

ON ESTABLISHING A PROGRAMME FOR TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS

SUBMITTED BY: INDONESIA

Explanatory Memorandum

Note on the revised version (Rev.2)

The third revision of the proposal is indicated in **green highlight**, consist of:

1. Reduction on additional number of wooden carrier vessel from 5 (five) to 3 (three) vessels. Therefore, the number of Indonesian wooden carrier vessel under the pilot project in Paragraph 26 and ANNEX VI will be changed from 17 (seventeen) to twenty (20).
1. The Commission established a programme to monitor transshipments at sea, which applies to large-scale tuna longline fishing vessels (LSTLVs) and carrier vessels authorized to receive transshipments at sea. Indonesia's longline fleet is dominated by wooden fishing vessels, including wooden carrier vessels. This fact has provided difficulties for Indonesian wooden carrier vessels to carry out transshipments at sea because regional observers could not be on board placed on this type of vessels due to safety reason.
2. In 2017, Indonesia proposed an exemption to allow Indonesian wooden carrier vessels to use national observers under a pilot project on transshipments at sea. The pilot project was reviewed and extended every two years by the IOTC Compliance Committee. Indonesia aims to integrate the pilot project into the Regional Observer Programme (ROP) by 2025.
3. The government of Indonesia has shown its persistent commitment to the implementation of Resolution 23/05 (and its predecessors) through the prescription and enforcement of relevant national laws and regulations. Resolution 23/05 is implemented in Ministerial Regulation No. 10/2021 on Standards for Business Activities and Products in the Implementation of Risk-Based Business Licensing for the Marine and Fisheries Sector.
4. Indonesia's implementation of the pilot project since 2019 may be summarized as follows:
 - a. In 2019, one of the Indonesian wooden carrier vessels listed in Annex V of Resolution 19/06 was authorized to conduct transshipments at sea.
 - b. In 2020, two vessels listed in Annex V conducted transshipments on the high seas.
 - c. In 2021, of twelve vessels listed in Annex V of Resolution 21/02, nine vessels were conducting transshipments at sea. In December 2021, Indonesia proposed a replacement of three vessels because they were no longer suitable for transporting tuna products.
 - d. In April 2022, a significant increase in fuel price caused an increase in the operating cost of Indonesian vessels. As a result, a sufficiently large number of carrier vessels in operation is needed to reduce overall fuel costs while simultaneously maintaining the required quality of fish products. Therefore, Indonesia proposed to add five wooden carrier vessels to the pilot project and this proposal was adopted. In 2022, of seventeen vessels listed in Annex VI of Resolution 22/02, eleven vessels were conducting transshipments at sea.
 - e. In 2023, of seventeen vessels listed in Annex VI of Resolution 22/02 and Resolution 23/05, all the vessels were conducting transshipments at sea. In October 2023, one vessel was replaced by another vessel with a smaller capacity or GT. The replacement of the vessel was due to a fire incident that occurred on the vessel.

5. The Government of Indonesia established a new working unit in mid 2023 to focus on the implementation of the observer scheme and observer program for transshipments at sea. The working unit and the IOTC Secretariat have closely communicated electronically to report and clarify any requirements under IOTC Resolutions. Indonesia has submitted observer request deployments, the 5-days reports, and observer reports in accordance with the IOTC Secretariat specific guidance for every transshipment. In addition, the national observer has 100% coverage the pilot project implementation.
6. Additional wooden carrier vessels for transshipments at sea under the pilot project are needed to maintain good quality fish which have an impact on the welfare of fishers and public revenues which are used as fisheries management costs. Besides above necessity, additional wooden carrier vessels are also needed by the Indonesia longline vessels to provide faster distribution of food, medicines, spare part, and other supplies, and most importantly taking care of the crews' well-being by improving time of crews' exchange, to ease the burden of the long working days at sea, to ensure the mental health of the crew due to limited social interaction at sea, so that safe and comfortable working environment at sea can be provided including support of emergencies such as illness and personal matters.
7. Currently, Indonesian longline vessels with an overall length (LOA) of less than 24 meters are authorized to fish in the high seas and registered in the IOTC Record of Authorised Vessels (IOTC RAV). However, the programme to monitor transshipment only applies to Large-Scale Tuna Longline Vessels (LSTLV), namely >24 meters. This gives implication that the smaller longline vessels were prevented from conducting transshipments at sea. Therefore, this situation also prevents the Government of Indonesia from ensuring **fair opportunities and treatment** for the smaller longline vessels despite their operation at high seas and registered in the IOTC RAV.
8. Specifically, Indonesia proposes the following changes to Resolution 23/05 by increasing the number of Indonesian wooden carrier vessels in Paragraph 25 and Annex VI **from 17 (seventeen) to 20 (twenty)** and a replacement of one vessel included in the previous 17 wooden carrier vessels listed ANNEX VI due to a fire incident. For this purpose, paragraph 25 is amended.

RESOLUTION 2324/05XX
ON ESTABLISHING A PROGRAMME FOR TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS

Keyword: transhipment

The Indian Ocean Tuna Commission (IOTC),

TAKING ACCOUNT of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the Conservation and Management Measures (CMMs) already adopted by the IOTC;

EXPRESSING GRAVE CONCERN that organized tuna laundering operations have been conducted and a significant amount of catches by IUU fishing vessels have been transhipped under the names of duly licensed fishing vessels;

IN VIEW THEREFORE OF THE NEED to ensure the monitoring of the transhipment activities by large-scale longline vessels in the IOTC area of competence, including the control of their landings;

TAKING ACCOUNT of the need to collect catch data of such large scale long-line tuna vessels to improve the scientific assessments of those stocks;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, the following:

PART 1. GENERAL RULES

1. Except under the programme to monitor transhipments at sea provided below in paragraph 4, all transhipment operations of tuna and tuna-like species and sharks caught in association with tuna and tuna-like fisheries in the IOTC area of competence (tuna and tuna like species and sharks) shall take place in port¹.
2. The Contracting Parties and Cooperating Non-Contracting Parties (CPCs) shall take the necessary measures to ensure that their flag large-scale tuna vessels² (LSTVs) comply with the obligations in Annex I when transhipping in port.
3. Transhipment operations within the Maldives between pole and line fishing vessels, and collector vessels flagged in the Maldives and registered on the IOTC Record of Authorized Vessels shall be exempted from the data reporting requirements specified in Annex I and Annex III. Such transhipment operations shall conform to the criteria provided in Annex II of this Resolution.

PART 2. PROGRAMME TO MONITOR TRANSHIPMENTS

4. The Commission hereby establishes a programme to monitor transhipment which ~~applies~~ shall apply only to:
 - ~~a) largescale tuna longline fishing vessels (hereafter referred to as the "LSTLVs");~~
 - ~~b) longline fishing vessels less than 24 meters length overall targeting tuna and tuna like species in the IOTC area of competence that are on the IOTC RAV and are authorized to fish in the high seas; and~~
 - ~~e) and to~~ carrier vessels authorised to receive transhipments from these vessels ~~listed in subparagraphs a) and b).~~
4. ~~No~~ at-sea transhipment of tuna and tuna-like species and sharks by fishing vessels other than ~~LSTLVs~~ those listed in subparagraphs a) and b) shall be allowed. The Commission shall review and, as appropriate, revise this Resolution.
5. This Resolution does not apply to transhipments outside the IOTC area of competence where such transhipment is subject to a comparable monitoring program established by another regional fisheries

¹ Port includes offshore terminals and other installations for landing, transhipping, packaging, processing, refuelling or resupplying (as defined by the FAO Port State Measures Agreement).

² Large-Scale Tuna Vessels (LSTV) – means fishing vessels targeting tuna and tuna like species in the IOTC area of competence that are 24 metres length overall and above and are on the IOTC Record of Authorised Vessels (IOTC RAV).

management organization. However, the information on tuna and tuna like species and sharks being transhipped outside the IOTC area of competence shall be provided to the IOTC Secretariat as required in paragraph 19 and paragraph 3 of Annex I.

6. The CPCs that flag LSTLVs shall determine whether or not to authorise their LSTLVs to tranship at sea. However, if the flag CPC authorises the at-sea transhipment by its flag LSTLVs, such transhipment shall be conducted in accordance with the procedures defined in Parts 4 and 5, and Annex III and Annex IV of this Resolution.

PART 3. RECORD OF CARRIER VESSELS AUTHORISED TO RECEIVE TRANSHIPMENTS-IN THE IOTC AREA OF COMPETENCE

7. The Commission shall establish and maintain an IOTC Record of Carrier Vessels authorised to receive tuna and tuna-like species and sharks from LSTLVs in the IOTC area of competence (IOTC RCV). For the purposes of this Resolution, carrier vessels not entered on the Record are deemed not to be authorised to receive tuna and tuna-like species and sharks.
8. Each CPC shall submit, electronically where possible, to the IOTC Executive Secretary the list of the carrier vessels that are authorised to receive transhipments from its LSTLVs in the IOTC area of competence. This list shall include the following information:
 - a. flag of the vessel;
 - b. name of vessel, register number;
 - c. IMO number;
 - d. previous name (if any);
 - e. previous flag (if any);
 - f. previous details of deletion from other registries (if any);
 - g. International Radio Call Sign;
 - h. type of vessels, length, gross tonnage (GT) and carrying capacity;
 - i. name and address of owner(s) and operator(s);
 - j. time period authorised for transhipping;
 - k. type of transhipment authorised (i.e., in port and/or at sea);
 - l. Colour photographs of the vessel showing:
 - the starboard side and portside of the vessel, each showing the whole structure
 - the bow of the vessel
 - at least one of the photographs clearly showing at least one of the external markings specified in 8(b) or 8(c).
9. Each CPC shall promptly notify the IOTC Executive Secretary, after the establishment of the initial IOTC RCV, of any addition to, any deletion from and/or any modification of the IOTC RCV, at any time such changes occur.
10. The IOTC Executive Secretary shall maintain the IOTC RCV and take measures to ensure publicity of the RCV through electronic means, including placing it on the IOTC website, in a manner consistent with confidentiality requirements notified by CPCs for their flag vessels.
11. Carrier vessels authorised for transhipment shall be required to install and operate a Vessel Monitoring System (VMS).

Port Inspection

12. Consistent with Resolution 16/11 on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, port State CPCs should prioritize inspection in port of (a) carrier vessels whose AIS/VMS signals disappear under suspicious circumstances and without explanation and/or indicate dubious movements, and (b) carrier vessels not entered into the IOTC Record of Carrier Vessels to verify tuna and tuna-like species and sharks are not on board. Inspection of transshipment activities in port should involve the monitoring of the entire transshipment process and include a cross check of transhipped amounts by species as reported in the fishing vessel's logbook and review of the prior authorization to tranship in port issued by the flag CPC to the fishing vessel.

Separation of cargo

13. Carrier vessels authorized to receive transshipments of tuna and tuna-like species and sharks shall be required to separate and stow transhipped fish by fishing vessel and develop a stowage plan to show the locations in the hold of the quantities by vessel and major species (i.e. bigeye, yellowfin and albacore) and desirably by other species. The carrier vessel master shall submit the stowage plan to inspectors, if requested.

PART 4. AT-SEA TRANSHIPMENT

14. Transshipments by LSTLVs in waters under the jurisdiction of the CPCs are subject to prior authorisation from the coastal State concerned. CPCs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the following conditions:

Flag State Authorization

15. LSTLVs shall not be authorised to tranship at sea, unless they have obtained prior authorisation from their flag CPC.

Notification obligations***Fishing vessel:***

16. To receive the prior authorisation referenced in paragraph 15, the master and/or owner of the LSTLV must notify the following information to its flag CPC authorities at least 24 hours in advance of an intended transshipment:
 - a. name of the LSTLV, its number in the IOTC RAV, and its IMO number, if issued;
 - b. name of the carrier vessel, its number in the IOTC RCV, its IMO number, and the product to be transhipped;
 - c. tonnage by product to be transhipped;
 - d. date and location of transshipment;
 - e. geographic location of the catches.

17. The master and/or owner of the LSTLV concerned shall complete and transmit to its flag CPC, not later than 5 working days after the transshipment, the IOTC Transshipment Declaration, along with its number in the IOTC RAV, in accordance with the format in Annex III.

Receiving carrier vessel:

18. Before starting transshipment, the master of the receiving carrier vessel shall confirm that the LSTLV concerned is participating in the IOTC programme to monitor transshipment at sea (which includes payment of the fee required in paragraph 13 of Annex IV) and has obtained the prior authorisation from their flag State referred to in paragraph 15. The master of the receiving carrier vessel shall not start transshipment without such confirmation.
19. The master of the receiving carrier vessel shall complete and transmit the IOTC transshipment declaration to the IOTC Secretariat and the flag CPC of the LSTLV, along with its number in the IOTC RCV within 24 hours of the completion of the transshipment.

20. The master of the receiving carrier vessel shall, 48 hours before the first point of landing, transmit an IOTC transshipment declaration, along with its number in the IOTC RCV to the competent authorities of the State where the landing takes place.
21. The Commission shall consider the introduction of supply declaration as follows at its annual Session in 2024 taking into account the effectiveness of such supply declaration introduced in ICCAT since 2022.
 - a. Anytime a carrier vessel on the IOTC RCV provides supply services to another vessel at sea in the IOTC area of competence, the master of the carrier vessel completes a supply declaration in accordance with the format set out in Annex V and send it by electronic means to its flag State and the IOTC Secretariat 24 hours in advance of the activity.
 - b. A separate supply declaration is not required when the supply activity is conducted in association with transshipment that is monitored by an IOTC Regional Observer.

Availability of Reports

22. The IOTC Secretariat shall promptly publish the documents received pursuant to paragraph 19 in the secure part of the IOTC website for the facilitation of implementation of Resolution 16/11 *On Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*.

Regional Observer Programme:

23. Each CPC shall ensure that all carrier vessels transshipping at sea have on board an IOTC observer, in accordance with the IOTC Regional Observer Programme in Annex IV. The IOTC observer shall observe the compliance with this Resolution, and notably that the transhipped quantities are consistent with the reported catch in the IOTC transshipment declaration.
24. CPCs shall prohibit vessels from commencing or continuing at-sea transshipping in the IOTC area of competence without an IOTC regional observer on board, except in cases of “force majeure” duly notified to the IOTC Secretariat. In those situations of “force majeure”, CPCs should also notify to the IOTC Secretariat the alternative monitoring, control and surveillance measures put in place.
25. In the case of the ~~seventeen~~ ~~twenty-two~~ (4720) Indonesian wooden carrier vessels listed on the IOTC Record of Authorised Vessels and listed in Annex VI, a national observer programme may be used in place of an observer from the regional observer programme for Indonesian wooden carrier vessels listed on the IOTC Record of Authorised Vessels. National observers shall be trained to at least one tuna-RFMO regional observer programme standards and will carry out all of the functions of the regional observer, including provision of all data as required by the IOTC regional observer programme and the reports equivalent to those prepared by the ROP Contractor. This provision shall only apply to the ~~seventeen~~ ~~twenty-two~~ (4720) specific wooden carrier vessels referenced in this paragraph, as indicated in Annex VI. Those wooden carrier vessels shall only be authorized to participate in transshipment operations with fishing vessels flagged to Indonesia. Replacement of those wooden carrier vessels are only permitted if the material of substitute vessel shall remain wooden and the carrying capacity or fish hold volume not larger than the vessel(s) being replaced. In such case, the authorisation of the replaced wooden vessel shall be immediately revoked.
26. The provisions in paragraph 25 will be rescheduled as a two-year continuation of the pilot that was started in 2017 and will continue in consultation with the IOTC Secretariat and associated experts. The continuation of the pilot project will be started in 2023. The pilot project is aiming to be integrated into the ROP by 2025, thus it would be the last extension period for the pilot project. The observer report shall be submitted regularly to the Secretariat, no later than 30 days after the end of the observer deployment. The observer shall observe the compliance requirement of the carrier and fishing vessels and indicate it in the report. The results of the project, including data collection, reports and the effectiveness of the project shall be examined annually by the IOTC Compliance Committee on the basis of a report prepared by Indonesia and analysis by the IOTC Secretariat through an independent assessment. This review shall include whether the programme offers the same level of assurances as those provided by the ROP. It shall also explore the feasibility of obtaining an IMO number

for the vessels concerned. The integration of the project into the ROP shall be subject to a new decision of the Commission. Information and data collected by Indonesia as part of the pilot project relating to the transshipment of southern bluefin tuna will be shared with the Commission for the Conservation of Southern Bluefin Tuna, consistent with existing IOTC sharing arrangements under the CCBST/ IOTC MOU.

PART 5. GENERAL PROVISIONS

27. To ensure the effectiveness of the IOTC Conservation and Management Measures (CMMs) pertaining to species covered by the Statistical Document Program:
 - a. in validating the Statistical Document, flag CPCs of LSTLVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLV;
 - b. the flag CPCs of LSTLVs shall validate the Statistical Documents for the transhipped fish, after confirming that the transshipment was conducted in accordance with this Resolution and this confirmation shall be based on the information obtained through the IOTC ROP;
 - c. CPCs shall require that the species covered by the Statistical Document Program caught by LSTLVs in the IOTC area of competence, when imported into the territory of a CPC, be accompanied by statistical documents validated for the vessels on the IOTC record and a copy of the IOTC transshipment declaration.
28. The CPCs shall report annually before 15 September to the IOTC Executive Secretary:
 - a. the quantities by species transhipped by their flag vessels during the previous calendar year;
 - b. the list of the LSTLVs registered in the IOTC RAV which have transhipped during the previous calendar year;
 - c. a comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from their flag LSTLVs during the previous calendar year.
29. All tuna and tuna-like species and sharks landed or imported either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the IOTC transshipment declaration until the first sale has taken place.
30. Each year, the IOTC Executive Secretary shall present a report on the implementation of this Resolution to the annual meeting of the Commission which shall review compliance with this Resolution.
31. The IOTC Secretariat shall, when providing CPCs with copies of all raw data, summaries and reports in accordance with paragraph 10 of Annex IV to this Resolution, also indicate evidence indicating possible violation of IOTC CMMs by LSTLVs/carrier vessels flagged to that CPC. Upon receiving such evidence, each CPC shall investigate the cases and report the results of the investigation back to the IOTC Secretariat three months prior to the annual Session of the IOTC Compliance Committee. The IOTC Secretariat shall circulate among CPCs the list of names and flags of the LSTLVs/Carrier vessels that were involved in such possible violations as well as the response of the flag CPCs 80 days prior to the annual Session of the IOTC Compliance Committee.
32. Resolution 23/05 *On establishing a programme for transshipment by large-scale fishing vessels* is superseded by this Resolution.

ANNEX I
CONDITIONS RELATING TO IN PORT TRANSHIPMENT

General

1. Transshipment operations in port may only be undertaken in accordance with the procedures detailed below:

Notification obligations

2. Fishing vessel:
 - 2.1. Prior to transshipping, the master of the LSTV must notify the following information to the port State authorities, at least 48 hours in advance:
 - a) the name of the LSTV, IMO number and its number in the IOTC record of fishing vessels;
 - b) the name of the carrier vessel, IMO number and the product to be transhipped;
 - c) the tonnage by product to be transhipped;
 - d) the date and location of transshipment;
 - e) the geographic location of the tuna and tuna-like species and sharks catches.
 - 2.2. The master of a LSTV shall, at the time of the transshipment, inform its flag State of the following;
 - a) the products and quantities involved;
 - b) the date and place of the transshipment;
 - c) the name, registration number, IMO number and flag of the receiving carrier vessel;
 - d) the geographic location of the tuna and tuna-like species and sharks catches.
 - 2.3. The master of the LSTV concerned shall complete and transmit to its flag State the IOTC transshipment declaration, along with its number in the IOTC Record of Authorised Vessels, in the format set out in Annex III not later than 15 days after the transshipment.

3. Receiving vessel:

Not later than 24 hours before the beginning and at the end of the transshipment, the master of the receiving carrier vessel shall inform the port State authorities of the quantities of tuna and tuna-like species and sharks transhipped to his vessel, and complete and transmit the IOTC transshipment declaration, to the competent authorities and the IOTC Executive Secretary within 24 hours.

Landing State:

4. The master of the receiving carrier vessel shall, 48 hours before landing, complete and transmit an IOTC transshipment declaration, to the competent authorities of the landing State where the landing takes place.
5. The port State and the landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag CPC of the LSTV to ensure that landings are consistent with the reported catches amount of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience, and that degradation of the fish is avoided.
6. Each flag CPC of the LSTVs shall include in its annual Implementation Report the details on the transshipments by its vessels.
 - 6.1. the quantities by species transhipped by their flag vessels during the previous calendar year;

- 6.2. the list of the LSTVs registered in the IOTC RAV which have transhipped during the previous calendar year.

ANNEX II

CONDITIONS RELATING TO TRANSHIPMENTS BETWEEN MALDIVIAN COLLECTOR VESSELS AND POLE AND LINE FISHING VESSELS

General requirements

1. The pole and line fishing vessel(s) involved shall be flagged in the Maldives and shall have a valid license to fish issued by the competent authorities of the Maldives.
2. The collector vessel(s) involved shall be flagged in the Maldives and shall have a valid license to operate issued by the competent authorities of the Maldives.
3. The vessel(s) involved shall not be authorized to fish or engage in fisheries related activities outside the area of national jurisdiction of the Maldives.
4. Transshipment operation shall only take place inside the atolls within the area of national jurisdiction of the Maldives.
5. The Collector Vessel(s) involved must be equipped and tracked by the competent authorities of the Maldives via a functional vessel monitoring system and shall also be equipped with an electronic observer system suitable for monitoring the transshipment activity.
6. The fishing vessel(s) involved in the transshipment operation should be tracked by the competent authorities of the Maldives via a functional vessel monitoring system as required by Resolution 15/03 *On the vessel monitoring system (VMS) programme*.

Reporting requirements

7. The flag State shall report in its annual Implementation Report the details on such transshipments by its vessels.
8. The data recording and reporting requirements set forth by the competent authorities of the Maldives for shore-based reporting or recording requirements shall also be applicable to transshipment operations between Maldivian collector vessels and pole and line fishing vessels.

ANNEX III
IOTC TRANSHIPMENT DECLARATION

Carrier Vessel	Fishing Vessel
Name of the Vessel and Radio Call Sign: Flag: IMO number: Flag State license number: National Register Number, if available: IOTC Register Number, if available:	Name of the Vessel and Radio Call Sign: Flag: IMO number: Flag State license number: National Register Number, if available: IOTC Register Number, if available:

	Day	Month	Hour	Year		Agent's name:	Master's name of LSTV:	Master's name of Carrier:
Departure								
Return								
Transshipment								

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: _____ kilograms

LOCATION OF TRANSHIPMENT

Species	Port		Sea	Type of product							
				Whole	Gutted	Headed	Filleted				

If transshipment effected at sea, IOTC Observer Name and Signature:

ANNEX IV
IOTC REGIONAL OBSERVER PROGRAMME

1. Each CPC shall require carrier vessels included in the IOTC Record of Carrier Vessels authorised to receive transhipments in the IOTC area of competence (RCV) and which tranship at sea, to carry an IOTC observer during each transhipment operation in the IOTC area of competence.
2. The IOTC Executive Secretary shall appoint the observers and shall place them on board the carrier vessels authorised to receive transhipments in the IOTC area of competence from LSTLVs flagged to CPCs that implement the IOTC Regional Observer Programme.

Designation of the observers

3. The designated observers shall have the following qualifications to accomplish their tasks:
 - a) sufficient experience to identify species and fishing gear;
 - b) satisfactory knowledge of the IOTC Conservation and Management Measures;
 - c) the ability to observe and record information accurately;
 - d) a satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

4. Observers shall:
 - a) have completed the technical training required by the guidelines established by IOTC;
 - b) not be, to the extent possible, nationals of the flag State of the receiving carrier vessel;
 - c) be capable of performing the duties provided in paragraph 5;
 - d) be included in the list of observers maintained by the Secretariat;
 - e) not be a crew member of an LSTLV or an employee of an LSTLV company.
5. The observer tasks shall be as follows:
 - a) On the fishing vessel intending to tranship to the carrier vessel and before the transhipment takes place, the observer shall:
 - i. check the validity of the fishing vessel's authorisation or licence to fish tuna and tuna-like species and sharks in the IOTC area of competence;
 - ii. check and note the total quantity of catch on board, and the quantity to be transferred to the carrier vessel;
 - iii. check that the VMS is functioning and examine the logbook;
 - iv. verify whether any of the catch on board resulted from transfers from other vessels, and check documentation on such transfers;
 - v. in the case of an indication that there are any violations involving the fishing vessel, immediately report the violations to the carrier vessel's master,
 - vi. report the results of these duties on the fishing vessel in the observers report.
 - b) On the carrier vessel:
monitor the carrier vessel's compliance with the relevant Conservation and Management Measures

adopted by the Commission and in particular the observers shall:

- i. record and report upon the transshipment activities carried out;
 - ii. verify the position of the vessel when engaged in transshipping;
 - iii. observe and estimate products transhipped;
 - iv. verify and record the name of the LSTLV concerned and its IOTC registration number;
 - v. verify the data contained in the transshipment declaration;
 - vi. certify the data contained in the transshipment declaration;
 - vii. countersign the transshipment declaration;
 - viii. issue a daily report of the carrier vessels transshipping activities;
 - ix. prepare a general report compiling the information collected in accordance with this paragraph and provide the master the opportunity to include therein any relevant information;
 - x. submit to the Executive Secretary the aforementioned general report within 20 days from the end of the period of observation;
 - xi. exercise any other functions as defined by the Commission.
6. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLVs and of the LSTLV owners and accept this requirement in writing as a condition of appointment as an observer.
 7. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
 8. 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 programme, and with the obligations of vessel personnel provided in paragraph 9 of this programme.

Obligations of the flag States of carrier vessels

9. The responsibilities of the flag States of the carrier vessels and their masters in relation to observers shall include the following:
 - a) observers shall be allowed access to the vessel personnel 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 provided in paragraph 5:
 - i. satellite navigation equipment;
 - ii. radar display viewing screens when in use; and
 - iii. electronic means of communication.
 - c) observers shall be provided accommodation, 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; and
 - e) the flag States shall ensure that masters, 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.
10. The Executive Secretary, in a manner consistent with any applicable confidentiality requirements, shall provide to the flag State of the carrier vessel and to the flag CPC of the LSTLV, copies of all available raw data, summaries, and reports pertaining to the trip four months prior to the next annual Session of the IOTC Compliance Committee.

Obligations of LSTLV during transshipment

11. Observers shall be allowed to visit the fishing vessel, if weather conditions permit it, and access shall be granted to personnel and areas of the vessel necessary to carry out their duties provided in paragraph 5.
12. The Executive Secretary shall submit the observer reports to the IOTC Compliance Committee and to the IOTC Scientific Committee.

Observer fees

13. The costs of implementing this program shall be financed by the flag CPCs of LSTLVs 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 Secretariat and the Executive Secretary shall manage the account for implementing the program.
14. No LSTLV may participate in the at-sea transshipment program unless the fees required under paragraph 13, have been paid.

ANNEX V
IOTC SUPPLY DECLARATION

Carrier (supply donor) Vessel:		Receiving vessel:	
Name:		Name:	
IOTC Register No.		IOTC Register No. (24 m or over)	
		National registration number (less than 24 m or non-IOTC vessel)	
IMO number, if available		IMO number, if available	
International Radio Call Sign		International Radio Call Sign	
Current Flag:		Current Flag:	
Date			
Latitude			
Longitude			
Goods supplied:		remarks (if any)	
- Fuel	<input type="checkbox"/>		
- Bait	<input type="checkbox"/>		
- Victuals	<input type="checkbox"/>		
- Spare parts	<input type="checkbox"/>		
- Medical supplies	<input type="checkbox"/>		
- Passengers/Crew	<input type="checkbox"/>		
- Other (specify)	<input type="checkbox"/>		

ANNEX VI

INDONESIAN CARRIER VESSELS AUTHORISED TO TRANSHIP AT SEA

No.	Name of Wooden Carrier	Vessel Gross Tonnage
1	BANDAR NELAYAN 2017	300
2	PERMATA TUNA WIJAYA 01	298
3	HIROYOSHI - 17	171
4	KILAT MAJU JAYA - 21	197
5	BANDAR NELAYAN 271 2009	242 179
6	PERINTIS JAYA - 36	99
7	NUSANTARA JAYA -12	149
8	NAGA MAS PERKASA 89	146
9	BANDAR NELAYAN 519	196
10	MUTIARA 36	294
11	BAHARI - 116	167
12	GOLDEN TUNA 99	199
13	BAHARI NUSANTARA	136
14	BANDAR NELAYAN 2018	290
15	BANDAR NELAYAN 308	244
16	BANDAR NELAYAN 2023	295
17	BAHARI 89	163
18	SURYA TERANG - 88	147
198	GOLDEN TUNA - 668	226
2019	MUTIARA 89	401
21	NAGA MAS PERKASA 889	200
220	NUSANTARA JAYA 32	149