



Food and Agriculture Organization
of the United Nations

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Combating IUU fishing at Transshipment and Landing: FAO Voluntary Guidelines on Transshipment

Voluntary Guidelines for Transshipment – Why?

- Transshipments are necessary to support fishing operations in many regions, but they represent a risk of laundering IUU fish into the supply chain
- Existing regulations are not always consistent and there was no common international standard
- There were gaps in existing international instruments (e.g. procedures for landing fish and handling containers carrying fish)

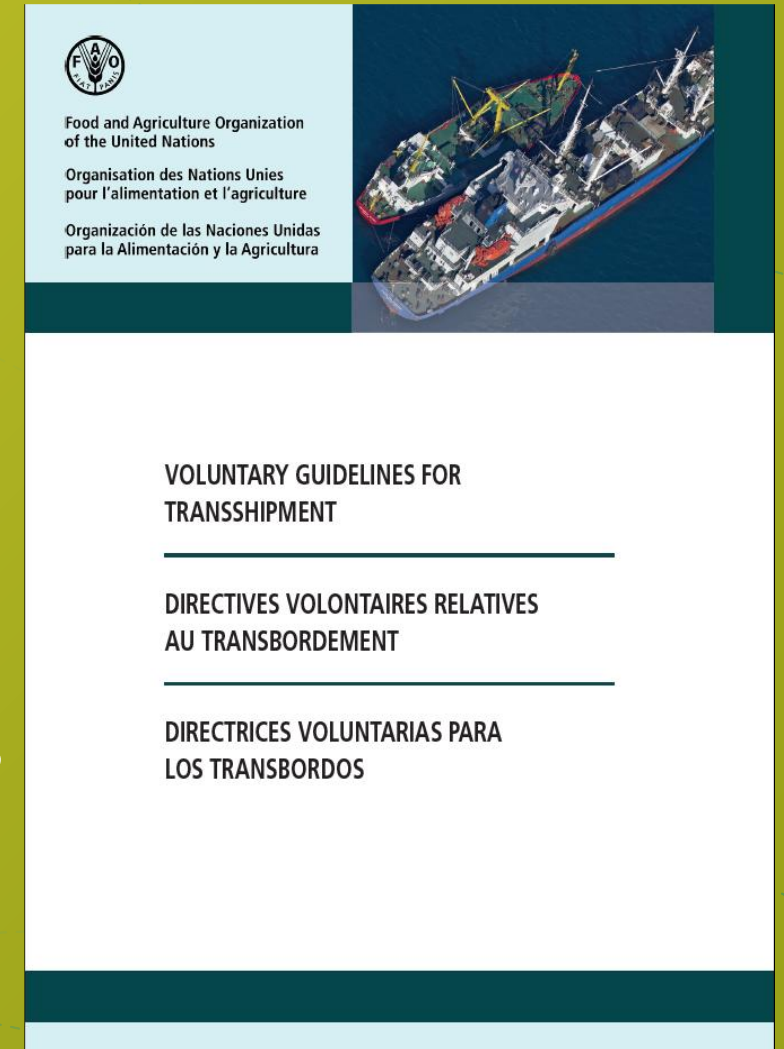


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Voluntary Guidelines for Transshipment – What?

- Objective: “to regulate, monitor and control transshipment” to combat IUU fishing
- But also covers landings
- Voluntary instrument providing a minimum standard as a reference for new or revised regulations
- Primary responsibility lies with flag States but coastal States, port States and RFMOs also have roles
- Adopted by COFI in September 2022



Outline of this Presentation



1. Definitions from the VG-T
2. Proper Control of Transshipment
3. Proper Control of Landing
4. Outlook for regional guidelines

Topic 1: Definitions from the VG-TS



- a. Transshipment
- b. Landings
- c. Summary + Examples

Definitions: Transshipment



Transshipment :



“The direct transfer of any quantity of fish onboard from one vessel to another vessel regardless of the location of the event without the fish being recorded as landed”

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Definitions: Landing



Landing :



“All transfers of any quantity of fish onboard from a vessel, other than transshipment, including transfers of fish to a port facility, transfers of fish from one vessel to another through a port facility or other means of transportation, and transfers of fish from a vessel to a container, truck, train, aircraft, or another means of transportation”

Definitions: Landing

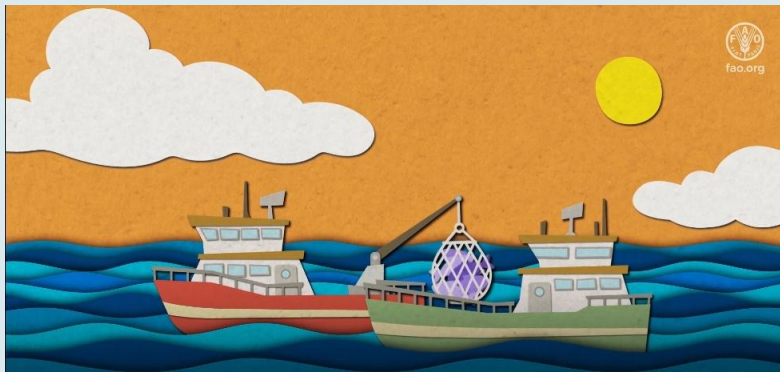


Landing :



“All transfers of any quantity of fish onboard from a vessel, other than transshipment, including transfers of fish to a port facility, transfers of fish from one vessel to another through a port facility or other means of transportation, and transfers of fish from a vessel to a container, truck, train, aircraft, or another means of transportation”

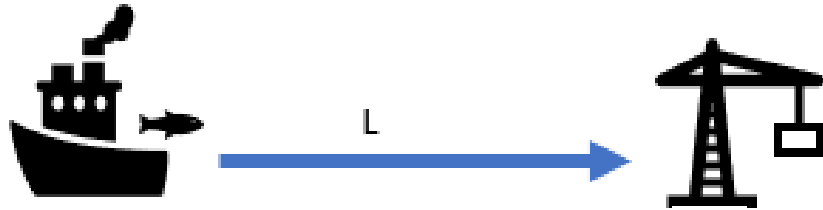
Definitions: Summary



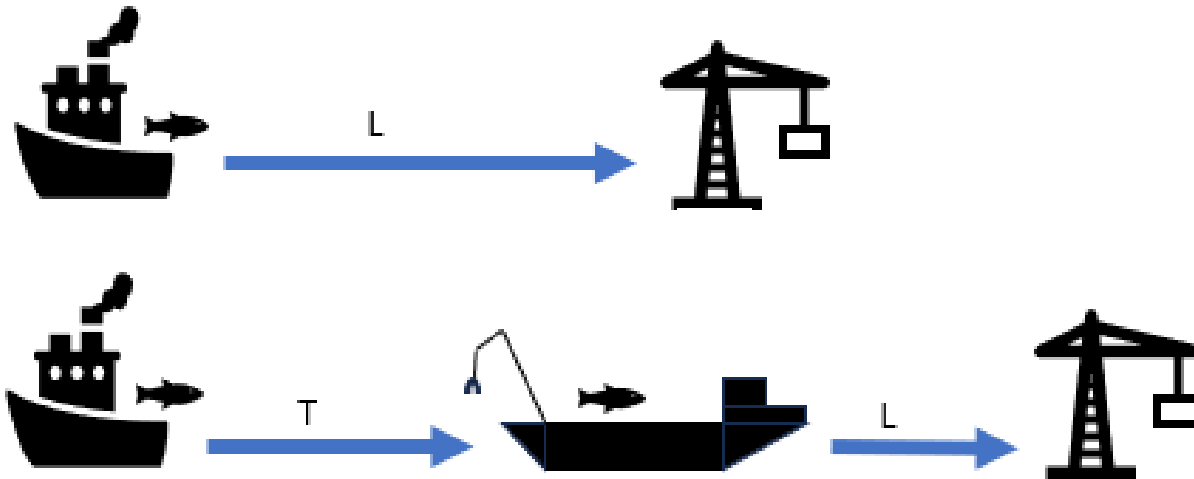
In summary :

- If fish are moving from onboard one vessel to another location, it must be either a transshipment **-or-** a landing
- Moving from onboard one vessel to another is transshipment, unless the fish have already been landed
- Transshipment can precede landing, but not vice versa
- Location (in port or at sea) is irrelevant to the type of movement

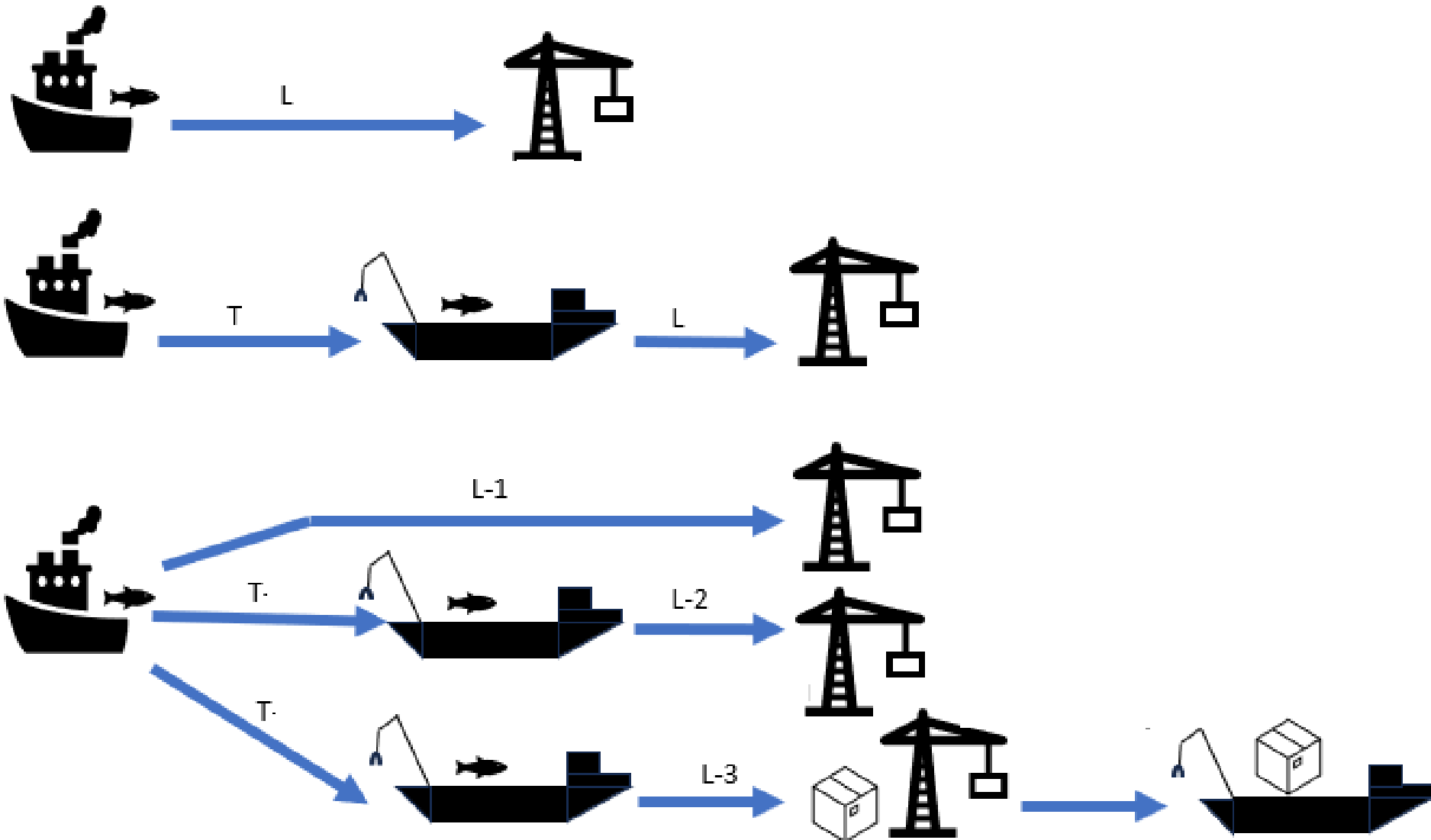
Definitions: Review of Examples



Definitions: Review of Examples



Definitions: Review of Examples



Topic 2: Proper Control of Transshipment

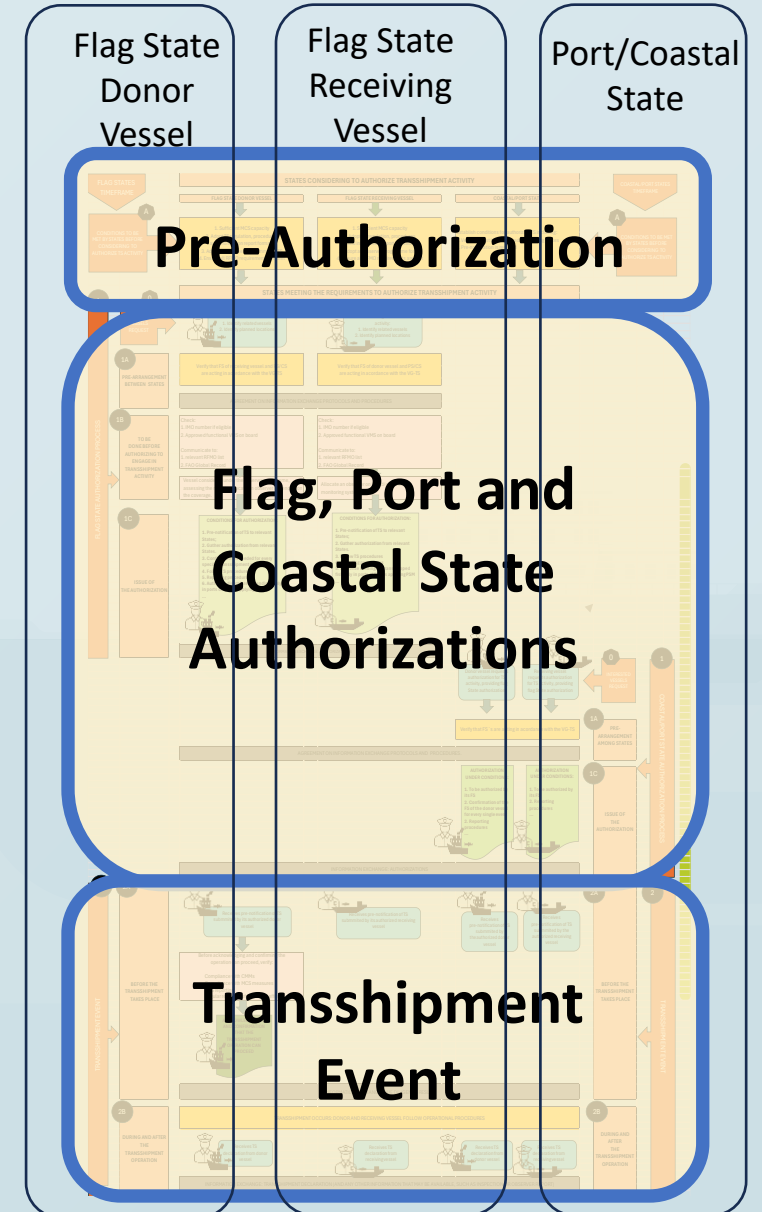


- a. Transshipment flow
- b. Responsibilities at pre-authorization stage
- c. Responsibilities at authorization stage
- d. Responsibilities for the event itself

Transshipment Flow



- Three stages:
 - Pre-authorization
 - Flag, port and coastal State authorizations
 - Transshipment event itself
- Three types of responsibilities:
 - Donor vessel flag State
 - Receiving vessel flag State
 - Port/coastal State



Transshipment Flow: Pre-Authorization



- For flag States this involves:
 - Ensuring sufficient MCS capacity
 - Establishing/implementing procedures
 - Establishing an observer program
 - Ensuring procedures are RFMO-compliant
- For port/coastal States this involves:
 - Requiring flag State authorization
 - Requiring a pre-notification
 - Following other recommended best practices



Transshipment Flow: Authorizations



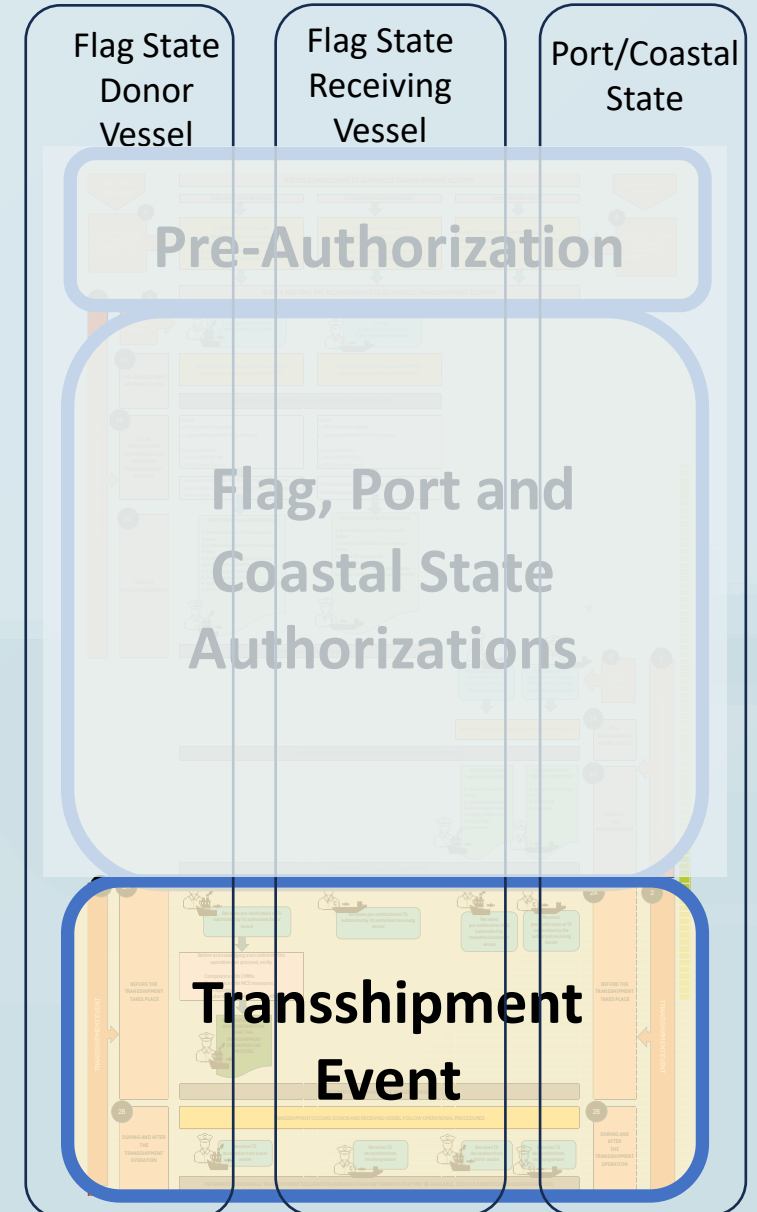
- For flag States this involves:
 - Receiving notification from operator of vessels/locations
 - Making pre-arrangements between donor & receiving vessel flag States
 - Conducting due diligence on vessels
 - Issuing a general authorization specifying what vessels must do
- For port/coastal States this involves:
 - Receiving notification from operator of vessels/locations
 - Making pre-arrangements with donor & receiving vessel flag States
 - Issuing a general authorization specifying what vessels must do under supervision of the flag State



Transshipment Flow: Transshipment Event



- For flag States this involves:
 - Receiving notification from operator of a specific, intended event
 - Conducting due diligence on the event
 - Confirming that the event can take place (donor vessel flag State only)
- For port/coastal States this involves:
 - Receiving notification from operator of a specific, intended event
 - Receiving the transshipment declaration from the donor and receiving vessels



Summary



PRE-AUTHORIZATION

- Flag States must consider whether they have the appropriate capacity and systems in place to authorize their vessels to engage in transshipment activity
- Port/Coastal States should establish conditions for authorizing transshipment

AUTHORIZATION

- Flag States must implement a pre-agreed transshipment authorization process
- Port/Coastal States authorize vessels if they meet certain conditions

EVENT

- Flag States receive pre-notification of, and confirm, specific transshipment events
- Port/Coastal States receive pre-notifications and then transshipment declarations from vessels



**Flag States have
primary
responsibility**

Topic 3: Proper Control of Landings



- a. Landing Declarations and Certifications
- b. Proper Control of Direct Landings
- c. Proper Control of Landings of Transshipped Fish
- d. Legal Provenance at Landing

Landing Declarations and Certifications

- Vessel operator must submit a landing declaration to the port State for direct landings and landings of transshipped fish
- Minimum information is specified in VG-T Annex 2
- Also required for putting fish into a container (unless already landed)
- Landings become certified when the landing declaration is independently verified (weights, compliance with applicable requirements) by the competent port authority

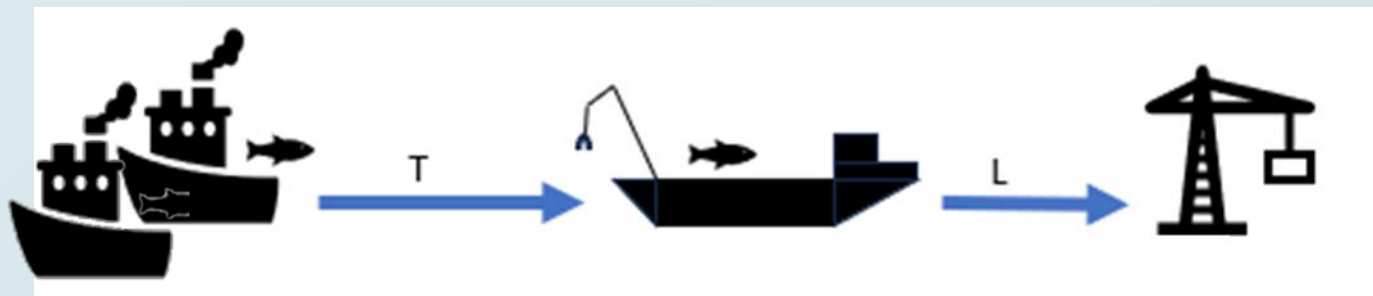


Direct Landings



- Flag State - controls which ports are used and ensures that landing declarations are submitted to port State and itself
- Port State - confirms the details of the landing, checks that the catch is in compliance with applicable rules and regulations (including those of the coastal State), oversees the official weighing and sorting of the catch, and may certify the landing declaration
- Once the species composition and weights are confirmed and potentially certified by the port State, the flag States can cross-check and follow-up where necessary

Landings of Transshipped Fish

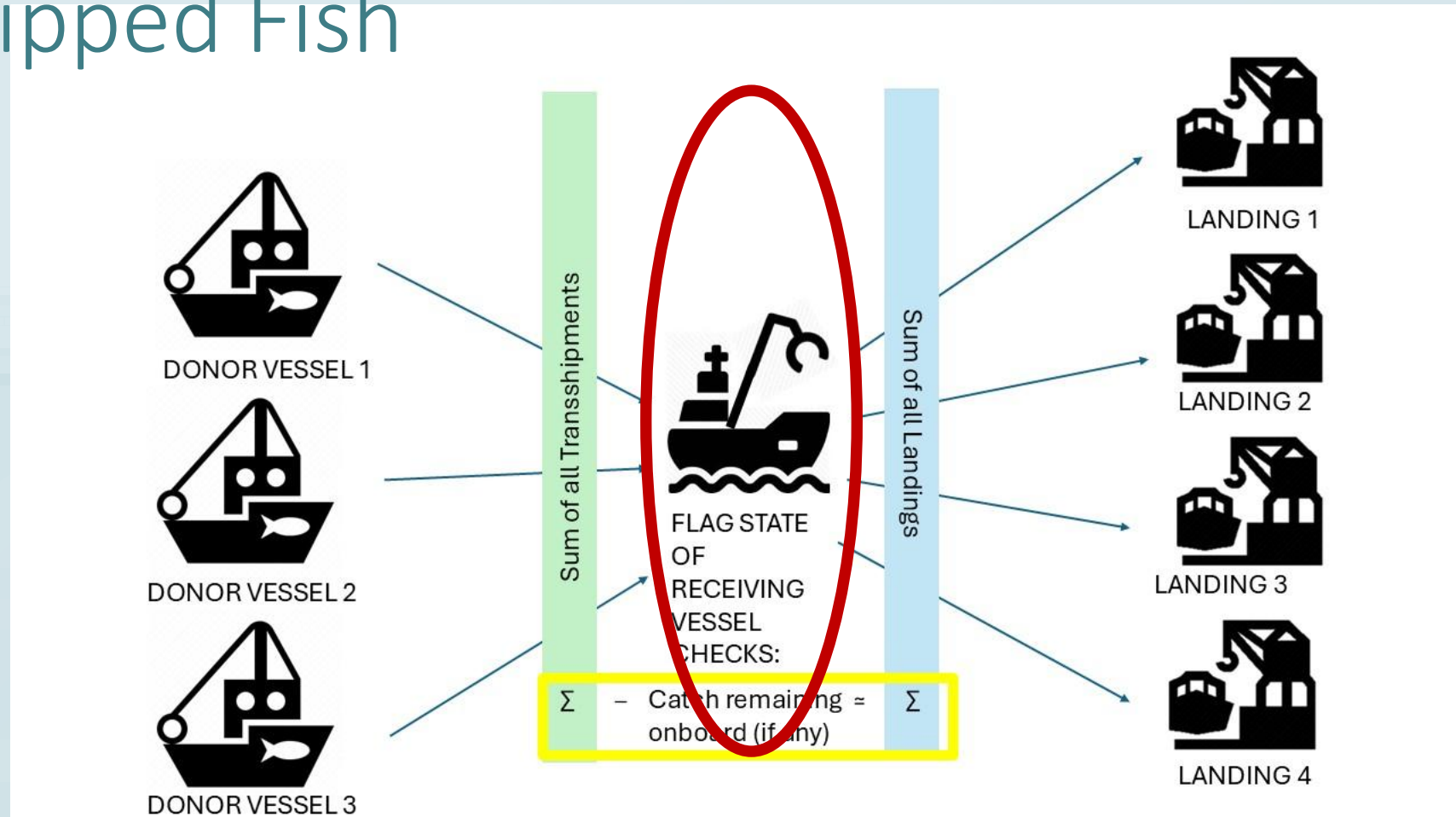


- Same as for direct landings, but the flag State—of the receiving vessel — requires the landing declaration be submitted to the port State and itself
 - The landing declaration should be partitioned to show the quantities originating from each donor vessel separately. Why?
1. Each receiving vessel should be able to reconcile the catch it received with the landings it made (minus any catch remaining onboard the receiving vessel)

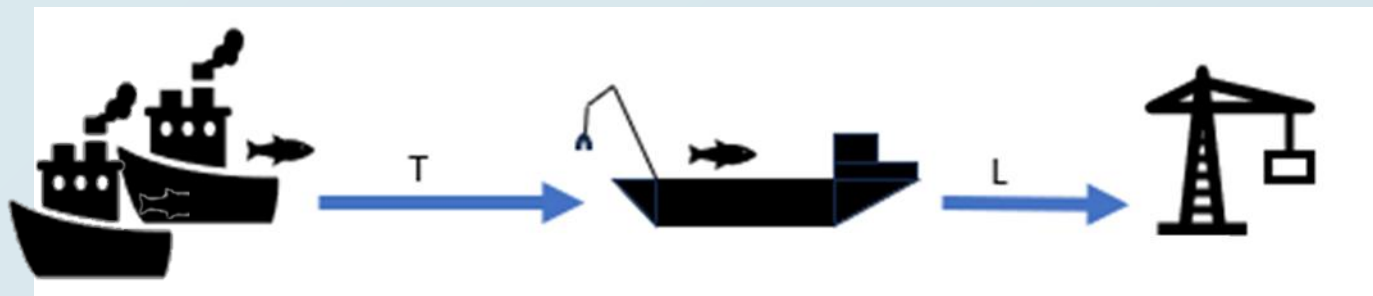
Proper Control of Landings



Landings of Transshipped Fish



Landings of Transshipped Fish

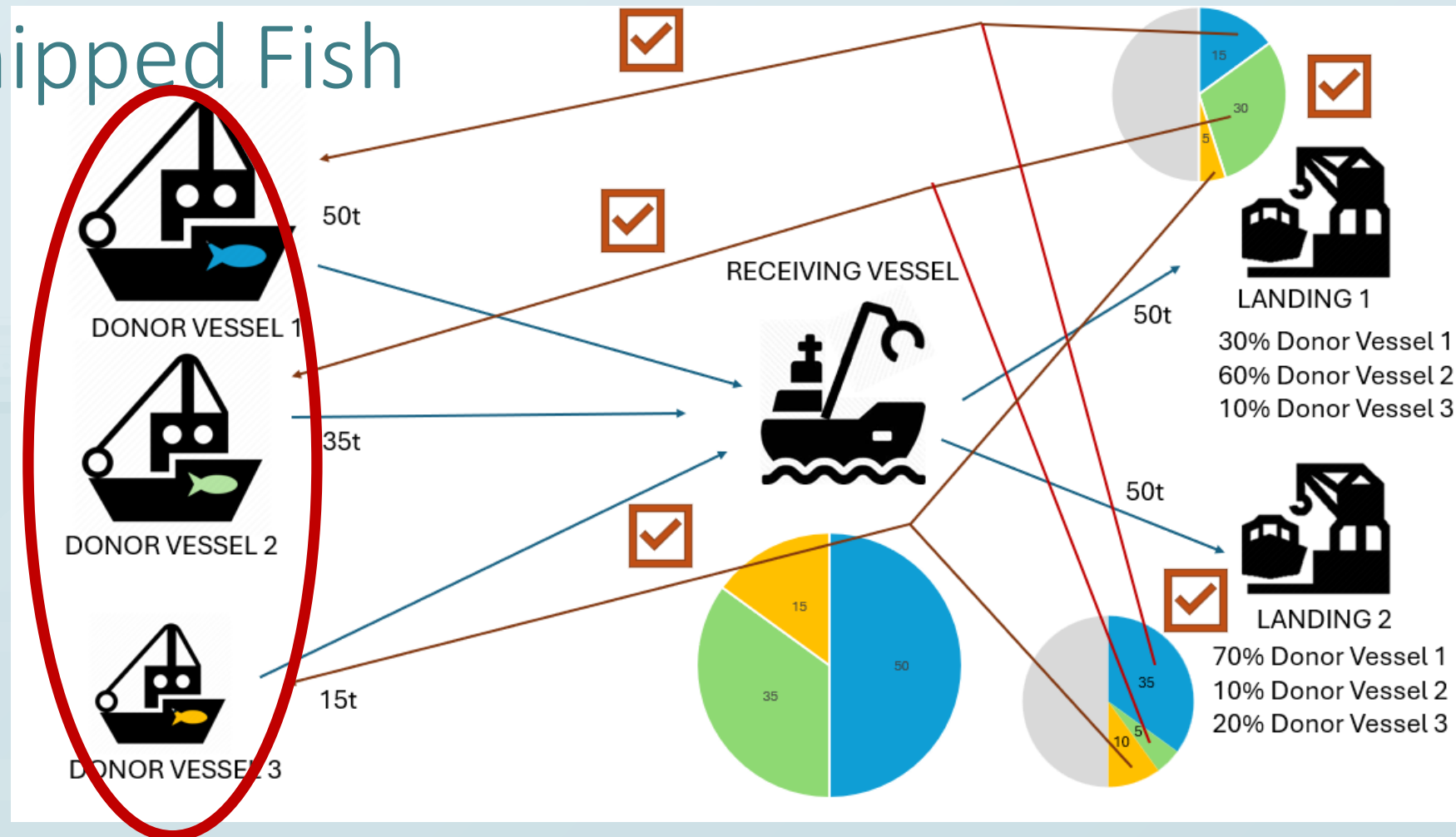


- Same as for direct landings, but the flag State—of the receiving vessel — requires the landing declaration be submitted to the port State and itself
- The landing declaration should be partitioned to show the quantities originating from each donor vessel separately. Why?
 1. Each receiving vessel should be able to reconcile the catch it received with the landings it made (minus any catch remaining onboard the receiving vessel)
 2. Also, the donor vessel flag State can verify the total amount caught by each donor vessel once it receives the landing declaration and confirmed landed weights

Proper Control of Landings

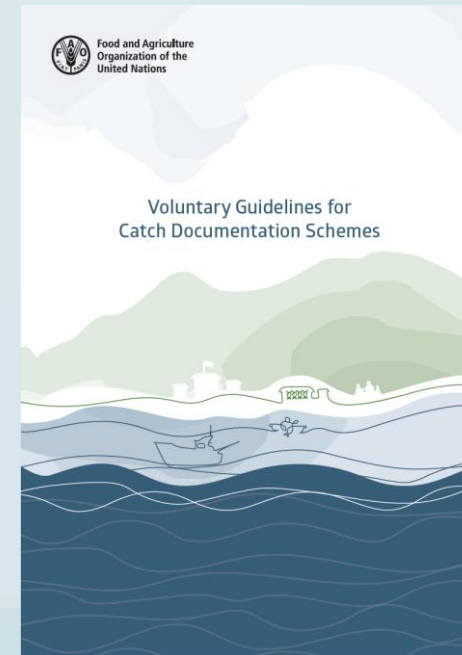


Landings of Transshipped Fish



Legal Provenance at Landing

- Legal provenance - the state of being legally sourced, documented through a chronology of ownership, custody and/or location
- The port State takes responsibility for documenting legal provenance at landing, ensuring that no IUU fishing products enter the land-based supply chain
- Any discrepancies or uncertainties should be followed-up by the flag States of donor and/or receiving vessels



Landing Declarations are Important for Containerized Fish



A Port State need not apply the PSMA to container vessels which are a) not carrying fish or b) only carrying fish that have been previously landed, unless the container vessels are suspected of supporting IUU fishing



C1: CLOTHING



C2: APPLES



C3: TOYS



**C4:
FURNITURE**



**LANDING
DECLARATION?**

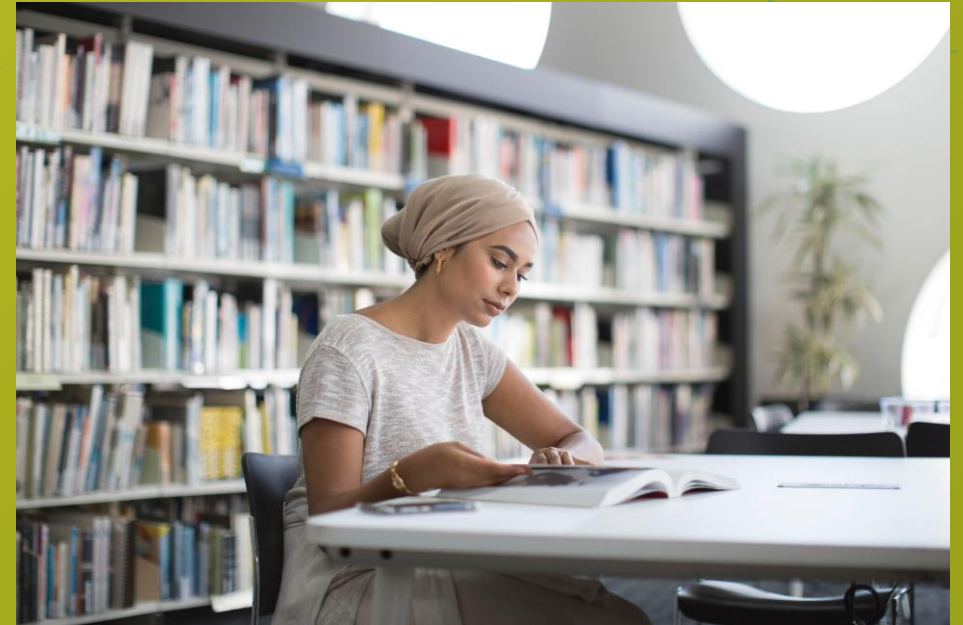
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PORT STATE

New Transshipment Handbook (available soon)

- Based on the Voluntary Guidelines-Transshipment (VG-TS)
- Outlines responsibilities of national authorities (flag, port and coastal States)
- Describes procedures for:
 - direct landings from fishing vessels;
 - landings of transshipped fish;
 - transshipment activities in port and at sea;
 - handling of containers; and
 - estimating and weighing of transshipped and landed catches



Summary and Conclusions

- Voluntary Guidelines-Transshipment and new transshipment handbook provide guidance for national and regional regulation of transshipment and landing
- Flag, port and coastal States all have roles and responsibilities
- The purpose is to document legal provenance to ensure IUU fish products do not enter the supply chain



VG-Transshipment Animation



Flag State



Port State



Coastal State



Pop Quiz

1. Transshipment is:

- a. A movement of unlanded fish from onboard one vessel to another
- b. A way to improve efficiency in some fisheries
- c. Potentially an opportunity for IUU fishing products to enter the supply chain
- d. All of the above



Pop Quiz

2. If fish—which have not been previously landed--are being moved from onboard a vessel to another location the movement must be considered as:
- a. A landing
 - b. A transshipment
 - c. Either a landing or a transshipment
 - d. A critical tracking event



Pop Quiz

3. Which authority requires the vessel to submit a landing declaration for transshipped fish?
- a. The flag State of the vessel that caught the fish
 - b. The flag State of the transshipment (receiving) vessel
 - c. The port State
 - d. The coastal State where the fish were caught



Pop Quiz

4. Which authority certifies landings?
- a. The flag State of the vessel that caught the fish
 - b. The flag State of the transshipment (receiving) vessel
 - c. The port State
 - d. The coastal State where the fish were caught

Pop Quiz

5. Which authority or authorities verify compliance before confirming specific transshipment events:

- a. The flag State of the donor vessel only
- b. The flag State of the receiving vessel only
- c. Both the flag State of the donor vessel and the receiving vessel

Towards Regional Transshipment Regulations

Process



- Inventory existing regulations and procedures
- Benchmark these against the minimum requirements of the VG-TS
- Consider the additional guidance in the handbook to ensure all relevant scenarios are accounted for
- Look for any remaining gaps in legal provenance documentation
- Propose specific text as a regional template



Towards Regional Transshipment Regulations-Content Tips



Basic

- Ensure all authorizations are shared amongst authorities
- Ensure there are both general vessel authorizations and event-specific pre-notification processes (between vessel operators and authorities)
- Follow VG-TS formats for transshipment and landing declarations
- Encourage cross referencing to reconcile catch, transshipment and landing data



Enhanced

- Require agreements between donor and receiving vessel flag States to share transshipment and landing data
- Specify that transshipment and landing declarations split species and weights by fishing vessel
- Design and implement a certification procedure for landings declarations
- Specify handling practices for containerized fish
- Establish rules to standardize the reporting of transshipment weights by donor and receiving vessels