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DRAFT RULES OF PROCEDURES FOR PHILIPPINE VESSELS TRANSHIPPING AT SEA IN THE HIGH SEAS

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Paper submitted by the Philippines Delegation

Pursuant to Article 29 of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean on TRANSSHIPMENT, it states in Paragraph 1 thereof “that in order to support efforts to ensure accurate reporting of catches, the members of the Commission shall encourage their fishing vessels, to the extent practicable, to conduct transshipment in port.

Paragraph 3, also states that “the Commission shall develop procedures to obtain and verify the data on the quantity and species transhipped both in port and at sea in the Convention Area....”

Paragraph 4, also states that “*transshipment at sea in the Convention Area beyond areas under national jurisdiction shall take place only in accordance with the terms and conditions set out in article 4 of the Annex III of the Convention, and any procedures established by the Commission pursuant to Para 3 of Article 29. Such procedures shall take into account the characteristics of the fishery concerned.*”

Paragraph 5 on the other hand states that “notwithstanding Para 4 above, and subject to SPECIFIC EXEMPTION which the Commission adopts in order to reflect existing operations, transshipment at sea by purse seine vessels operating within the Convention Area shall be prohibited.”

The Philippines is cognizant of the importance of ensuring accurate reporting of catches for fishery management purposes, but the Commission should also recognize the practice that has been carried out by Philippine fishing vessels for economic reasons particularly the viability of their fishing operation.

The Philippines is seeking the special exemption provided in paragraph 5 of Article 29 based on the peculiar characteristics of Philippine fishing operations that reflect existing operations where fish is transferred from a one fishing vessel to another vessel for the purpose of freezing the catch and/or delivering fish to shore.

Considering that the evident intent in not allowing transshipment is to ensure accurate reporting of catches by Philippine flagged fishing vessels, the Philippines, will abide by the regulation of transshipment provided for in Article 4 of Annex III of the Convention.

The Philippines, particularly the Bureau of Fisheries and Aquatic Resources (BFAR) through a Fisheries Administrative Order, will require operators of Philippine flagged fishing vessels to comply with procedures to be established by the Commission. In addition to those provided for in paragraph 4 of Annex III, the Philippines will take necessary measures that all Philippine flagged fishing vessels comply with the following rules and procedures.

Rule 1. All catchers and carrier vessels utilized by Philippine flagged fishing vessels to transship catches at sea shall be registered with the Bureau of Fisheries and Aquatic Resources and submitted to the WCPFC Record of Fishing Vessels.

Rule 2. These vessels must be equipped with a VMS to ensure that the movement of these vessels is properly monitored.

Rule 3. All fish that will be transferred between vessels must be properly recorded and documented in a WCPFC approved document log sheet.

Rule 4. Prior notice to the Bureau of Fisheries and Aquatic Resources shall be made before Philippine fishing vessels can transship.

Rule 5. The notice shall be given at least 24 hours in advance and shall contain the following information:

- the name of the transferring vessel
- the name of the receiving vessel
- estimated tonnage and breakdown of the product to be transshipped
- the geographic location i.e. coordinates where transshipment shall take place
- intended destination or port of transshipped product

Rule 6. Fish transshipped at sea shall be landed at BFAR designated and monitored port/s.

Rule 7. Every vessel shall submit record/s on unloadings of fish transshipped at sea to the Bureau of Fisheries and Aquatic Resources that will contain the following to ensure traceability:

- source of catch and other information in a duly filled-up catch log sheet
- final breakdown i.e. fish species, size and tonnage
- final receiver and destination