



TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS and PARTICIPATING TERRITORIES

Circular: 2010/03

Date: February 03, 2010

No. pages: 7

1. WCPFC Interim Register of Non-Member Carrier and Bunker Vessels – Revised Draft Template for Recommendations by CCMs

WCPFC Circular 2010/01 distributed on 5 January 2010 invited CCMs to provide comments on a draft template for recommendations by CCMs for the WCPFC Interim Register for Non-Member Carrier and Bunker Vessels (Register), prior to close of business on 18 January 2010 so that it may be used to support the recommendation process when CMM 2009-01 comes into effect on 9 February 2010. WCPFC Circular 2010/02 dated 7 January 2010 presented a revised draft to take into account the non-mandatory nature of the requirement for a statement from the flag State with regard to its acceptance of high seas boarding and inspection under CMM 2009-01 for the inclusion of carriers and bunkers on the Register.

I wish to thank those CCMs that provided constructive comments on the draft template, which have now been incorporated into a further draft (attached) for the information of CCMs. Please note that the number of the nominated Commission bank account (**Attachment 4**) for each vessel that has been submitted for the Register has been changed to “209292927”. Please also advise vessel owners/managers/operators that the Secretariat must receive a net amount of US\$2,500 for the fee for registration – and that they are responsible for all bank fees.

For information, the Secretariat received applications to register more than 30 non-member carrier or bunker vessels during January 2010. In almost all cases the applications have been deficient and the Secretariat has had to request missing information or details. Please note that paragraph 35 of CMM 2009-1 states, “Within 7 business days of receipt of **complete information for a carrier or bunker vessel**,..., the Secretariat will include the vessel on the Register...”.

There are more than 140 carriers and bunkers on the WCPFC Temporary Register of Fish Carriers and Bunkers which will be retired on 8 February 2010. A non-member flagged carrier or bunker vessel will not be able to support fishing operations in the WCPF Convention Area after 8 February 2010 unless it has transferred its registration to the WCPFC Interim Register of Non-Member Carrier and Bunker Vessels. It is requested that this be brought to the attention of all operators of fishing and support vessels operating in the Convention Area.

2. Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes

Section IV of these Rules and Procedures endorsed by WCPFC6 require Members of the Commission to notify the Secretariat of their MCS entities authorized to receive non-public domain data and information that shall include:

- A. all relevant contact information for the entity or entities (Authorized MCS Entities); and

- B. official point(s) of contact for each entity or entities, including telephone, facsimile numbers and email addresses (Authorized MCS Personnel).

Section VI of these Rules and Procedures endorsed by WCPFC6 require Members of the Commission to notify the Secretariat of the Management entities authorized to receive high seas VMS data for scientific purposes that shall include:

- A. all relevant contact information for the entity or entities (Authorized Management Entities); and
- B. official point(s) of contact for each entity or entities, including telephone, facsimile numbers and email addresses (Authorized Management Personnel).

I invite CCMs to provide this contact information to the Secretariat as soon as possible

Yours sincerely,



Andrew Wright
Executive Director

**WCPFC INTERIM REGISTER OF NON-MEMBER CARRIER AND BUNKER VESSELS
DRAFT TEMPLATE FOR SUBMISSION TO THE WCPFC SECRETARIAT**

1. CCM SUBMISSION TO THE SECRETARIAT

1.1 Any Member of the Commission may at any time submit to the Executive Director, in electronic format if possible, a list of any carrier vessels and bunker vessels that it wishes to be included on the Register. Each submission must include the following accompanying documents:

1.1.1. Information described at paragraph 6 of CMM 2009-01, as well as the flag State of the vessel (**Attachment 1**).

1.1.2. CCM(s) recommending vessels to be included on the Register have formally stated that the vessel or vessels being recommended are not vessels:

- (a) with a history of illegal, unreported or unregulated (IUU) fishing, unless the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no legal, beneficial or financial interest in, or control of the vessels, or the CCM concerned is satisfied that, having taken into account all relevant facts, the vessel is no longer engaged in or associated with IUU fishing; or
- (b) that are currently listed on any of the IUU vessel lists adopted by regional fishery management organizations (RFMOs); or
- (c) that were removed from the Register pursuant to paragraph 38 of CMM 2009-01 within the one-year period prior to the receipt of the information under paragraph 4 of CMM 2009-01.

A template of a formal statement to this effect is appended at **Attachment 2**.

1.1.3. The owner or manager/operator of each vessel being submitted provides a written undertaking, addressed to the Executive Director:

- (a) that the owner, manager/operator and master of the carrier or bunker vessel will fully comply with all applicable decisions of the Commission, including conservation and management measures;
- (b) any reference in Commission decisions to member-flagged vessels shall be construed to include non-member flagged-vessels for the purposes of these written undertakings;
- (c) these undertakings shall include an explicit commitment to allow any inspector duly authorized under the Commission's High Seas Boarding and Inspection Procedures to board and inspect the vessel on the high seas;
- (d) these undertakings shall also include an agreement to cover the costs associated with complying with Commission decisions, such as the costs of VMS registration and observer placement.

A template of a written undertaking to this effect is appended at **Attachment 3**.

1.1.4. The CCM/vessel operator has paid a fee of USD2,500 in the nominated Commission bank account (**Attachment 4**) for each vessel that has been submitted for the Register. Each submission must include a copy of a bank remittance receipt to verify that payment has been made.

INFORMATION FOR VESSELS TO BE INCLUDED ON THE REGISTER

1. Flag State of the Vessel _____
2. CMM 2009-01, Paragraph 6:
 - (a) name of the fishing vessel, registration number, WCPFC Identification Number (WIN), previous names (if known) and port of registry;
 - (b) name and address of the owner or owners;
 - (c) name and nationality of the master;
 - (d) previous flag (if any);
 - (e) International Radio Call Sign;
 - (f) vessel communication types and numbers (Inmarsat A, B and C numbers and satellite telephone number);
 - (g) colour photograph of the vessel;
 - (h) where and when the vessel was built;
 - (i) type of vessel;
 - (j) normal crew complement;
 - (k) type of fishing method or methods;
 - (l) length (specify type and metric);
 - (m) moulded depth (specify metric);
 - (n) beam (specify metric);
 - (o) gross registered tonnage (GRT) or gross tonnage (GT);
 - (p) power of main engine or engines (specify metric);
 - (q) carrying capacity, including freezer type, capacity and number, fish hold capacity and capacity of freezer chambers (specify metric); and
 - (r) the form and number of the authorization granted by the flag State including any specific areas, species and time periods for which it is valid.

Attachment 2

Executive Director
Western and Central Pacific Fisheries Commission
P.O. Box 2356
Kolonias
Pohnpei State
Federated States of Micronesia 96941

(Insert CCM Official Contact Name)
(Insert CCM Official Contact Address)

Date: _____

Dear Executive Director,

Re: Recommendation of vessel(s) for the WCPFC Interim Register of Non-Member Carrier and Bunker Vessels

(Insert name of CCM) recommends that the vessels identified *(below or in the attached)* be included on the WCPFC Interim Register of Non-Member Carrier and Bunker Vessels (Register). Please be advised that the vessel(s) that *(insert name of CCM)* is recommending for inclusion in the Register are not vessels:

- (a) with a history of illegal, unreported or unregulated (IUU) fishing, unless the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no legal, beneficial or financial interest in, or control of the vessels, or the CCM concerned is satisfied that, having taken into account all relevant facts, the vessel is no longer engaged in or associated with IUU fishing; or
- (b) that are currently listed on any of the IUU vessel lists adopted by regional fishery management organizations (RFMOs); or
- (c) that were removed from the Register pursuant to paragraph 38 of CMM 2009-01 within the one-year period prior to the receipt of the information under paragraph 4 of CMM 2009-01.

Yours faithfully,

(Insert CCM Official Contact Name, Title and E-mail Address)

Attachment 3

Executive Director
Western and Central Pacific Fisheries Commission
P.O. Box 2356
Kolonias
Pohnpei State
Federated States of Micronesia 96941

(Insert Owner or Manager/Operator Name)
(Insert Owner or Manager/Operator Address)

Date: _____

Dear Executive Director,

Re: Undertaking regarding *(insert name of carrier or bunker vessel)* recommended for the WCPFC Interim Register of Non-Member Carrier and Bunker Vessels

This undertaking is with respect to the *(insert name of carrier or bunker vessel)*, of which I am the *(insert your interest in the vessel, such as owner, manager/operator, etc.)*.

In regard to the *(insert name of carrier or bunker vessel)* and its potential inclusion on the WCPFC Interim Register of Non-Member Carrier and Bunker Vessels (Register), I, the *(insert your interest in the vessel, such as owner, manager/operator, etc.)* of the *(insert name of carrier or bunker vessel)* hereby undertake to fully comply with all applicable decisions of the Western and Central Pacific Fisheries Commission, including all conservation and management measures. I, the *(insert your interest in the vessel, such as owner, manager/operator, etc.)* of the *(insert name of carrier or bunker vessel)* accept that any reference in Commission decisions to member-flagged vessels shall be construed to include non-member flagged-vessels for the purposes of this undertaking.

I, the *(insert your interest in the vessel, such as owner, manager/operator, etc.)* of the *(insert name of carrier or bunker vessel)* commit to allow any inspector duly authorized under the Commission's High Seas Boarding and Inspection Procedures to board and inspect the *(insert name of carrier or bunker vessel)* on the high seas.

I, the *(insert your interest in the vessel, such as owner, manager/operator, etc.)* of the *(insert name of carrier or bunker vessel)* agree to cover the costs associated with complying with Commission decisions, such as the costs of VMS registration and observer placement.

Yours faithfully,

(Insert Owner or Manager/Operator Name and Contact Details)

Attachment 4

Bank Name: Bank of Guam
Bank Address: 111 Chalan Santo Papa
Hagatna
Guam 96932
Beneficiary: Western and Central Pacific Fisheries Commission
Account Number: 209292927
ABA/Routing Number: 1214-05115