



## **INFORMATION BULLETIN No. 155**

### **Illegal, Unreported & Unregulated (IUU) Fishing and Authorisation to Conduct Transhipment Operations**

#### **Guidance and Instructions for Bahamas Ship Owners, Managers, Masters & Approved Nautical Inspectors**

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#### **1. Purpose**

- 1.1. This Bulletin provides guidance on The Bahamas position on Illegal, Unreported & Unregulated (IUU) fishing.
- 1.2. This Bulletin also provides guidance to operators of Bahamian ships involved in activities associated with fishing, such as transhipment of cargoes on refrigerated cargo ships, and outlines requirements for Bahamian ships involved in such activities.

#### **2. Application**

- 2.1. This Bulletin applies to all Bahamian ships engaged in fishing operations, including ship-to-ship transhipments on the high seas or in port.

#### **3. IUU Fishing**

- 3.1. Illegal, Unreported & Unregulated (IUU) fishing is defined in *The International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU)*, issued by the Food and Agriculture Organization of the United Nations (FAO).
- 3.2. The formal definition of IUU fishing is attached as [Annex 1](#) to this Bulletin, for information.

#### **4. Bahamas position on IUU fishing**

- 4.1. The government of The Commonwealth of The Bahamas has adopted positions in concert with global efforts to deter, reduce and eliminate IUU fishing.
- 4.2. The Bahamas is itself affected by illegal fishing carried out by commercial fishing vessels of other States. These vessels illegally take quantities of high value fisheries resources from the waters of The Bahamas, which has a serious negative economic impact on The Bahamas. The Bahamas government expends considerable resources in addressing this problem.
- 4.3. As a member of the Caribbean Regional Fisheries Mechanism (CRFM - [www.crfm.int](http://www.crfm.int)), under the Caribbean Community and Common Market (CARICOM - [www.caricom.org](http://www.caricom.org)), The Bahamas has given its support to the Castries (St. Lucia) Declaration on Illegal, Unreported and Unregulated Fishing.
- 4.4. The Bahamas, through the Department of Marine Resources, has cooperated fully with the efforts of the European Union (EU) to ensure that exports from The Bahamas to EU Member States are not the result of IUU fishing. Catch Certificates are issued with all fishery product exports from The Bahamas (all from Bahamian owned and registered vessels).
- 4.5. The Bahamas, through the Department of Marine Resources, is a member of the International Monitoring, Control and Surveillance (IMCS) Network ([www.imcsnet.org](http://www.imcsnet.org)).
- 4.6. The Bahamas, through The Bahamas Maritime Authority (BMA), has been granted "Cooperating Non-Contracting Party" status with the North East Atlantic Fisheries Commission (NEAFC). See [Annex 3](#) of this Bulletin for specific instructions for ships operating in the NEAFC Regulatory Area.
- 4.7. The Department of Marine Resources has agreed with the International Commission on the Conservation of Atlantic Tunas (ICCAT) to include Bahamian ships in the ICCAT Record of Carrier Vessels. See [Annex 4](#) of this Bulletin for further information.
- 4.8. [The BMA has reached Agreement with the Norwegian Directorate of Fisheries to allow Bahamian reefers to undertake transshipment of fisheries products in the Norwegian Exclusive Economic Zone and waters around Svalbard. See \[Annex 5\]\(#\) of this Bulletin for further information.](#)

- 4.9. Additionally, the BMA provides the possibility for Bahamian reefer ships to obtain an EU approval number allowing them to take part in importation of frozen fisheries products to European countries - see [BMA Information Bulletin No. 163](#) for further details.
- 4.10. The Bahamas Maritime Authority cooperates fully with investigations by Regional Fisheries Management Organisations (RFMOs), coastal States and non-governmental organisations (NGOs) acting on behalf of coastal States into allegations of involvement of Bahamian ships in IUU fishing and associated activities.

## **5. Instructions for Bahamian ships**

- 5.1. Fishing vessels and fish factory vessels are not accepted for registration in The Bahamas under the Merchant Shipping Act, as per Para. 2.1.4 of the [BMA Technical Procedures for Registration](#).
- 5.2. Bahamian owned and operated fishing vessels operate within Bahamian waters only and are registered with the Port Department under the Boat Registration Act. Enquiries related to Bahamian fishing vessels should be referred to the Port Department at [portcontroller@bahamas.gov.bs](mailto:portcontroller@bahamas.gov.bs) and/or the Department of Marine Resources at [fisheries@bahamas.gov.bs](mailto:fisheries@bahamas.gov.bs).
- 5.3. Bahamian ships are strictly not permitted to take part in IUU fishing, including transshipments from fishing vessels or fish factory vessels, which are, or are suspected of being, involved in IUU fishing.
- 5.4. Bahamian ships are not permitted to assist vessels on RFMO [IUU lists](#)<sup>1</sup>, other than when a distress situation exists, and the Master is obliged to assist, as specified in SOLAS Chapter V, Regulation 33.
- 5.5. The Bahamas has no objection to the involvement of Bahamian ships in fisheries transshipment operations, in addition to the specific arrangements addressed in the Annexes to this Bulletin, provided that all relevant permissions and licences have been obtained for the affected Convention areas and/or coastal State(s) and any applicable vessel monitoring and reporting requirements are observed in full.
- 5.6. Where Bahamian ships are suspected of involvement in IUU fishing, the BMA and/or affected State(s) will investigate, either themselves or in conjunction with an NGO. In some cases, third party States may be

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<sup>1</sup> <http://iuu-vessels.org/iuu>

requested to assist in such investigations, which may lead to delays to, or detentions of, ships under investigation.

- 5.7. **Bahamian ships confirmed as having been involved in IUU fishing will be deleted from The Bahamas register and the owners and master will face prosecution.**

## **6. Fisheries Monitoring Centre and Transshipment Authorisations**

### **6.1. Fisheries Monitoring Centre**

- 6.1.1. The BMA has appointed [Fulcrum Maritime Systems Ltd<sup>2</sup>](#) (Fulcrum) to provide and operate a Fisheries Monitoring Centre (FMC) for Bahamian ships, to comply with the reporting and monitoring requirements in relation to transshipments.
- 6.1.2. Bahamian ships involved in transshipments of fisheries products in regulated areas, as described in the Annexes to this Bulletin, are required to fit a satellite-based ship tracking and catch reporting system, which is compatible with the FMC. Costs associated with the purchase, fitting and maintenance of compatible equipment are for owner's account.
- 6.1.3. Bahamian ships intended to be involved in transshipments of fisheries resources are required to register with the FMC and comply fully with any applicable reporting requirements. Any fees for registration and use of the FMC are for owner's account.
- 6.1.4. The ship tracking system must be in operation at all times when required by the provisions of the applicable RFMO reporting scheme and Masters must comply with all reporting requirements mandated by the RFMO. Ships involved in transshipments should not enter the Regulatory Area of the applicable RFMO without a functional tracking system.
- 6.1.5. If the tracking system fails whilst the ship is in the RFMO Regulatory Area, it must be repaired or replaced within one (1) month. During the period of failure, all reports and data specified by the RFMO shall be transmitted to the FMC, using the alternative format provided in the applicable scheme.

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<sup>2</sup> <http://www.fulcrum-maritime.com/>

## 6.2. Issuing of the Bahamas Statement of Authorisation

6.2.1. Provided that the ship complies with the requirements listed in the Annexes to this Bulletin the BMA will issue a Statement of Authorisation to undertake Transshipments in the respective Regulatory Area. The statement will be valid until 31 December of the year in which it is issued and may be renewed annually, if required, upon request.

6.2.2. A fee of USD300 will be charged for issue or reissue of each statement.

## 7. **Revision History**

Rev.5 (05 February 2018) – minor editorial changes, new paragraph 4.8 and Annex 5 with procedure for obtaining transshipment authorisation for operations in Norwegian EEZ

Rev.4 (06 June 2017) – Complete revision – NEAFC requirements moved to Annex 3 and new Annex 4 introducing ICCAT transshipment authorisation

Rev.3 (02 February 2017) – Minor editorial and amendment to paragraph 6.2.2 with hyperlink to 2017 Scheme of Control and Enforcement

Rev.2 (10 August 2016) – Amendment to paragraph 6.2.2 with hyperlink to 2016 Scheme of Control and Enforcement

Rev.1 (02 November 2015) – Amendments to paragraphs 6.2.1 and 6.7.1

Rev.0 (01 April 2015) – First issue

## **Annex 1 - Illegal, Unreported & Unregulated (IUU) fishing definition**

Illegal, Unreported & Unregulated (IUU) fishing is defined in *The International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* (IPOA-IUU), issued by the Food and Agriculture Organization of the United Nations (FAO), as follows:

**Illegal fishing** refers to activities:

1. Conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations;
2. Conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organization but operate in contravention of the conservation and management measures adopted by that organization and by which the States are bound, or relevant provisions of the applicable international law; or
3. In violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organization.

**Unreported fishing** refers to fishing activities:

1. Which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations; or
2. Undertaken in the area of competence of a relevant regional fisheries management organization, which have not been reported or have been misreported, in contravention of the reporting procedures of that organization.

**Unregulated fishing** refers to fishing activities:

1. In the area of application of a relevant regional fisheries management organization that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organization, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organization; or
2. In areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law.

**Annex 2 - Bahamas Fisheries Monitoring Centre Contact Details**

**Fulcrum Maritime Systems Ltd**

Park Mews, Suite 3,

15 Park Lane

Hornchurch

Essex RM11 1BB

United Kingdom

Tel: +44 1708 788400

Fax: +44 1708 788402

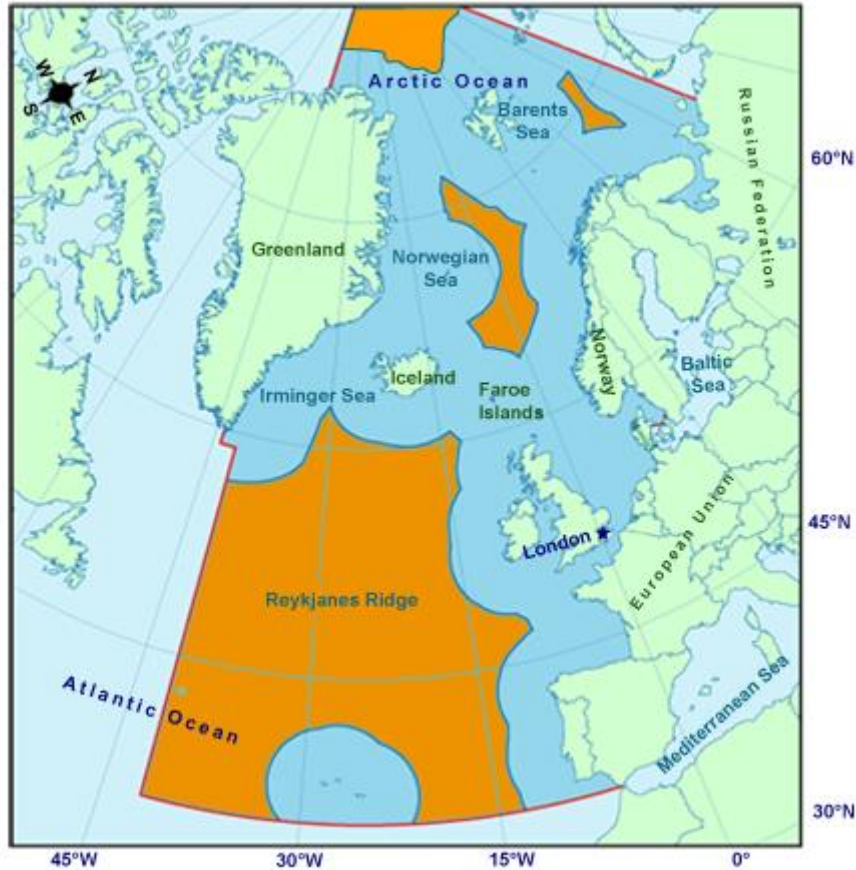
Email: [FMC@fulcrum-maritime.com](mailto:FMC@fulcrum-maritime.com)

Website: [www.fulcrum-maritime.com](http://www.fulcrum-maritime.com)

Manual reports to the FMC, when required under the provisions of this Bulletin, should be sent to [FMC@fulcrum-maritime.com](mailto:FMC@fulcrum-maritime.com) and copied to [FMC@bahamasmaritime.com](mailto:FMC@bahamasmaritime.com).

### **Annex 3 - The North East Atlantic Fisheries Commission**

- 1.1. The North East Atlantic Fisheries Commission is the RFMO for the North East Atlantic, one of the most abundant fishing areas in the world.



- 1.2. NEAFC's objective is to "ensure the long-term conservation and optimum utilisation of the fishery resources in the Convention Area, providing sustainable economic, environmental and social benefits. To this end, NEAFC adopts management measures for various fish stocks and control measures to ensure that they are properly implemented. NEAFC also adopts measures to protect other parts of the marine ecosystem from potential negative impacts of fisheries".<sup>3</sup>
- 1.3. **For the avoidance of doubt, all Bahamian ships, including fishing vessels, are not permitted to engage in commercial fishing operations in the NEAFC Regulatory area.**
- 1.4. Bahamian ships that wish to undertake transshipment operations in the NEAFC Regulatory area must comply with NEAFC Scheme of Control & Enforcement (the Scheme).

<sup>3</sup> <http://www.neafc.org/about>



1.5. It should be noted the Scheme is updated regularly by NEAFC. Owners should review the NEAFC website periodically to ensure that they have the current version of the Scheme. The text of the current Scheme can be found [here](#).

1.6. Inspections at Sea

1.6.1. Bahamian ships engaged in transshipment operations shall comply with requests for inspections at sea by NEAFC inspectors in accordance with Article 38 of the Scheme.

1.6.2. The master shall facilitate boarding and disembarkation of the inspectors and comply with Article 19 (a) to (e) of the Scheme.

1.6.3. Inspections will be carried out by the NEAFC inspectors as outlined in Article 18 of the Scheme.

1.6.4. It should be noted that, as per Article 38, Paragraph 3 of the Scheme, if the master does not consent to boarding and inspection, or does not fulfil any of the obligations in Article 19 (a) to (e), the ship will be presumed to have been engaged in IUU activities and is liable to further investigation and possible deletion from the register.

1.7. Entry into Port

1.7.1. In accordance with Article 39 of the Scheme, when the ship intends to call at a port, the Master shall notify the competent authorities of the port State in accordance with the provisions of Article 22.

1.7.2. It should be noted that the ship will be prohibited from entering port if the required notice of landing or the information required under Article 22 is not provided.

1.8. Inspections in Port

1.8.1. Bahamian ships engaged in transshipment operations shall comply with requests for inspections in port by NEAFC inspectors in accordance with Article 40 of the Scheme.

1.8.2. The master shall facilitate boarding and disembarkation of the inspectors and comply with Article 19 (a) to (e) of the Scheme.

1.8.3. It should be noted that, as per Article 40, Paragraph 2 of the Scheme, if the master does not fulfil any of the obligations in Article 19 (a) to (e), the ship will be presumed to have been engaged in IUU activities and is liable to further investigation and possible deletion from the register.

#### 1.9. Transhipments

1.9.1. Landings and transhipments are prohibited in the ports and waters of all NEAFC Contracting Parties if the inspection under Article 40 reveals that the ship has species on board which are subject to Recommendations established under the Convention, unless the master of the ship provides satisfactory evidence to the competent authorities proving that the fish were caught outside the Regulatory Area or in compliance with all relevant Recommendations established under the Convention.

1.9.2. The ship shall not engage in transhipment operations if the flag State or States of donor vessels does not provide the confirmation required under the provisions of Article 23 of the Scheme.

#### 1.10. Procedure for obtaining Authorisation to Undertake Transhipments

1.10.1. When the operator of a Bahamian ship wishes to engage in transhipment operations in the NEAFC regulatory area, an application should be made to the BMA with the following information:

- i. Name & IMO number of ship;
- ii. Confirmation that this Bulletin has been reviewed and the requirements incorporated into the Safety Management System or ship's operational procedures;
- iii. Confirmation that the IUU warning at paragraph 5.7 of this Bulletin is noted and understood;
- iv. Confirmation that the NEAFC Scheme of Control & Enforcement has been reviewed and the inspection and reporting requirements have been incorporated into the ship's operational procedures;
- v. Confirmation that FMC compatible tracking & monitoring equipment has been, or will be, supplied and fitted;
- vi. Confirmation that the ship has been, or will be, subscribed to the FMC;
- vii. Confirmation of agreement to the fee for the issue or reissue of each statement;
- viii. Any other relevant supporting information.

An application form is available to download [here](#).

1.10.2. The operator shall also contact Fulcrum in order to:

- i. Procure the supply and installation of FMC required equipment;
- ii. Subscribe the ship to the FMC;
- iii. Test communications with the FMC.

1.10.3. Fulcrum will advise the BMA of the names and IMO numbers of ships which have subscribed to the FMC and have successfully passed testing of the ship tracking and catch reporting system.

1.10.4. The BMA will review the application and check that the ship is not on any IUU lists and has not been implicated in involvement in IUU activities.

1.10.5. When the statement is issued, the BMA will instruct the FMC to send Notification and Authorisation messages to the NEAFC, as required under Articles 4 and 5 of the Scheme.

**Sample Statement of Authorisation for Transhipment of  
NEAFC Fisheries Products**

<b>Name of Ship</b>	
<b>Port of Registry</b>	<b>NASSAU</b>
<b>Official Number</b>	
<b>IMO Number</b>	
<b>International Call sign</b>	<b>C6</b>
<b>Overall length (metres)</b>	
<b>Engine Power (kW)</b>	
<b>Name(s) &amp; Address(es) of Owners/Charterers</b>	

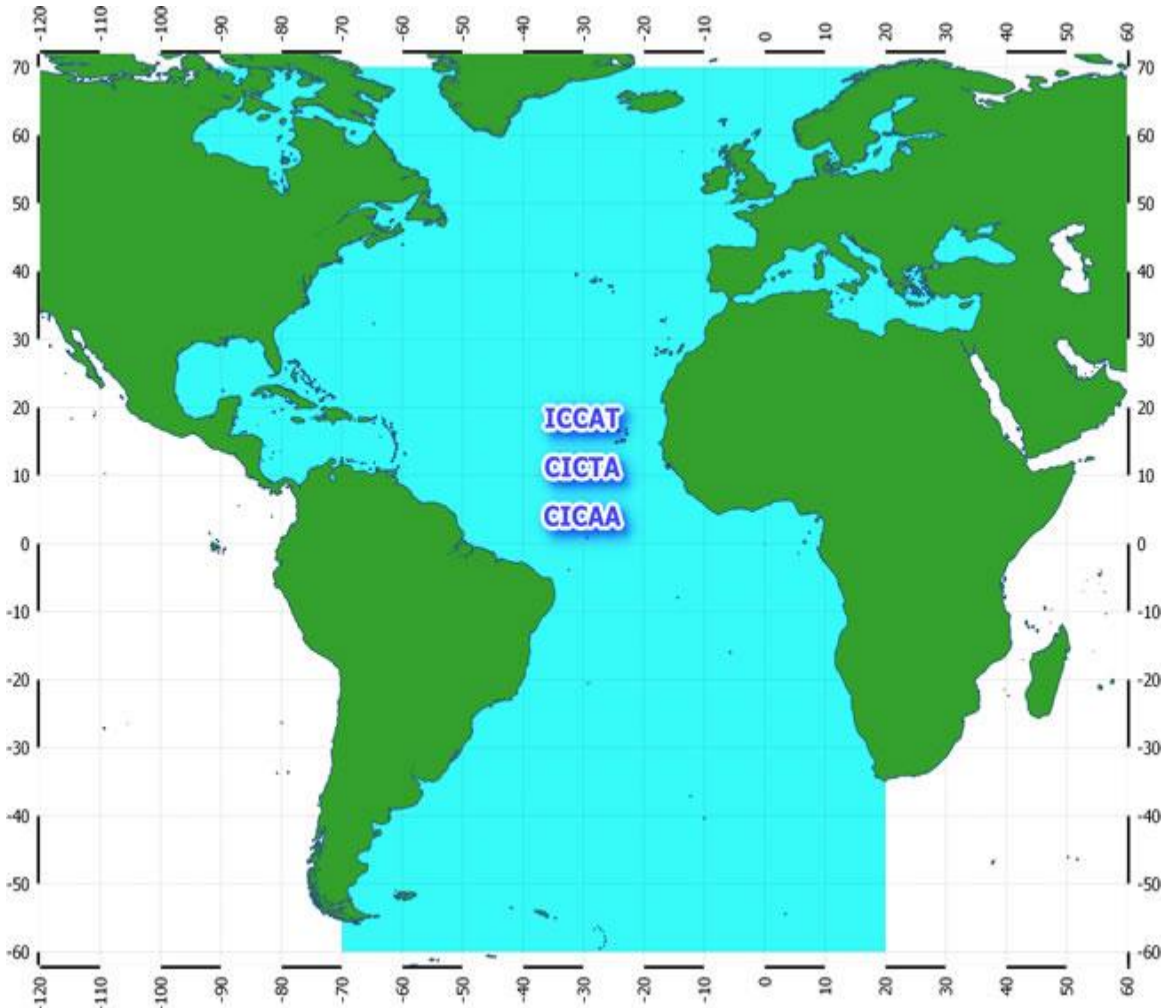
**Authorisation to undertake transhipment operations in the  
NEAFC Regulatory Area**

The above named ship is authorised to engage in transhipment operations in the North East Atlantic Fisheries Commission (NEAFC) area, provided that it complies fully with the requirements specified in BMA Information Bulletin No. 155.

Failure to comply with the requirements specified in Bulletin 155, or involvement or suspected involvement in Illegal, Unreported & Unregulated (IUU) fisheries activity, may result in withdrawal of this authorisation, suspension of the certificate of registry, deletion from The Bahamas register and/or prosecution of the owners and Master.

## **Annex 4 - The International Commission for the Conservation of Atlantic Tunas**

1.1. The international Commission for the Conservation of Atlantic Tunas (ICCAT) is the inter-governmental organisation acting under the authority of UN FAO entrusted in regulation and protection of the tuna, and tuna-like species in the Atlantic Ocean area and surrounding seas.



1.2. The Bahamas has established an agreement with ICCAT Secretariat to allow the Bahamian reefers to part-take in the transshipment of the cargoes originated from the convention area.

### 1.3. Procedure for obtaining Authorisation to Undertake Transshipments

1.3.1. Owners of a ship wishing to participate in ICCAT cargoes transshipment shall submit an application to the BMA confirming the following:

- i. Name & IMO number of ship;
- ii. Confirmation that this Bulletin has been reviewed and the requirements incorporated into the Safety Management System or ship's operational procedures;

- iii. Confirmation that the IUU warning at paragraph 5.7 of this Bulletin is noted and understood;
  - iv. Confirmation that a Vessel Monitoring System has been installed on board to allow transmission of position and activity reporting messages as required by [ICCAT Recommendation 07-08](#);
  - v. Confirmation that a satellite tracking device has been fitted on board the ships to continuously collect and transmit to the FMC the ship's identification and most recent geographic position, date and time. For ships fitted with long range identification and tracking (LRIT) systems, as required by SOLAS V/19-1, such functionality can be performed by the existing LRIT system once updated by the FMC in accordance with the provision of [ICCAT Recommendation 14-09](#)<sup>4</sup>;
  - vi. Confirmation that the ship has been, or will be, subscribed to the FMC;
  - vii. Confirmation of agreement to the fee for the issue or reissue of each statement;
  - viii. Any other relevant supporting information.
- 1.3.2. The operator shall also contact Fulcrum in order to:
- i. Procure the supply and installation of FMC required equipment;
  - ii. Subscribe the ship to the FMC;
  - iii. Test communications with the FMC.
- 1.3.3. Fulcrum will advise the BMA of the names and IMO numbers of ships which have subscribed to the FMC and have successfully passed testing of the ship tracking and catch reporting system.
- 1.3.4. The BMA will review the application and check that the ship is not on any IUU lists and has not been implicated in involvement in IUU activities.
- 1.3.5. Provided that the ship complies with these requirements, the BMA will issue a Statement of Authorisation to undertake Transhipments in the ICCAT Regulatory Area – see Section 6.2.1 above
- 1.3.6. Once the statement has been issued, the BMA will notify the ICCAT Secretariat and request that the ship is added to the [Record List of Authorised Vessels](#)<sup>5</sup>.
- 1.3.7. A ship that has a valid Statement of Authorisation to undertake Transhipments and has been included in to the ICCAT Record List of Authorised Vessels can undertake direct transhipment of ICCAT cargoes either at sea or in port within or outside the regulatory area

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<sup>4</sup>Where transhipment of ICCAT cargo is intended to take place within the EEZ of a Coastal State, the position reporting transmissions shall be configured to allow messages to be received automatically by the Coastal State's FMC.

<sup>5</sup> <http://www.iccat.int/en/vesselsrecord.asp>

**Sample Statement of Authorisation for Transhipment of  
ICCAT Fisheries Products**

<b>Name of Ship</b>	
<b>Port of Registry</b>	<b>NASSAU</b>
<b>Official Number</b>	
<b>IMO Number</b>	
<b>International Call sign</b>	<b>C6</b>
<b>Overall length (metres)</b>	
<b>Engine Power (kW)</b>	
<b>Name(s) &amp; Address(es) of Owners/Charterers</b>	

**Authorisation to undertake transhipment operations in the  
ICCAT Regulatory Area**

The above named ship is authorised to engage in transhipment operations in the ICCAT convention area, provided that it complies fully with the requirements specified in BMA Information Bulletin No. 155.

Failure to comply with the requirements specified in Bulletin 155, or involvement or suspected involvement in Illegal, Unreported & Unregulated (IUU) fisheries activity, may result in withdrawal of this authorisation, suspension of the certificate of registry, deletion from The Bahamas register and/or prosecution of the owners and Master.

**Annex 5 – Transshipment operations in Norwegian EEZ  
and waters around Svalbard**

- 1.1. The BMA has reached Agreement with the [Norwegian Directorate of Fisheries](#)<sup>6</sup> to allow Bahamian reefers to undertake transshipment of fisheries products in the Norwegian Exclusive Economic Zone and waters around Svalbard.
- 1.2. In line with the Norwegian Directorate of Fisheries policies, foreign ships with existing authorisation to conduct transshipments in the NEAFC regulatory area and fitted with a Vessel Monitoring System may be allowed to participate.
- 1.3. Procedure for obtaining Authorisation to Undertake Transshipments
  - 1.3.1. Only ships authorised to conduct transshipment operations in the NEAFC regulatory area and fitted with a VMS as per Annex 3 of this Bulletin may be authorised to conduct fisheries transshipments in the Norwegian EEZ and waters around Svalbard.
  - 1.3.2. Companies wishing to obtain such authorisation for their ships covered by existing NEAFC transshipment authorisation shall contact Fulcrum FMC at the earliest opportunity to request re-configuration of the VMS system. The details of the required reporting arrangements can be found [here](#)<sup>7</sup>.
  - 1.3.3. Details of the applicable Norwegian regulations are available from the BMA on request.
  - 1.3.4. Following re-configuration of the VMS and a successful test by the FMC, a duly completed application form, as enclosed with this Annex, shall be submitted to the BMA.
  - 1.3.5. The BMA will review the application and verify the ship's performance with NEAFC and that the ship has not been implicated in involvement in IUU activities.
  - 1.3.6. Provided that the ship complies with the above requirements, the BMA will submit the application to the Norwegian Directorate of Fisheries.
  - 1.3.7. Once Norway Directorate of Fisheries responds positively the BMA will proceed to issue a Statement of Authorisation to undertake Transshipments in Norwegian EEZ and waters around Svalbard as per the sample below.

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<sup>6</sup> <http://www.fiskeridir.no/English/Fisheries>

<sup>7</sup> <http://www.fiskeridir.no/English/Fisheries/Electronic-Reporting-Systems>



**Sample Statement of Authorisation to Undertake Transshipment Operations in Norwegian EEZ And Waters Around Svalbard**

<b>Name of Ship</b>	
<b>Port of Registry</b>	<b>NASSAU</b>
<b>Official Number</b>	
<b>IMO Number</b>	
<b>International Call sign</b>	<b>C6</b>
<b>Overall length (metres)</b>	
<b>Engine Power (kW)</b>	
<b>Name(s) &amp; Address(es) of Owners/Charterers</b>	

The above-named ship is authorised to engage in transshipment operations in the waters of Exclusive Economical Zone of Norway and waters around Svalbard, provided that it complies fully with the requirements specified in BMA Information Bulletin No. 155.

Failure to comply with the requirements specified in Bulletin 155, or involvement or suspected involvement in Illegal, Unreported & Unregulated (IUU) fisheries activity, may result in withdrawal of this authorisation, suspension of the certificate of registry, deletion from The Bahamas register and/or prosecution of the owners and Master.

**APPLICATION FOR LICENCE  
FOR FISHING WITHIN THE NORWEGIAN ECONOMIC ZONE  
AND THE FISHERY ZONE AROUND JAN MAYEN**

Flag state	
Name of vessel	
External registration number	
International radio call signal	
IMO-number	
Target species	N/A
Fishing area(s) (NEZ north and/or south of 62°N and/ or the Fishery Zone around Jan Mayen)	
Time period	
Owner's name and address	
Charterer's name and address	
Tonnage (OC and LC)	
Length in meters (over all and between perpendiculars)	
Horse power (kilowatts and horse power total installed engine power)	
Previous flag state(s) since 1.1.1994	
Previous name(s) since 1.1.1994	
Previous radio call signal since 1.1.1994	
Previous owner's(owners') name(s) and address(es) since 1.1.1994	

Date:

Signature: