shall cooperate and make appropriate arrangements therefore with other intergovernmental organizations and institutions, especially those active in the fisheries sector, which might contribute to the work and further the objectives of the Commission in particular with any intergovernmental organization or institution dealing with tuna in the Area. The Commission may enter into agreements with such organizations and institutions. Such agreements shall seek to promote complementarity and, subject to paragraph 2, to avoid duplication in and conflict with the activities of the Commission and such organizations.*
- 2. Nothing in this Agreement shall prejudice the rights and responsibilities of other intergovernmental organizations or institutions dealing with tuna or a species of tuna in the Area or the validity of any measures adopted by such organization or institution.*

### DISCUSSION

The Secretariat of the Indian Ocean Tuna Commission and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) entered into an arrangement to facilitate cooperation between the IOTC and the CCSBT with a view to supporting efforts to monitor transshipment at sea by large-scale tuna longline fishing vessels. Due to revisions in the respective Resolutions for the at-sea transshipment monitoring programmes of the two Commissions there is a need to revise the MoU and the Commission is asked for comment on whether the previous arrangement, with modifications, should be renewed (**Appendix I**).

### RECOMMENDATION/S

That the Commission:

- 1) **NOTE** paper IOTC-2015-S19-09 which provided the Commission with an opportunity to consider the revised Memorandum of Understanding (MoU) between the IOTC and the Commission for the Conservation of Southern Bluefin Tuna CCSBT).
- 2) **CONSIDER** the revised MoU and further revise if necessary.



## APPENDIX I

Commission for the Conservation of  
Southern Bluefin Tuna



みなみまぐろ保存委員会



Indian Ocean Tuna Commission  
Commission des Thons de l'Océan Indien



### Memorandum of Understanding between the CCSBT<sup>1</sup> and IOTC<sup>2</sup> Secretariats for Monitoring Transshipment at Sea by Large-Scale Tuna Longline Fishing Vessels

#### Introduction

1. The IOTC adopted Resolution [08/0214/06](#)<sup>3</sup> that required implementation of a monitoring program for transshipment at sea by large-scale tuna longline fishing vessels (LSTLV<sup>2</sup>s) within the IOTC ~~convention area~~ Area of competence. The CCSBT has adopted a similar ~~Resolution~~<sup>4</sup> ~~(at CCSBT15, (and revised at CCSBT21 (provided at Attachment 10<sup>5</sup>))~~ for tuna longline fishing vessels with freezing capacity that applies globally to all transshipments involving southern bluefin tuna (SBT).
2. Within the IOTC ~~convention area~~ Area of competence, the CCSBT and IOTC ~~Resolutions~~ have ~~the same~~ similar provisions and most vessels that are required to comply with the CCSBT ~~Resolution~~ are also required to comply with the IOTC ~~Resolution~~.
3. This Memorandum of Understanding (MOU) has been established to minimise the duplication of work and to minimise the associated costs for those that are required to comply with both the CCSBT and IOTC ~~Resolutions~~.

#### Scope of this Memorandum of Understanding

4. This MOU applies to transshipments at sea involving southern bluefin tuna (SBT) within the IOTC ~~convention area~~ Area of competence, by LSTLV<sup>2</sup>s with freezing capacity that are Members/Contracting Parties (CPCs)<sup>6</sup> of both CCSBT and IOTC. At present, this comprises:
  - Australia
  - European Community Union
  - Indonesia

<sup>1</sup> Commission for the Conservation of Southern Bluefin Tuna

<sup>2</sup> Indian Ocean Tuna Commission

<sup>3</sup> Resolution [08/0214/06](#) on establishing a programme for transshipment by large-scale fishing vessels

<sup>4</sup> ~~Resolution on establishing a program for transshipment by large-scale fishing vessels~~

<sup>5</sup> ~~Resolution on establishing a program for transshipment by large-scale fishing vessels~~

<sup>6</sup> For the purpose of this MOU, "Members" includes Cooperating Non-Members and "CPCs" includes Cooperating non Contracting Parties

- Japan
  - Korea
  - Philippines
  - South Africa.
5. This MOU also applies to any other fleets that are participating in both the CCSBT and IOTC programs for monitoring transhipments at sea.
  6. CCSBT and IOTC will notify each other of any changes in their Members/CPCs/participating fleets that may affect this list.

#### The Arrangement between CCSBT and IOTC

7. All provisions of IOTC transhipment Resolution [08/0214/06](#) will continue to apply to transhipments at sea that fall within this arrangement.
8. All provisions of the CCSBT transhipment ~~Resolution~~ will also apply to transhipments at sea that fall within this arrangement, except that:
  - a) To enable a single Transhipment Declaration form to be completed for transhipment by an LSTLV, an IOTC Transhipment Declaration form may be used instead of the CCSBT Transhipment Declaration form. This only applies where the IOTC and CCSBT forms remain compatible, unless there is agreement to the contrary. ~~This only applies while the IOTC and CCSBT forms are unchanged unless there is agreement to the contrary.~~ Furthermore, ~~Furthermore,~~ transmission of this form by Carrier Vessel masters to the IOTC Secretariat is deemed to also be a transmission to the CCSBT Secretariat. The IOTC Secretariat will transmit these documents to the CCSBT Secretariat without delay.
  - b) IOTC Register Numbers for LSTLV<sup>2</sup>s and Carrier Vessels may be used instead of the CCSBT equivalents. The CCSBT Secretariat will conduct the necessary conversions between IOTC and CCSBT registration numbers.
  - c) To enable a single set of Transhipment Observers to be used, IOTC Transhipment Observers will be deemed to be CCSBT Transhipment Observers, providing these observers meet the standards established in the CCSBT Transhipment Resolution and providing that the CCSBT Secretariat is informed.
  - d) Transmission of Observer Reports by the Contractor to the IOTC Secretariat is deemed to also be a transmission to the CCSBT Secretariat. The IOTC Secretariat will transmit these documents to the CCSBT Secretariat without delay.
9. The combined effect of paragraphs 7 and 8 is that the IOTC Secretariat and Transhipment Observers will continue to follow the requirements of the IOTC ~~Resolution~~ with the additions that:
  - a) The IOTC and CCSBT Secretariats will advise each other regarding any planned or actual changes to their ~~Resolutions~~ for at sea transhipment including the Transhipment Declaration form.
  - b) The IOTC Secretariat will transmit copies of Transhipment [Observer Deployment Approvals](#), [Transhipment Declarations](#), [Five Day Reports](#) and Observer Reports for all transhipments involving SBT to the CCSBT Secretariat without delay.
  - c) In addition to the experience and training required by IOTC Resolution [08/0214/06](#), IOTC Transhipment Observers that observe transhipments of SBT must:

- have sufficient experience and knowledge to identify southern bluefin tuna; and
  - have a satisfactory knowledge of the CCSBT conservation and management measures.
- d) An up-to-date list of Transshipment Observers will be maintained and ~~regularly~~ provided to the CCSBT Secretariat by the IOTC Secretariat, at the beginning of every quarter of the year.
- e) When IOTC is informed that an observer deployment will involve transshipments of SBT, IOTC will notify CCSBT prior to approving the observer deployment so that the CCSBT Secretariat can check the validity of authorisations of the Fishing Vessels and Carrier Vessels against the published list of CCSBT Authorised Fishing Vessels and CCSBT Authorised Carrier Vessels, respectively.
- f) In addition to tasks specified in IOTC Resolution ~~08/0214/06~~, Transshipment Observers that observe transshipments of SBT will:
- From 1 January 2010, ~~s~~Sign the transshipment verification section of the CCSBT CDS documentation to indicate that the transshipment details (date, name and registration of carrier vessel) were filled in correctly and that the transshipment of product was observed according to the CCSBT Transshipment Resolution<sup>7</sup>.
10. Additional costs imposed on the IOTC Secretariat by operating according to this MOU (e.g. additional training and insurance required for observers) will be recovered from the CPC's concerned through IOTC's transshipment cost recovery mechanism. ~~This will involve distributing these costs amongst participating fleets from the CCSBT in proportion to those fleets' average SBT catch in the IOTC Convention area over the past three years. The costs will be invoiced by the IOTC in arrears.~~
11. This MOU comes into effect for twelve months, from the date of entry into force noted below. ~~This MOU comes into effect for twelve months, commencing 1 April 2009~~. It will be automatically renewed for another twelve months ~~on 1 April~~ each year, unless otherwise decided by either the CCSBT or IOTC Secretariat and informed to the other in writing. Either of the Secretariats may terminate the MOU at any time by written notice to the other Secretariat.
12. Date of entry into force: \_\_\_\_\_

Signed and duly dated:

Commission for the Conservation of  
Southern Bluefin Tuna

Date: \_\_\_\_\_

Mr. Mauree Daroomalingum

Chairperson IOTC  
Indian Ocean Tuna Commission

Date: \_\_\_\_\_

<sup>7</sup> A discrepancy between the stated product on the CDS document and the quantities recorded by the observer would be recorded in the observer's report (not the CDS document) and would not prevent the observer from signing the CDS document.