

منظمة
الأغذية والزراعة
للأمم المتحدة

联合国
粮食及
农业组织

Food and Agriculture
Organization of the
United Nations



Organisation des
Nations Unies pour
l'alimentation et
l'agriculture

Продовольственная и
сельскохозяйственная
организация
Объединенных Наций

Organización de las
Naciones Unidas para la
Agricultura y la
Alimentación

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www.fao.org

Tender No. 8819/IOTC

7 - OCT 2014

Dear Sirs,

The Food and Agriculture Organization of the United Nations (FAO) is an intergovernmental Organization with more than 194 member countries. Since its inception, FAO has worked to alleviate poverty and hunger by promoting agricultural development, improved nutrition and the pursuit of food security - defined as the access of all people at all times to the food they need for an active and healthy life.

To achieve its goals, FAO cooperates with thousands of partners worldwide, from farmers' group to traders, from non-governmental organizations to other UN agencies, from development banks to agribusiness firms (further and more detailed information on FAO can be found on the internet site: <http://www.fao.org>).

In preparing your bid, you should take into account the international status and activities of FAO by submitting your best commercial terms. You should also be aware that FAO enjoys certain privileges and immunities which include exemption from payment of Value Added Tax ("VAT" or "IVA"), customs duties and importation restrictions.

The Food and Agriculture Organization of the United Nations requests assistance in connection with the implementation of a project entitled:

“Regional Observer Programme on carrier vessels receiving consignments from large-scale longline fishing vessels effecting transshipments at sea in the IOTC Area”

This Programme requires the IOTC Executive Secretary to appoint observers and place them on board carrier vessels authorized to receive transshipments in the IOTC Area of competence (Indian Ocean and adjacent seas) from large scale tuna longline vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the IOTC observer programme.

This tender seeks to identify a company that will be responsible for the selection, training and placing on board of observers, and collection and entry of data specified in the programme in conformity with the provisions below and with international safety standards and legislation, including all IOTC Conservation and Management Measures.

Full details of the required services may be found in **Appendix A** to this Letter of Invitation.

You are hereby invited to submit your proposal in connection with the award of such services.

The invitation is subject to the following procedures and conditions which you are deemed to have accepted by participating in this tender.

1. Procedures

- 1.1 A certain number of firms are being invited to submit proposals and FAO intends, without having committed itself in any way to any of the firms invited, to award the contract to the firm which is considered as having submitted the best proposal;
- 1.2 In submitting your proposal you are supposed to have considered all aspects relevant to the performance of the proposed contract and to have obtained all necessary information and data as to risks, contingencies and other circumstances which may influence or affect your proposal;
- 1.3 It is understood that all documents, calculations, etc., which may form part of your proposal will become the property of FAO, who will not be required to return them to your firm;
- 1.4 All costs incurred to prepare your bid have to be borne by you; this Organization will not be liable to reimburse any or all of such costs;
- 1.5 The Organization reserves the right to publish the awarded supplier name and country, total Contract value and a brief description of the works or services. In all cases, unsuccessful bidders will be notified;
- 1.6 The Organization may decide to make a partial award or no award at all should it consider that the results of this tender so require;
- 1.7 At no point prior to this award of the contract shall bidders contact or request any information pertaining to the tender from FAO, its staff or technical unit responsible for this tender, outside the specific channel indicated under para. 9 below;
- 1.8 Please note that Bidders who use an independent consultant to assist in the preparation of Offers may risk engaging in unacceptable practices if the same consultant assists another Bidder to prepare an Offer for the same tender. Bidders are reminded that they are fully responsible for the conduct of any consultant who may be used to prepare offers for FAO tenders and they should take all measures to ensure that any independent consultant engaged to assist in the preparation of an Offer for an FAO tender has not and will not be involved in the preparation of an offer for another Bidder for the same tender process.
- 1.9 By participating in this tender, bidders certify that their company (including all members of a consortium) and/or subcontractors are not associated, directly or indirectly, with the consultant or any other entity who prepared the terms of reference or other bidding documents for the project.
- 1.10 **Evaluation Criteria:** the technical evaluation of this tender will account for 60% of the overall evaluation, while the financial bid will account for 40% of the overall evaluation (see **Appendix D**).

2. Documents Enclosed

To facilitate preparing your proposal the following documents are enclosed:

- 2.1 The "Proposal Summary" form, to be used for submitting your proposal;
- 2.2 Appendix A to the Letter of Invitation, which sets forth the Technical requirements and Terms of reference to the contract including the Obligations of the flag State of carrier vessels (Attachment 1),

the Standards of Conduct and Behaviour of Bidders (Attachment 2) and Standards of Conduct and Behaviour of Observers (Attachment 3);

- 2.3 Appendix B to the Letter of Invitation, which provides the information relevant to the preparation of the Technical proposal;
- 2.5 Appendix C to the Letter of Invitation, which provides the information relevant to the preparation of the financial proposal;
- 2.6 Appendix D to the Letter of Invitation which provides details of the evaluation criteria;
- 2.7 Appendix E which includes details of the IOTC Resolution 14/06;
- 2.8 A sample of the FAO Contract that will be issued.

3. **Documents to be Submitted**

The proposal should be submitted in **two (2) separate parts** consisting respectively of **Part A) Technical Proposal** and **Part B) Financial Proposal** which should be prepared as follows:

3.1 **Part A: Technical Proposal** which shall consist of:

3.1.1. the duly completed "Proposal Summary" mentioned in paragraph 2.1 above, using the form enclosed herewith or copies of such form;

3.1.2. the Technical proposal prepared in line with the information provided in Appendices A and B to the Letter of Invitation, inclusive of signed declaration related to Bidders' Standards of Conduct and Behaviour (Appendix A - Attachment 2);

3.1.3 the information requested in Appendix B of the LoI.

3.2. **Part B: Financial Proposal** which shall consist of:

3.2.1. The information requested in Appendix C to the Letter of Invitation.

4. **Form of Submission and Closing Date**

- 4.1 Your **Technical Proposal** and **Financial Proposal** should be submitted as attachments under **separate e-mail** messages as follows:

***TO ENSURE THE VALIDITY OF YOUR BID, IT MUST BE SUBMITTED AS FOLLOWS:
BY EMAIL(preferred method): FAO-HQ-Tenders@fao.org OR by FAX: + 39.06.92912311
on or before the closing date and time, quoting the FAO Invitation to Bid / Sealed Bid
Number specified below as the email subject. All submissions should be in PDF format.
Your bid may be submitted in one or more emails not to exceed 10 MB each.***

***THESE BIDS ARE TREATED AS CONFIDENTIAL, PLEASE DO NOT COPY ANY
OTHER RECIPIENT***

BIDS RECEIVED ON ANY OTHER FAX NUMBERS OR E-MAIL ACCOUNT (INCLUDING CSAP-Contracts-Group@fao.org), BY MAIL, OR ANY OTHER MEANS AND / OR BIDS RECEIVED AFTER THE CLOSING DATE WILL BE CONSIDERED INVALID.

4.2 Your proposal should reach this Organization not later than **16.00** hours Rome time on:

10 November 2014

4.3 We would appreciate your acknowledging receipt of this invitation and indicating your intention as to whether or not you will submit a bid via e-mail to the following address: CSAP-Contracts-Group@fao.org.

5. **Communications Concerning this Tender:**

All communications concerning this tender should mention the tender number (**Tender No. 8819/IOTC**) and should be sent via e-mail to the following address: CSAP-Contracts-Group@fao.org.

IMPORTANT: Deadline for technical questions is: 27 October 2014

6. **Completeness of Proposal**

Proposals will only be considered if they contain all of the above information and documents and observe the provisions of the enclosed agreement/s. Incomplete proposals may be rejected as otherwise it will not be possible to evaluate them on an equal basis.

7. **Participation by the Organization**

You should examine carefully the nature and extent of the participation in the contract performance by the Organization as set out in Annex VII of the enclosed contract since such contract assumes that all other requirements for its successful completion are provided at the cost of the Bidder. You should therefore state in the appropriate space provided in the "Proposal Summary" any additions or modifications of the said Annex VII which you suggest for a satisfactory performance of the contract.

8. **Privileges and Immunities**

This Organization enjoys certain privileges and immunities which include exemption from payment of "IVA" (VAT), customs duties and importation restrictions.

9. **Currency of Proposal and of Contract**

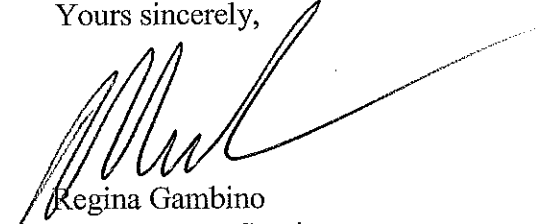
Your proposal should be expressed in **USD Dollars or Euro**.

10. **Evaluation of proposals**

The Organization reserves the right to further discussions/negotiations with the Bidder prior to issuance of a letter of acceptance.

May I take this opportunity of expressing our appreciation of your interest in assisting the Organization in the implementation of this undertaking.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Regina Gambino', with a long, sweeping horizontal line extending to the right.

Regina Gambino
Chief, Procurement Service
Administrative Services Division

PROPOSAL SUMMARY (i)

Instructions: Please complete the spaces left blank below. Prices should be quoted in USD Dollars or Euro.

PART I: Documents submitted

- I certify that all the documentation requested in the Letter of Invitation and specifically in Appendix B, related to the technical proposal have been submitted.

PART II: Commencement of contract performance

- I undertake to commence the performance of the contract immediately upon receipt of the contract itself duly signed by the Organization and in any case no later than **January 1st, 2015**.
- I confirm that the personnel proposed for assignment to the contract will remain available for such assignment provided the contract is awarded within the period of validity of the proposal as specified in Part VII below.

PART III: Participation by the Organization in the contract performance

- For a satisfactory contract performance, the following inputs would have to be provided (please indicate the related costs only in your financial proposal):
.....

PART IV: Financial proposal

- I hereby confirm that I will submit Appendix C to the Letter of Invitation showing the costs proposed for the requested services with all necessary breakdown.

PART V: Completeness of Proposal:

- I confirm having obtained all relevant data and information as regards risk, contingencies, and any other circumstances which may influence or affect the performance of the contract, which have been duly taken into account in the formulation of this proposal.

PART VI: Contract Provisions:

- I confirm that the terms and conditions of the contract as enclosed with the letter of invitation are acceptable except for the reservations explicitly set out in this proposal.
- I confirm that I have read the contract provisions related to "Right to Publish Contract Award, Conflict of Interest and Fraud and Corruption".
- I confirm that I am currently not on the removed or suspended vendor list of the UN or other such lists of other UN agencies, nor I am associated with, any company or individual appearing on the 1267/1989 list of the UN Security Council.

PROPOSAL SUMMARY (ii)

PART VII: Validity of Proposal:

- This proposal is valid for acceptance for a period of TWELVE (12) MONTHS as from the deadline for the submission of the proposal indicated in the letter of invitation.

Name of Firm: _____

Mailing Address: _____

Fax: _____

Tel: _____

Email: _____

Person(s) to contact:

Signature: _____

Date: _____

Name & Title: _____

Company seal: _____

TECHNICAL REQUIREMENTS AND TERMS OF REFERENCE

A. INTRODUCTION

In May 2006, the Indian Ocean Tuna Commission adopted the *Resolution on Establishing a Programme for Transshipment by Large-Scale Fishing Vessels*, IOTC Resolution 06/02, which required, *inter alia*, the implementation of an IOTC Regional Observer Programme. IOTC Resolution 06/02 has been superseded by IOTC Resolution 14/06, which was adopted in June 2014. IOTC Resolution 14/06 is presented in Appendix E

This Programme requires the IOTC Executive Secretary to appoint observers and place them on board carrier vessels authorized to receive transshipments in the IOTC Area of competence (Indian Ocean and adjacent seas) from large scale tuna long line vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the IOTC observer programme.

B. OBJECTIVE OF THE TENDER

On behalf of the IOTC Secretariat the FAO is calling for tenders to implement IOTC Regional Observer Programme, through executing all the logistical requirements necessary of the placing on board, in conformity with the provisions below and with international safety standards and legislation, including all IOTC Conservation and Management Measures, of observers on carrier vessels receiving consignments from large scale long line fishing vessels effecting transshipments at sea in the IOTC Area of competence.

The agency or agencies selected will be responsible for the selection, training and placing on board of observers, and collection and entry of data specified in the programme. All equipment, logistical services and insurance must be provided by the agency or agencies.

Contracts with selected agency or agencies will be extended for an initial period of two years from the time of signature, renewable by mutual agreement.

The company or agency selected will be responsible *inter alia* for:

- Selection of IOTC observers
- Implement the observer training programme
- Logistical arrangements for placement of observers on board vessels as required
- Contact with vessels as required
- Full insurance coverage for all aspects of implementation of the programme
- Debriefing of observers and provision of interview reports
- Data collection and entry
- Quarterly Reports of all data
- All equipment required by observers
- Qualified personnel for programme management
- Annual financial statement showing all expenditures and receipts

C. TECHNICAL REQUIREMENTS

Only companies or agencies with an operating licence and authorization may participate to this Request for Proposal.

C.1 Past Performance

The second key element in the technical proposal describes the Bidder's relevant past performance. Describe, in detail, your relevant past performance in providing fisheries observer services to regional (state or other agency), federal or commercial programmes. Describe how this coverage is similar to or different from the current requirement.

Relevant past performance must be demonstrated to be of similar size, scope, and complexity as the IOTC Regional Observer Programme. Past performance information to include contract numbers, points of contact with telephone numbers and other relevant information

C.2 Methodology and approach

The proposal should be specific in addressing the technical methodology of creating a fishery observer programme capable of completing up to 2,162 sea days annually (approximately 47 trips of 46 days duration each) and delivering timely, accurate, and quality data. The area covered will be the entire Indian Ocean and adjacent seas. Most transshipments will probably be effected by distant water fisheries. Possible points of observer embarkation/disembarkation could be in South Africa (Cape Town), Singapore (Jurong Port), or Mauritius (Port Louis), but will be identified more precisely according to demand. It is anticipated that the programme will need 15 to 20 observers available at any one time.

This schedule is for estimating purposes only as the actual sea day schedule for calendar year 2015 and subsequent years, for which the contract may be extended, may be different. For subcontracting that is anticipated, the Bidder shall identify the areas of work to be subcontracted and how the subcontracted effort will be managed to ensure satisfactory and timely performance of the work. The details of staffing proposed (by position/skills), both sea going observers and shore based support staff, their location and methodology to be flexible enough to reach the required vessels for coverage. This section shall address the bid's recruiting and retention strategy and proposed training plan and schedule, sample tests and exams.

The technical proposal shall also address the Bidder's Data Quality Management Programme. It shall include a description of the bid's corporate policy and objectives for, and commitment to, quality, and how it will be applied to the data deliverables under the contract. It should address data validation and quality control procedures.

C.3 Bidder's Resources

The bidder shall describe in detail the skills and experiences of proposed key personnel necessary to properly manage and execute the contract. Résumés (*Curricula vitae*) shall be included. The proposal should convey to the IOTC that the contractor fully understands the complexities of executing the contract. Additionally the proposal should describe responsibilities of the proposed management personnel and to what extent various positions have operational authority and include an organizational chart, together with details of operating licence or authorization.

C.4 Management

The bidder needs to demonstrate its corporate experience in the management, oversight and execution of providing fishery observer services of this magnitude. The bidder should describe, to what extent, its facilities, infrastructure, key staff, recruitment capabilities would support their technical methodology. Finally, the bidder shall describe its corporate policy in terms of human resources, benefits, insurance, leave policy, continuing education, and enforcement of the standards of conduct

D. BIDDER'S RESPONSIBILITIES

The Bidder will assume full responsibility for implementing all aspects of the IOTC Regional Observer Programme.

D.1 General

1. Maintain the corps of trained certified observers needed to complete the sea-day coverage requirement. The best candidates must be selected for the programme. Selection must be approved by the IOTC Secretary.
2. Train, test and submit for approval observer candidates. Retrain and test approved observers to maintain skills and to provide updated methods, priorities and protocols.
3. Inform the Secretariat of the need to terminate the employment of observers who fail to abide by established standards of conduct and conflict of interest, or whose performance is determined to be unsatisfactory. Observers must complete at least one trip per year to maintain IOTC Observer approval.
4. Support, as specified herein, the observers during each phase of their employment period including training, briefing, travel, accomplishing requisite land duties, data collection at sea, while working dockside and during debriefings.
5. Have all observers sign the Standards of Conduct and Behaviour and submit to the IOTC (Attachments 1, 2 and 3 to this Appendix A).
6. Ensure fair compensation for observers, commensurate with academic achievement and other qualifications.
7. Communicate with IOTC and vessel owners to facilitate programme operations and attainment of goals.
8. Locate vessels and deploy observers to vessels, following instructions from IOTC.
9. Provide all logistical and administrative support necessary to deploy observers to / from ports from which vessels depart / land.
10. Brief and debrief observers before / after assignments.
11. Facilitate communication between observers and IOTC staff for the purpose of investigating the circumstances of alleged refusals to accept an IOTC observer or any other violation of law, regulation or protocol recorded by the observer in the course of his/her duties.
12. Obtain adequate insurance to cover injury, liability and accidental death for observers during the contract period of performance. Current insurance certificate(s) shall be provided to IOTC within 10 days of contract award.
13. Maintain a database of all observer activities.

14. Submit a short (one page or less) informal, biweekly report, in electronic format, to the IOTC including vessel and observer activity and any problems encountered deploying observers. This report shall be submitted via email or facsimile.
15. Ensure all the reporting requirements are met.
16. Provide adequate documentation to determine travel expenses are justified and in accordance with the IOTC guidelines as laid down below.
17. Report any complaints made by the industry or observer regarding observer/industry activities, as well as any observer injuries aboard vessels.
18. Ensure that the carrier vessel comply with all safety standards including, but not limited to, the International Convention for the Safety of Life at Sea, 1974 (SOLAS) as amended and require strict adherence to the Guidelines on Observer Safety, including the safety checklist developed in accordance with IOTC Observer Programme Manual.
21. Ensure the highest quality data is provided to IOTC by:
 - a) monitoring all aspects of observer performance;
 - b) interacting with vessels which have carried observers including interviews with the captains to determine if the observer performed his/her job in a professional manner and carried out all required tasks (a random 10% of each observer's trips will have follow-up interviews);
 - c) providing Interview Reports to IOTC within 5 working days of the interview;
 - d) providing the IOTC with a quarterly report regarding the overall data quality including a list of specific observer performance shortcomings and action taken to rectify them;
 - e) providing remedial training for observers when necessary to rectify performance shortcomings.

D.2 Data Requirements

The Bidder shall develop protocols for debriefing observers and for data collection, storage, archiving, evaluation, and other aspects of quality assurance and quality control, such as chain of custody matters, for approval by IOTC.

The Bidder shall perform data entry at its facilities using programs, software and formats approved by IOTC. The Bidder shall provide the necessary computer equipment.

Data collected by observers will be entered into the IOTC database. The final product in electronic format as well as raw data forms shall be provided within 15 days of the trip completion.

The Bidder shall keypunch (transcribe) all the data collected under the programme in accordance with Appendix 1.

The IOTC retains the right to reject any data entry staff proposed by the Bidder if his or her qualifications do not meet the required standards or if their work has been performed at an unsatisfactory level on previous projects.

D.3 Vessel Call-In System

Notification is required prior to the planned entry into the IOTC area. The vessel is then assigned an observer. The Bidder shall provide personnel to handle a 24-hour notification system. Notification requirement may require e-mail, faxes or telephone calls from the vessel's representative.

The Bidder will maintain a database of vessels / observers activities and provide weekly reports to IOTC including, at minimum, a listing of which vessels have been assigned observers, those expected to enter IOTC area, and trips completed.

D.4 Equipment and Supplies

The Bidder shall provide observer equipment as listed in Section E below. All items must be approved by IOTC before purchase.

D.5 Reimbursable

Travel costs are reimbursable and will include costs associated with observer travel to and from vessels.

Training costs are reimbursable and are intended to include all costs associated with observer training, including, but not limited to, observer salary during the training period, per diem, miscellaneous equipment for use during training (as authorized or requested by IOTC).

Any travel costs incurred in association with the performance of this work, including transportation, lodging, subsistence, and incidental expenses incurred by the Bidder's personnel shall be reimbursed for the actual costs incurred; in accordance with the terms of the contract agreed.

E. MATERIAL REQUIREMENTS

E. 1 Bidder Furnished Equipment and Supplies for Each Observer

The Bidder must furnish all necessary equipment to the observer for the performance of his/her duties. Standards of equipment must meet, at a minimum, those provided to national programmes run by the agency. Equipment for each observer must include, but is not limited to:

- 1 Immersion suit
- 1 Personal Floatation Device
- 1 strobe light
- 1 signal mirror
- 1 Emergency Position Indicating Radio Beacon (406 MHz EPIRB, preferably with integral GPS navigation receiver).
- 1 Species ID publication
- 1 Clip board
- 1 Pair binoculars
- Photographic camera (or cameras if single use)
- 1 Calculator
- Data recording forms (IOTC approved)
- 1 Laptop computer

Some of the above pieces of equipment have already been purchased by IOTC (under the previous contract) and they are already fully operational while some others, due to wear and tear, may be due for replacement.

The Bidder must furnish, if required, all necessary pieces of equipment to the observer (as per list above and not limited to it) for the performance of the duties.

E. 2 Key Personnel

The Bidder shall assign to this contract the following Key Personnel:

PROGRAMME MANAGER
LOGISTICS COORDINATOR

Programme manager must have at least a University degree relating to fisheries management and 5 years' experience involving observer programme management or coordination. Logistics Coordinator must have at least 5 years' experience in logistical and travel administration, 3 of which should be related to observer programme implementation, and relevant language skills, including a good knowledge of English.

The Bidder shall obtain the consent of the IOTC prior to assigning Key Personnel or making substitutions. Replacements for Key Personnel must possess qualifications equal to or exceeding the qualifications of the personnel being replaced specified.

Requests for changes shall be submitted to the IOTC at least 15 working days prior to making any permanent substitutions. The request should contain a detailed explanation of the circumstances necessitating the proposed substitutions, complete résumés for the proposed substitutes, and any additional information requested by the IOTC.

The IOTC will notify the Bidder within 10 working days after receipt of all required information of the decision on substitutions. The contract will be modified to reflect any approved changes.

In addition, data entry and coordination staff, and any other support staff required shall be provided by the Bidder.

F. OBSERVERS

F. 1 Observer Qualifications

The following represent the minimum qualifications required to work as an IOTC observer:

1. Successful completion of college/university education at a recognized academic institution.
2. One year of observing experience, performed at acceptable level, in other fishery-related observer programmes.
3. Be certified by a physician to be physically fit to work as an observer on commercial vessels. The physician must understand the observer's job and working conditions. Physical considerations include, but are not limited to:
 - a. susceptibility to chronic motion sickness
 - b. ability to live in confined quarters
 - c. ability to tolerate stress

Any physical condition that could limit an individual from completing any observer duties while at sea or ashore may be grounds for a failed medical certification.

4. Be able to work independently, while following technical instructions.
5. Be able to get along well with other people of various nationalities.
6. Maintain objectivity, and the appearance of objectivity. Observers must not have either direct or indirect financial or political interest in an organization that might be aided by the performance or non-performance of an observer's duties. This is described in **Attachment C** under the Standards of Conduct and Behaviour, which is required to be signed and submitted to the IOTC before the first day of training.
7. Not be a national of the flag State of the receiving carrier vessel.
8. Obtain and maintain current certification for Cardio-Pulmonary Resuscitation (CPR) by an agency acceptable to IOTC.
9. Completion of a basic First Aid class is also required before certification. A copy of CPR certification for all observers will be provided to the IOTC prior to the first day of training class and annually thereafter.
10. Has never been terminated or decertified as an observer, due to problems with data quality or standards of conduct, in any other observer programmes. Candidate's references of previous employment as observers in other programmes shall be verified by the Bidder as to ensure compliance with this requirement.
11. Have a good knowledge of English and, if possible, of the languages of the flag of the carrier vessel*¹.

All observers must complete the training course specified below at F.3.1.

F.2 Observer Designation

The IOTC will approve as IOTC observers the candidates who meet all the required qualifications and pass the IOTC approved Observer Training Course.

F.3 Training Requirements

1. When required, the Bidder shall train observers in accordance to the Curriculum of the IOTC Observer Training Course.
2. The Bidder shall provide IOTC with at least thirty days' notice when a training session is needed. The Bidder shall submit to IOTC, at least ten working days before the beginning of the training, the following information:
 - a) A list of the individuals attending
 - b) A copy of each person's resume

* This may vary, but the majority will possibly be Asian vessels. Some knowledge of Japanese and /or Chinese will therefore probably be required.

- c) Reference checks
 - d) Results of security checks, if appropriate.
 - e) Supporting documentation to verify the candidate meets medical fitness requirements
3. The IOTC retains the right to reject any observer candidate proposed by the Bidder if his or her qualifications do not meet the qualifications specified in Section F.1, paragraphs 1-10, or if their work has been performed at an unsatisfactory level on previous projects, or if their behaviour on other projects has been disruptive.
 4. The Bidder shall provide medical fitness screening for each prospective observer candidate. Costs associated with such screening shall be borne by the Bidder. Observers must be able to work at sea for extended and uncertain durations without medical restrictions. Medical examinations are required for each new hire and shall be renewed each year thereafter. Proof of passing a medical fitness examination shall be supplied to IOTC with each trainee and with each subsequent renewal.

Psychological stress may be high aboard vessels because the observer must live in confined quarters with vessel personnel whose interests may not coincide with the observer's duties.
 5. The Bidder is responsible for all logistical and administrative costs associated with providing training, including providing audio-visual equipment and other hardware or software, securing training space, covering observer candidate travel, etc.

F.4 Observer Conduct

At sea, observers work in a self-supervised capacity and must maintain high standards of conduct. Observers must maintain a professional, objective demeanor at all times. The Bidder shall enforce standards of conduct for observer employees and may develop additional standards of conduct, as necessary. Any new standards of conduct shall be subject to IOTC approval. The Bidder shall develop a process and procedures for enforcement of the standards. These shall also be subject to IOTC approval. Observers must comply with the standards set forth in the attached Standards of Conduct and Behaviour (see Attachment 3 to this Appendix A) and any others agreed between IOTC and the Bidder.

F.5 Observer Responsibilities

Observer candidates undergo initial training for certification of duration sufficient to ensure their ability to carry out IOTC observer duties as specified in the IOTC Regional Observer Programme. Upon designation as IOTC observers, they will be placed on board carrier vessels authorized to receive transshipments in the IOTC area.

1. While at sea, observers shall follow procedures detailed in the IOTC Observer Programme Manual to obtain required data and specifically:
 - a. Weather conditions permitting, observers shall be allowed to visit the Fishing Vessel intending to transship to the carrier vessel and before transshipment takes place he/she shall:
 - i. check the validity of the fishing vessel's authorization or license to fish tuna and tuna like species in the IOTC area;
 - 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 case of an indication that there are any violations involving fishing vessels, immediately report the violations to the carrier vessel master; and,
 - vi. report the results of these duties on the fishing vessel in the observer's report.
- b. On the carrier vessel intending to receive fish from the fishing vessel, monitor the carrier vessel's compliance with the relevant conservation and management measures adopted by the Commission. In particular:
- 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 large scale tuna longline vessel (LSTLV) concerned and its IOTC 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 vessel's transshipping activities;
 - ix. establish general reports compiling the information collected and provide the Captain the opportunity to include therein any relevant information;
 - x. submit the aforementioned general report. This report must be forwarded to the Secretariat, within 15 days from the end of the period of observation,
 - xi. exercise any other functions as defined by IOTC.
2. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLVs and of the LSTLV owners and sign a confidentiality agreement as a condition of employment.
 3. 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.
 4. Observer shall respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the observer duties and with the obligation of vessel personnel toward the IOTC Observer Programme.
 5. Observers who encounter captains or owners of vessels who refuse to accept them on their vessel for deployments shall provide documentation of the refusal to IOTC. This documentation shall be provided via E-mail or fax to the Bidder's office as soon as reasonably possible but no later than 24 hours from the time the vessel owner refuses to accept them on his/her vessel. This documentation shall be of substance and detail and sufficient narrative shall be provided to completely answer the following guideline questions: who, what, when and where.
 6. Observers must maintain regular contact with the Bidder's office. When requested, the observer must call prior to sailing, and immediately upon landing from their assignment.
 7. Failure to follow or carry out fully and effectively observer responsibilities and obligations, including following the standards of conduct, may result in termination of employment.

Attachment 1

Obligation of the flag State of carrier vessels.

The obligations of the flag States of the carrier vessels and their Captains include:

1. Allow observer access to the vessel personnel and to the gear and equipment;
2. Allow observer, upon request, an access to the following equipment, if present on the vessel, in order to facilitate the carrying out of their duties:
 - a) satellite navigation equipment;
 - b) radar display viewing screens when in use; and,
 - c) electronic means of communication.
3. Provide observers with accommodations, including food and adequate sanitary facilities, equal to those of officers;
4. Provide observer with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties;
5. The flag State 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.
6. The flag State and the vessel Captain shall accept deployment of observers on carrier vessels without regard to, *inter alia*, observer race, gender, age, religion, or sexual orientation.
7. Ensure seaworthiness and safety of the vessel platform consistent with the IOTC Observer Programme Safety Guidelines and comply with all safety standards including, but not limited to, the International Convention for the Safety of Life at Sea, 1974 (SOLAS) as amended.

Attachment 2

STANDARDS OF CONDUCT AND BEHAVIOR OF BIDDERS

Definitions

Conflict of interest - Participation in activities or relationships with other persons, resulting in the impairment or possible impairment of a person's objectivity in performing the contract work.

Direct financial interest - Any source of income to, or capital investment or other interest held by, an individual, partnership, or corporation or an individual's spouse, immediate family member or parent that could be influenced by performance or non-performance of duties under the contract.

Conduct

1. The Bidder shall not hold any direct financial interest in the observed fishery (other than the provision of observer service to IOTC) including, but not limited to, vessels or shore-side facilities involved in the catching or processing of the products of the fishery, companies selling supplies or services to those vessels or shore-side facilities, or companies purchasing raw or processed products from these vessels or shore-side facilities. The interests of a spouse or minor child are considered those of the Bidder.
2. The Bidder shall recruit observers without regard to, *inter alia*, race, gender, age, religion, or sexual orientation and assign observers without regard to any preference expressed by representatives of vessels based on, but not limited to, observer race, gender, age, religion, or sexual orientation.
3. The Bidder shall not solicit or accept, directly or indirectly, any gratuity, gift, favour, entertainment, loan or anything of monetary value from anyone who conducts activities that are regulated by IOTC, or who has interests that may be substantially affected by the performance or non-performance of the official duties of the Bidder and/or its employees.
4. The Bidder shall not deploy IOTC observers in a manner or under such circumstances that are inconsistent with the agreed IOTC guidelines on safety.

I have read all Standards of Conduct, and agree to abide by all Standards.

Dated :

Signed:

Attachment 3**STANDARDS OF CONDUCT AND BEHAVIOR OF OBSERVERS****Definitions**

Conflict of interest - Participation in activities or relationships with other persons, resulting in the impairment or possible impairment of a person's objectivity in performing the contract work.

Direct financial interest - Any source of income to, or capital investment or other interest held by, an individual, partnership, or corporation or an individual's spouse, immediate family member or parent that could be influenced by performance or non-performance of duties under the contract.

Conduct

1. An individual is only considered an IOTC certified observer when employed by a Bidder that holds a contract with IOTC to provide observer services and is acting within the scope of his/her employment.
2. Observers may not participate in any activity which would:
 - a) cause a reasonable person to question the impartiality or objectivity with which the Observer Programme is administered;
 - b) significantly impair the observer's ability to perform his/her duties.
 - c) adversely affect the efficient accomplishment of the Programme's mission
3. Observers may not have direct financial interest in the observed fishery, other than the provision of observer services including, but not limited to, vessels or shore-side facilities involved in the catching or processing of the products of the fishery, companies selling supplies or services to those vessels or shore-side facilities, or companies purchasing raw or processed products from these vessels or shore-side facilities. The interests of a spouse or minor child are considered those of the observer.
4. Observers may not solicit or accept, directly or indirectly, any gratuity, gift, favour, entertainment, loan or anything of monetary value from anyone who conducts activities that are regulated by IOTC, or who has interests that may be substantially affected by the performance or non-performance of the observers' official duties.
5. Observers may not serve as observers on any vessel or at any shore-side facility owned or operated by a person who previously employed the observer in any capacity.
6. Observers may not solicit or accept employment as a crew member or an employee of the vessel or shore-side processor in any fishery while employed as an observer.
7. A person may not serve as an observer in a fishery during the 3 consecutive months following the last day of his/her employment as a paid crew member or employee in that fishery.
8. Observers may not engage in an activity that may give rise to the appearance of a conflict of interest that may cause another individual to question the observer's impartiality, fairness or judgment.
9. Observers must avoid any behaviour that could adversely affect the confidence of the public in the integrity of the IOTC Observer Programme or of the IOTC, including, but not limited to the following:

- a) Observers must diligently perform their duties.
- b) Observers must accurately record their sampling data and write complete reports. If the observer chooses to report any suspected violations of regulations relevant to conservation of marine resources or their environment that they observe, it must be done honestly.
- c) Observers must not disclose collected data and observations made on board the vessel or in the processing facility to any person except the owner or operator of the observed vessel or processing facility, or an authorized officer or IOTC
- d) Observers must refrain from engaging in any illegal actions or any activities that would reflect negatively on their image, on other observers, or the Observer Programme, as a whole. This includes, but is not limited to:
 - i) Engaging in drinking of alcoholic beverages while on duty
 - ii) Engaging in the use or distribution of illegal substances
 - iii) Becoming physically or emotionally involved with vessel or processing facility personnel

I have read the Standards of Conduct and Behaviour, and agree to abide by all Standards.

Dated:

Signed :

TECHNICAL PROPOSAL

Bidders' technical proposal should consist of the following, clearly identified items:

1. Bidder's general experience:

Refers to point C.1 and 4 of Appendix A to the Letter of Invitation.

A statement demonstrating the bidder's general experience in the field of the required contract services including:

- 1) Operating licence and authorization;
- 2) Bidder's general experience in the field of the required contract services;
- 3) Extent of observer coverage in similar work undertaken previously (similar size, scope, and complexity);
- 4) Experience in the region, or in regions similar to the one in which the contract is to be performed;
- 5) Description of how this coverage is similar to or different from the current requirement.

2. Proposed workplan and methodology

Refers to C.2 and 4 of Appendix A to the Letter of Invitation.

A statement demonstrating the bidder's adequacy of the proposed work plan and approach;

- 1) Technical methodology for creating a fishery observer programme capable of completing up to 2,162 sea days annually;
- 2) Company's Data Quality Management Programme;
- 3) Proposal for achieving delivery of timely, accurate and quality data to the IOTC;
- 4) Proposal for developing protocols for debriefing observers and for data collection, storage, archiving, evaluation, and other aspects of quality assurance and quality control, such as chain of custody matters;
- 5) Company's recruiting and retention strategy and proposed training plan for observers.

3. Personnel

Refers to C.3 and 4 of Appendix A to the Letter of Invitation.

A statement showing the bidder's personnel proposed to be assigned to contract.

- 1) General qualifications, including education, length of experience, type of position held previously.
- 2) Specific qualifications related to the project required by key personnel.
- 3) Language capability
- 4) Experience in the region, or in regions similar to the one in which the contract is to be performed

Overall, bidders need to demonstrate their corporate experience in the management, oversight and execution of providing fishery observer services of this magnitude (C.4 of Appendix A).

FINANCIAL PROPOSAL

Summary of Costs

	Unit type	Quantity	Unit Price	Total price (US Dollars)
1. Training	Observer			
2. Placement of observers - cost per sea day excluding travel*	Sea day			
3. Placement of observers - cost per travel day	Travel day			
4. Communication costs (contacts with vessels)	Sea day			
5. Insurance	Sea/Travel day			
6. Briefing/Debriefing and interview reports	Sea Day			
7. Data collection and entry				
8. Quarterly Reports of all data and other relevant information				
9. Observer equipment				
10. Staffing and agency overheads				
11. Other (specify)				
TOTAL				

*Travel costs will be reimbursed separately upon receipt of relevant documentation and in accordance with the provisions of Article 2 (e) of the sample contract.

2. Breakdown of rates:

All above items should be identified, itemized and priced by unit and total, with details of the services to be provided under each item.

Travel days: Days of travel of observer from point of departure to point of embarkation and vice versa. Price quoted must include all costs, including observer pay plus local travel and subsistence for standby, etc....).

Appendix C to the Letter of Invitation

Page 2 of 2 pages

Training days: Price quoted should include all costs, including training, materials, cost of the course, accommodation, per diem, salary of observers, insurance.

Sea days: Days of completed days at sea during which the observer carries out his/her duties. Price should include all associated costs, such as insurance, food, accommodation etc.

The fixed price for a sea day, training day, and travel day will be paid for each such day completed by the Bidder. The price for each completed sea day / training day / travel day and reimbursable expenses may be billed upon completion of deployment.

Equipment: All equipment must be approved by IOTC before purchase. Reimbursement will be made not more than 30 days following receipt of invoice and proof of payment.

3. Travel costs

Travel costs will be reimbursed separately upon receipt of relevant documentation and in accordance with the provisions of Article 2 (e) of the sample contract.

Only Economy class travel will be paid, other than in exceptional circumstances and upon prior consent of IOTC.

EVALUATION CRITERIA

The bids will be evaluated according to the following criteria:

Evaluation criteria	Max points
Technical criteria (i) subdivided in 3 categories:	60
Bidder's relevant experience in the field/s of the required contract services;	16
Adequacy of the proposed work plan and approach;	22
Qualification, experience and competence of personnel proposed to be assigned to contract;	22
Financial criteria (ii)	40
Total	100

Points for the financial bids will be calculated according to the following formula:
 (40%) of the total available points are allocated to the financial component of the Tender.

For the financial evaluation the following formula will be applied.

$$Points = P_{ui} \times \frac{P_{min}}{P_i}$$

Legend

P_{ui} = maximum score given to "i", in this case it is 40

P_{min} = lowest price

P_i = price other than the lowest

This formula allows for a ranking of the financial bids to be established; once the ranking has been determined, the final points of both the technical and financial evaluations are added up to find the winner of the tender.

Resolution

14/06

Resolution by IOTC on Establishing a Programme for Transshipment by Large-Scale Fishing Vessels

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 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 transshipment 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 to improve the scientific assessments of those stocks;

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

SECTION 1. GENERAL RULE

1. Except under the programme to monitor transshipments at sea outlined below in Section 2, all transshipment operations of tuna and tuna-like species and sharks caught in association with tuna and tuna-like fisheries in the IOTC area of competence (hereinafter referred to as “tuna and tuna-like species and sharks”) must take place in port.
2. The flag Contracting Party, Cooperating Non-Contracting Party (CPCs) shall take the necessary measures to ensure that large scale tuna vessels (hereafter referred as the “LSTVs”) flying their flag comply with the obligations set out in **Annex I** when transshipping in port.

SECTION 2. PROGRAMME TO MONITOR TRANSHIPMENTS AT SEA

3. The Commission hereby establishes a programme to monitor transshipment at sea which applies only to large-scale tuna longline fishing vessels (hereafter referred to as the “LSTLVs”) and to carrier vessels authorised to receive transshipments from these vessels at sea. No at-sea transshipment of tuna and tuna-like species and sharks by fishing vessels other than LSTLVs shall be allowed. The Commission shall review and, as appropriate, revise this Resolution.
4. 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 transshipment by its flag LSTLVs, such transshipment shall be conducted in accordance with the procedures defined in Sections 3, 4 and 5, and **Annexes II** and **III** below.

SECTION 3. RECORD OF VESSELS AUTHORISED TO RECEIVE TRANSHIPMENTS-AT-SEA IN THE IOTC AREA OF COMPETENCE

5. The Commission shall establish and maintain an IOTC Record of Carrier Vessels authorised to receive tuna and tuna-like species and sharks at sea in the IOTC area of competence from LSTLVs. 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 in at-sea transshipment operations.
6. Each CPC shall submit, electronically where possible, to the IOTC Executive Secretary the list of the carrier vessels that are authorised to receive at-sea transshipments from its LSTLVs in the IOTC area of competence. This list shall include the following information:
 - a) The flag of the vessel;
 - b) Name of vessel, register number;
 - c) Previous name (if any);
 - d) Previous flag (if any);
 - e) Previous details of deletion from other registries (if any);
 - f) International radio call sign;
 - g) Type of vessels, length, gross tonnage (GT) and carrying capacity;
 - h) Name and address of owner(s) and operator(s);
 - i) Time period authorised for transshipping.
7. Each CPC shall promptly notify the IOTC Executive Secretary, after the establishment of the initial IOTC Record, of any addition to, any deletion from and/or any modification of the IOTC Record, at any time such changes occur.
8. The IOTC Executive Secretary shall maintain the IOTC Record and take measures to ensure publicity of the record through electronic means, including placing it on the IOTC website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.
9. Carrier vessels authorised for at-sea transshipment shall be required to install and operate a Vessel Monitoring System (VMS).

SECTION 4. AT-SEA TRANSHIPMENT

10. 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

11. LSTLVs are not authorised to tranship at sea, unless they have obtained prior authorisation from their flag State.

Notification obligations

Fishing vessel:

12. To receive the prior authorisation mentioned in paragraph 11 above, the master and/or owner of the LSTLV must notify the following information to its flag State authorities at least 24 hours in advance of an intended transshipment:
- a) The name of the LSTLV, its number in the IOTC Record of Vessels, and its IMO number, if issued;
 - b) The name of the carrier vessel, its number in the IOTC Record of Carrier Vessels authorised to receive transshipments in the IOTC area of competence, and its 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 catches.
13. The LSTLV concerned shall complete and transmit to its flag State, not later than 15 days after the transshipment, the IOTC transshipment declaration, along with its number in the IOTC Record of Fishing Vessels, in accordance with the format set out in **Annex II**.

Receiving carrier vessel:

14. 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 in paragraph 13 of **Annex III**) and has obtained the prior authorisation from their flag State referred to in paragraph 11. The master of the receiving carrier vessel shall not start such transshipment without such confirmation.
15. 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 Record of Carrier Vessels authorised to receive transshipment in the IOTC area of competence, within 24 hours of the completion of the transshipment.
16. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an IOTC transshipment declaration, along with its number in the IOTC Record of Carrier Vessels authorised to receive transshipment in the IOTC area of competence, to the competent authorities of the State where the landing takes place.

Regional Observer Programme:

17. 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 III**. 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.
18. Vessels shall be prohibited 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.

SECTION 5. GENERAL PROVISIONS

19. To ensure the effectiveness of the IOTC Conservation and Management Measures pertaining to species covered by Statistical Document Programs:

- 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 CPC of LSTLVs shall validate the Statistical Documents for the transhipped fish, after confirming that the transshipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the IOTC Observer Programme;
 - c) CPCs shall require that the species covered by the Statistical Document Programs caught by LSTLVs in the IOTC area of competence, when imported into the territory of a Contracting Party, be accompanied by statistical documents validated for the vessels on the IOTC record and a copy of the IOTC transshipment declaration.
20. The CPCs shall report annually before 15 September to the IOTC Executive Secretary:
- a) The quantities by species transhipped during the previous year;
 - b) The list of the LSTLVs registered in the IOTC Record of Fishing Vessels which have transhipped during the previous 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 LSTLVs.
21. All tuna and tuna-like species and sharks landed or imported into the CPCs 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.
22. 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.
23. The IOTC Secretariat shall, when providing CPCs with copies of all raw data, summaries and reports in accordance with paragraph 10 of **Annex III** to this Resolution, also indicate evidence indicating possible infraction of IOTC regulations 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 IOTC Compliance Committee meeting. The IOTC Secretariat shall circulate among CPCs the list of names and flags of the LSTLVs/Carrier vessels that were involved in such possible infractions as well as the response of the flag CPCs 80 days prior to the IOTC Compliance Committee meeting.
24. Resolution 12/05 *On establishing a programme for transshipment by large-scale fishing vessels* is superseded by this Resolution.

ANNEX I

Conditions relating to in-port transshipment by LSTVs
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 Captain 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 and its number in the IOTC record of fishing vessels;
 - b) the name of the carrier vessel, and the product to be transhipped;
 - c) the tonnage by product to be transhipped;
 - d) the date and location of transshipment;
 - e) the major fishing grounds of the tuna and tuna-like species and sharks catches.
 - 2.2. The Captain 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 and flag of the receiving carrier vessel;
 - d) the geographic location of the tuna and tuna-like species and sharks catches.
 - 2.3. The captain 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 Fishing Vessels, in accordance with the format set out in **Annex II** 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 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 report each year to IOTC the details on the transshipments by its vessels.

ANNEX 2

IOTC Transshipment declaration

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

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

ANNEX 3

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 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 flying the flag of Contracting Parties and of Cooperating Non-Contracting Parties that implement the IOTC observer program.

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 set forth in point 5 below;
 - d) be included in the list of observers maintained by the IOTC Secretariat;
 - e) not be a crew member of an LSTLV or an employee of an LSTLV company.
 5. The observer tasks shall be in particular to:
 - 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 license 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. 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 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. establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information;

x. submit to the IOTC Secretariat 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 LSTLVs 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 program, and with the obligations of vessel personnel set forth in paragraph 9 of this program.

Obligations of the flag States of carrier vessels

9. The responsibilities regarding observers of the flag States of the carrier vessels and their captains shall include the following, notably:

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 set forth in paragraph 5:

i. Satellite navigation equipment;

- ii. Radar display viewing screens when in use;
 - 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 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.
10. The IOTC Executive Secretary, in a manner consistent with any applicable confidentiality requirements, shall provide to the flag State of the carrier vessel under whose jurisdiction the vessel transhipped 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 IOTC Compliance Committee meeting.

Obligations of LSTLV during transhipment

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 set forth in paragraph 5.
12. The IOTC 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 transhipment 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 IOTC Secretariat and the IOTC Executive Secretary shall manage the account for implementing the program.
14. No LSTLV may participate in the at-sea transhipment program unless the fees, as required under paragraph 13, have been paid.