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**FIRST MEETING OF THE PARTIES TO THE AGREEMENT ON PORT  
STATE MEASURES TO PREVENT, DETER AND ELIMINATE ILLEGAL,  
UNREPORTED AND UNREGULATED FISHING**

**Oslo, Norway, 29–31 May 2017**



Report of the  
FIRST MEETING OF THE PARTIES TO THE AGREEMENT ON PORT STATE MEASURES TO PREVENT, DETER  
AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

Oslo, Norway, 29–31 May 2017

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## PREPARATION OF THIS DOCUMENT

This is the final version of the report of the first meeting of the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing which was held in Oslo, Norway, from 29 to 31 May 2017.

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### ABSTRACT

This document contains the report of the first meeting of the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing held in Oslo, Norway, from 29 to 31 May 2017. The Parties agreed that FAO assumes the role of Secretariat for the meeting. The need for concerted action by port States, flag States and other States in the implementation of the Agreement, together with the important role of FAO, regional fisheries management organizations (RFMOs) and other international organizations and bodies, was recognized. The Parties noted the value of drawing lessons from existing relevant initiatives of RFMOs and other international organizations. The Parties agreed that a staged approach should be adopted with regards to data exchange and called for the establishment of an open-ended technical working group to provide guidance on the development of data exchange mechanisms. FAO was tasked with developing templates for reporting of information on national contact points, designated ports and other relevant information for the implementation of the Agreement, and to publish the information through a dedicated section within the FAO website. The Parties established the Working Group under Part 6 of the Agreement and its terms of reference were adopted. The Parties called upon the Secretariat to develop a specific web-based questionnaire for the purpose of monitoring implementation of the Agreement, as well as recording challenges faced, which is to be completed every two years initially. The Secretariat was also requested to prepare draft Rules of Procedure for meetings of the Parties and any subsidiary working groups based on the General Rules of the FAO, and relevant rules of the Committee on Fisheries, for consideration at the next meeting of the Parties. The Parties agreed to hold meetings every two years along with supplementary technical meetings as required.



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## **OPENING OF THE MEETING**

1. The first meeting of the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (the Agreement) was held in Oslo, Norway from 29 to 31 May 2017. The session was attended by 36 Parties<sup>1</sup> to the Agreement, and by observers from 15 States, one FAO Associate Member, 11 intergovernmental and four international non-governmental organizations. A list of delegates and observers is attached as Appendix B.
2. The Minister of Fisheries for Norway, His Excellency Mr Per Sandberg, inaugurated the meeting and delivered an opening statement (Appendix C).
3. His Excellency Mr Tommy E. Remengesau Jnr, President of the Republic of Palau delivered an opening statement (Appendix D).
4. Mr Árni Mathiesen, Assistant Director-General, Fisheries and Aquaculture Department, FAO delivered an opening statement (Appendix E).

## **ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSON**

5. Mr Vidar Landmark, Director General, Ministry of Trade, Industry and Fisheries, Norway, was unanimously elected Chairperson of the meeting. Mr Waldemar Coutts, Ambassador of Chile to Norway, was unanimously elected Vice-Chairperson.

## **DESIGNATION OF THE RAPPORTEUR**

6. The Parties entrusted FAO with the responsibilities of rapporteur for the meeting.

## **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE MEETING**

7. The meeting adopted the agenda without modification (Appendix A).
8. The Chairperson suggested that, in the absence of agreed procedures, the meeting could follow the General Rules of the FAO and the Principles and Procedures that govern Conventions and Agreements concluded under Article XIV and XV of the FAO Constitution, and Commissions and Committees established under Article VI of the Constitution, until specific procedures are discussed and agreed upon. The Parties agreed with such an arrangement.
9. The Parties agreed that FAO assumes the role of Secretariat for the meeting.

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<sup>1</sup> Including Japan which deposited its instrument of accession on 19 May 2017. The Agreement shall enter into force 30 days after the deposit of the instrument of accession in accordance with Article 29(3) of the Agreement.

## **STATUS OF THE 2009 FAO AGREEMENT ON PORT STATE MEASURES AND DEVELOPMENTS**

10. The Secretariat introduced document PSMA/2017/3 and informed the meeting that 47 States and the European Union (Member Organization) (EU) had deposited instruments of adherence. The meeting noted that the number of Parties had almost doubled since entry into force of the Agreement on 5 June 2016.

11. Parties making statements on the status of implementation of the Agreement at national level, reinforced their commitment to the Agreement and the fight against illegal, unreported and unregulated (IUU) fishing. Several States highlighted the initiatives that they had taken to strengthen fisheries management and control with a specific focus on the Agreement, covering operational, institutional, and legal and policy aspects.

12. Several Parties recognized the efforts of FAO, States and other international organizations in providing support for the implementation of the Agreement, whilst noting that a number of challenges remain to be addressed, such as training of inspectors, increased coordination at the national and regional level, and enhanced information sharing mechanisms.

13. It was indicated by several Parties that consideration should be given to the role of complementary instruments and tools in supporting the Agreement, in particular the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record), the Voluntary Guidelines for Catch Documentation Schemes, and tools developed by regional fisheries management organizations (RFMOs).

14. Furthermore, it was stressed that critical challenges, such as information on transshipments, development of robust risk assessment procedures, cooperation throughout the value chain and real time information on vessels and inspection results, should be addressed.

15. Parties called on countries not yet party to the Agreement to deposit their instruments of adherence in order to enhance the effectiveness of the Agreement to combat IUU fishing. Some non-parties present stated that they were in the process of becoming party to the Agreement, and also expressed their commitment to implementing port State measures but that it was important for non-parties to fully understand the implications of the obligations under the Agreement before becoming a Party.

16. The meeting noted the importance of the outcomes of these discussions to shape the next steps for the implementation of the Agreement. Additionally, it was recognized that, for instance, the Ocean Conference to be held in New York, United States of America (USA), 5 to 9 June 2017, and the Our Ocean Conference to be held in Malta, 5 to 6 October 2017, and other upcoming international conferences, would provide excellent opportunities to showcase the global commitment to fight IUU fishing and call for an increased uptake of the Agreement itself.

## **REVIEW OF THE REQUIREMENTS FOR THE IMPLEMENTATION OF THE AGREEMENT**

17. The Secretariat introduced document PSMA/2017/4 on matters concerning the implementation of the Agreement. The Secretariat highlighted a number of issues on the roles of port, flag and other States, as well as the role of FAO, RFMOs and other international organizations and bodies. It noted that there were

a number of issues identified for decision, including requirements of the Agreement, guidance on transmittal, electronic exchange and publication of information, guidance on regular and systematic monitoring and review of the implementation of the Agreement, and the necessity to convene informal consultations and intersessional meetings, as appropriate.

18. The Chairperson recalled the need to conclude this meeting with clarity on the way forward, and to avoid getting into the technical details, which could be delegated to a technical working group.

19. Regarding port and flag State responsibilities under the PSMA, some Parties identified RFMOs as important entities to assist with implementation of the Agreement. However, it was noted that not all States are contracting Parties of RFMOs and that implementation is ultimately the prerogative of the Parties.

20. A number of successful initiatives related to port State measures were highlighted, including those implemented through RFMOs and other existing regional initiatives. Additionally, other organizations provided examples relevant to the implementation of the PSMA, such as the International Maritime Organization (IMO) with its port State control regime for cargo vessels, and the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) with its standardized system of codification, and INTERPOL with Purple Notices and the I24 information system.

21. Parties noted that lessons should be drawn from these initiatives and examples, whilst noting the need for flexibility and minimal burden on the Parties. Along these lines, the Parties noted that guidance on the implementation of the PSMA should not be overly prescriptive, as countries and regions are different and require tailored approaches based on operational realities at national and regional levels.

22. IMO stressed that port State activities need to be coordinated inter-sectorally at national, regional and international levels, and informed the meeting of the joint FAO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated (IUU) Fishing and Related Matters between FAO, IMO and the International Labour Organization (ILO), which acts as an important forum to ensure coordination among relevant agencies.

23. The Parties agreed that FAO should play an important role in gathering information including on designated ports, national contact points, and any other relevant information useful for the implementation of the Agreement, possibly through relevant templates. FAO should also seek to gather information on contact points from non-parties, as this information would be useful for the implementation of the Agreement.

24. FAO was called upon to enhance financial and technical support with regards to capacity development efforts, including for small island developing States (SIDS), for which implementation is particularly difficult. Following this, the Secretariat outlined FAO's global capacity development programme to support both developing States Parties and non-parties, noting that several projects are already underway.

## **TRANSMITTAL, ELECTRONIC EXCHANGE AND PUBLICATION OF INFORMATION**

25. Parties agreed that a staged approach should be adopted with regards to data exchange, initially prioritizing the need to access basic information, such as on designated ports and national contact points, as soon as possible, in order to ensure that Parties can begin with the implementation of certain requirements immediately. At a later stage, more advanced information systems could be developed, based on the information exchange requirements referred to in the Agreement. It was highlighted that transparency and accessibility with regards to information exchange would be crucial, and that the need for accuracy would have to be taken into consideration. Additionally, it was agreed that FAO should identify a point of contact as soon as possible, so that the relevant information can be provided to FAO.

26. Parties also agreed that the FAO should produce draft templates for reporting of information and that these templates should be provided to the Parties for their comments and feedback. The need to keep requirements and templates simple was stressed by a number of Parties and non-Parties. It was noted that some Parties already submit information to their respective RFMOs, and using these procedures and mechanisms as examples could be useful, particularly for developing States with small fisheries administrations and limited resources.

27. Regarding publication of information, Parties agreed that a dedicated section within the FAO website could be developed for this purpose, with templates for submitting information.

28. It was noted that national contact points must be identified and communicated to FAO, and that initially this could be communicated through email to the designated focal point at FAO. Given that personnel in departments often change, it was agreed that an institutional contact be submitted and individual contact points in the institution could also be submitted. Parties emphasized that institutional contacts may be publicized on a dedicated section of the FAO website, while information on individual contacts shall only be accessible by the Parties.

29. Several Parties indicated that they have already begun to designate ports and some indicated they already have designated ports. It was agreed that this information should be sent to FAO immediately, as it is critical that vessels are aware of which ports they can enter.

30. Parties agreed that an open-ended technical working group be established to provide guidance on elaborating information exchange mechanisms and other technical matters, including the need to provide for varying levels of access depending on the nature of the information provided. The meeting of this technical working group is expected to be convened in 2018.

## **REQUIREMENTS OF DEVELOPING STATES**

31. The Secretariat introduced document PSMA/2017/5.

32. Parties established the Part 6 Working Group and approved the Terms of Reference (ToR) attached in Appendix F.

33. It was agreed that the ToR for the funding mechanisms should be discussed and elaborated by the Part 6 Working Group.

34. The Parties identified the urgency of beginning the work of the Part 6 Working Group and that meetings should initially be convened annually and where possible coinciding with other relevant meetings such as the FAO Committee on Fisheries (COFI).

## **MONITORING, REVIEW AND ASSESSMENT OF IMPLEMENTATION OF THE AGREEMENT**

### **Monitoring schemes and assessments**

35. The Parties recognized the importance of ensuring regular and systematic monitoring and review of the implementation of the Agreement, as well as assessment of progress made toward achieving its objective.

36. The Parties agreed on the development of a specific questionnaire for the purpose of monitoring implementation of the Agreement, as well as recording challenges faced. It was agreed that the Secretariat would formulate a prototype web-based questionnaire, to be reviewed and refined by the aforementioned technical working group. This questionnaire may be adapted and refined by the Parties, as appropriate.

37. In addition, the Parties agreed that it would be necessary to conduct the review of implementation through the questionnaire every two years initially and thereafter at such frequencies to be determined by the Parties.

### **Rules of procedure**

38. The Parties requested the Secretariat to prepare draft Rules of Procedure for meetings of the Parties and any subsidiary working groups based on the General Rules of the FAO, and relevant rules of COFI. The Parties also called upon the Secretariat to informally disseminate the draft Rules of Procedure to Parties for comments which will then be incorporated in a revised draft to be agreed at the next meeting of the Parties.

### **Date and venue of the next meeting of the Parties**

39. Whilst noting that, the Parties should hold a meeting to review the implementation of the Agreement and assess the progress in achieving its objective after four years of the entry into force of the Agreement, the Parties agreed that other meetings should be held more frequently especially in the initial years of implementation. To this end, Parties agreed to hold meetings every two years along with supplementary technical meetings as required.

40. The Parties agreed that their second meeting will be held in Chile, on a date to be confirmed by Chile in coordination with the Secretariat, not later than 2019. The Parties agreed that the meeting to review and assess the implementation of the Agreement will be hosted by the EU in 2020. The Parties also accepted the invitation from Indonesia to host a meeting of the Parties in 2022.

41. The Parties expressed their appreciation for the offers by Chile, Indonesia and the EU to host meetings of the Parties.

42. In the particular case of SIDS and other developing States, it was noted that they may not be well represented at international meetings due to the difficulty posed by costs associated with such meetings. Parties agreed on the importance of convening regional meetings, in advance of the meeting of Parties, where they can support coordination and monitoring of the implementation of the Agreement in advance of the meetings of Parties among concerned States.

#### **ANY OTHER MATTERS**

43. The meeting acknowledged with appreciation the generosity of the Government of Norway in hosting this first meeting of Parties, and kindly thanked the Chair and Vice-Chair for their effective guidance and management. The meeting also thanked the Secretariat for the preparation and assistance to the meeting.

#### **ADOPTION OF THE REPORT**

44. The Parties agreed that the report be published as an FAO report. The report was adopted on 31 May 2017 at 18.00.

### Agenda

1. Opening of the meeting
2. Election of the Chairperson and Vice-Chairperson
3. Designation of the Rapporteur
4. Adoption of the agenda and arrangements for the Meeting
5. Status of the 2009 FAO Agreement on Port State Measures and developments
6. Review of the requirements for the implementation of the Agreement
  - 6.1 Port State duties
  - 6.2 Role of flag States and other States
  - 6.3 Role of FAO
  - 6.4 Role of regional fisheries management organizations
  - 6.5 Role of other international organizations and bodies
7. Transmittal, electronic exchange and publication of information
  - 7.1 Designated national authority for information exchange
  - 7.2 Designated ports
  - 7.3 Inspection results and actions taken
  - 7.4 Establishment of electronic information-exchange mechanism
8. Requirements of developing States
  - 8.1 Establishment of the ad hoc working group under Article 21
9. Monitoring, review and assessment of implementation of the Agreement
  - 9.1 Monitoring schemes and assessments
  - 9.2 Rules of procedure for meetings of the Parties
  - 9.3 Date and venue of the next meeting of the Parties
10. Any other matters
11. Closure of the meeting
12. Adoption of the Report

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**Opening Speech**  
**by**  
**His Excellency Mr Per Sandberg**  
**Minister of Fisheries for Norway**

As one of the driving forces behind the establishment of the FAO agreement on Port state measures, Norway is very pleased that the agreement has entered into force, and that we the coming days have the opportunity to facilitate and further the implementation of the agreement. We believe that the PSMA agreement will prove to be an effective tool to combat IUU fishing. In particular, we would underline the cost effectiveness character of the approach. Our goal is that we, through joint efforts, can take concrete steps to prevent IUU fishing world wide

We are very pleased to see that there are 48 Parties to the agreement so far, and that the number is still growing. However, in order for the measures to take full effect globally, additional Parties are needed. Therefore, we should continue to encourage non-Parties to get on board.

Let me now turn to some of the more specific issues we need to address, and highlight some Norwegian priorities.

We believe that it is important to build on existing structures and organizational capacities, when implementing the port state measures. In this regard, the regional fisheries management organizations (RFMOs) remain the central tool. The responsibility to tackle practical issues connected to the implementation should primarily rest with the RFMOs.

Our experience in the North Atlantic with the regional management organizations NEAFC and NAFO is that it is possible to introduce new requirements in an efficient and credible manner, allowing fishing vessels and other vessels to operate within their regular patterns and at the same time taking into account the need of port states and flag states to reduce IUU fishing.

The role of FAO should primarily be to secure access to information on designated ports, contact points in port states, flag states and RFMOs and where to find relevant laws and regulations.

The requirements of developing states and securing assistance for implementing the agreement is a priority for Norway during this meeting. We look forward to working with our partners to this end.

**Opening Speech**

by

**His Excellency Mr Tommy E. Remengesau Jr  
President of the Republic of Palau**

Alii and good morning.

At the outset, let me thank the government of the Kingdom of Norway for hosting this Inaugural Meeting of the Parties to the Port State Measure Agreement (PSMA). I would also like to thank the United Nations Food and Agriculture Organization (UN FAO) for supporting the development and implementation of this very important agreement. As the first international treaty focused on fighting illegal, unreported and unregulated fishing, this inaugural Meeting is a historic occasion which we as Parties need to ensure provides outcomes that send a strong message to IUU fishers. Events like this helps us to focus and recognize the critical importance of food, security and livelihood to our environment, to our ocean and most especially to our people. Even more so, this inaugural event is taking place on the eve of the first UN conference focusing on implementing, SDG 14 – Protecting and Conserving Our Oceans and Seas to be held in NY in next Monday.

Many of you may not be familiar with Palau. It is just 7 degrees north of the equator in the Pacific. While it is small in land, at only about 180 square miles, it is a Large Ocean State with 230,000 square miles, or roughly the size of France, under its jurisdiction. The ocean is therefore of critical importance to us – it underpins our culture, our food security, and our economy. We grew up in a culture that emphasized the need to respect nature and the need to live sustainably today for the benefit of current and future generations – these are ideals that all here today share.

Like the Kingdom of Norway, my country's economy, culture and food security flows from the sea. Like many of our brothers and sisters across the Pacific, Palauans have made their livelihoods from fishing for untold generations.

But the rich Pacific Ocean fish stocks that sustain my people are under threat from climate change, pollution and overfishing – including vast illegal, pirate fishing.

Illegal, Unreported and Unregulated (IUU) fishing is estimated to cost the Pacific tuna fishery between US\$ 500 and 750 million dollars every year. Globally illegal fishers are estimated to rob billions more than 23 billion dollars of fish from our oceans annually.

We are here today to celebrate our nations' collective will to fight back!

Palau is proud to be among the first nations to ratify the Port State Measures Agreement, along with fellow pacific nations Tonga, Vanuatu, New Zealand and Australia.

And we congratulate Japan which has just become the most recent nation to accede to the PSMA. With each ratification the treaty becomes a more effective instrument of cooperation to fight IUU fishing.

Now the real hard work begins. To ensure the treaty is effective we need partnerships for global oceans governance and we must ensure that international cooperation and information exchange really work to close ports to illegal fishing operations.

To do this, we need an effective electronic information exchange and publicity system. We need sufficient support for developing countries to strengthen their port State measures to implement the agreement. And we need more countries to join. The bigger the network, the more effective the agreement will be to keep pirate fish out of the global seafood market, and reduce the profit incentive for IUU fishing.

The people of the Pacific are stewards of the largest ocean on earth – 98% of our region is ocean. Our countries' futures depend upon the health and conservation of our vast ocean and coastal resources, which affects every aspect of the sustainable development agenda in the Pacific region.

Palau, as a Large Ocean State, takes the responsibility of conservation very seriously! In 2015, Palau established the Palau National Marine Sanctuary – a large-scale marine protected area that encompasses Palau's entire exclusive economic zone, the size of France, and will include a no-take zone of over 500,000 square kilometers or 80% of our EEZ.

We are very grateful to have strong partners in our monitoring, control, surveillance and enforcement efforts including the US and Australian coast guards and the Nippon Foundation, but for a small nation to mount efforts to pursue illegal fishing boats over such a vast expanse of open ocean is a huge, and frankly, sometimes impossible, challenge.

We are trying hard though, and with the help of our international partners we had some notable successes catching pirate vessels in our waters. But it is a drop in the bucket -- every year Palau faces between 50 and 100 incursions by pirate vessels spread across a vast expanse of ocean.

That is why the Port State Measures Agreement is so critical for Palau.

By creating a network of nations that share information when a vessel may be trying to land illegal catch, the PSMA aims to create the level of international cooperation we desperately need to police not just individual pirate ships, but the whole, global fishing industry.

With every additional national that becomes a Party, the treaty becomes more effective and the benefits to each party increase.

## **1. Support for Capacity Development and Implementation of Port State Measures**

Port State measures are a cost-effective tool to fight IUU fishing, especially compared with monitoring, inspecting and enforcing at sea. Nevertheless I must emphasize that implementation presents serious challenges for developing nations with scarce administrative resources and many competing needs for limited financial resources.

Countries like mine that ratified early, took on the obligations of the PSMA with the understanding support for implementation would provide training for our port officials and other agencies with obligations under the treaty, and assistance to set up port State measures that would build, and be integrated with, existing national and regional monitoring, control and surveillance systems.

Palau welcomes the First meeting of the Ad Hoc Working Group established under Article 21, and encourages that parties to be proactive to rapidly fund and mobilize support to build the capacity needed to effectively implement the treaty.

I am pleased to note that the FAO Global Programme to support the implementation of the PSMA will be delivering training to our officials later this year. This is the first crucial step. Our institutions need to be continually strengthened so that there is a greater capacity to implement our obligations but also to ensure that there is greater coordination and integration amongst institutions responsible for our ports.

Support will be critical not just for the developing countries that have already joined the treaty, but also to allay the concerns of other developing nations about the treaty's significant burden on limited resources.

## **2. The Challenge of Implementation**

The challenge of implementation is real for my country and for other island nations of the Pacific. We have long been working together to fight IUU fishing in our region, and have been cooperating under a regional agreement [Niue agreement] and through our regional fisheries body – the Forum Fisheries Agencies – to implement a monitoring, control and surveillance (MCS) framework that has made significant strides in our region.

To maximize PSMA effectiveness and implementation in our region, the port State measures under the treaty should build on what we already do, nationally and regionally. For example, Forum Fisheries Agency undertook a Port State Measures Gap Analysis to identify where we should prioritize our efforts, and we look forward to improving on this work.

Another option to help prioritize efforts with limited resources that should be considered is to strengthen risk assessment procedures, so that we may target our inspection efforts on boats with high risk for IUU. This could help reduce the burden of implementation while improving the effectiveness of port inspection efforts.

## **3. Going Forward – Making the PSMA effective in the fight against illegal fishing**

Colleagues, Friends -- Today we mark the inaugural Meeting of the Parties to the Port State Measures Agreement (PSMA). The hard work has just begun.

We need a truly global web of port State inspections and other measures to choke off market access for illegal fish. Palau applauds the 48 nations that have joined the treaty. But the future of our oceans and our people needs the whole world to join. More countries must urgently ratify or accede to the agreement and join the fight against illegal fishing to protect our oceans.

Developing coastal states and island states like Palau urgently need support and capacity development so that we may have effective partners in implementing the PSMA. And developing nations that have not yet joined may need separate support so that they may strengthen their administrative and port inspection capacity and be assured of being able to comply.



Finally, we must call on all nations to join the treaty so that we may truly build a global net to deny port and market access to illegal fishers as a fundamental step to protect our oceans, our economies, and our future.

Importantly, we must also send a clear and strong commitment to the international community that we are serious about the effective implementation of the PSMA as one of the means to fight IUU fishing. The guidance and decisions that we as Parties agree on this week should strengthen implementation, including, through the exchange of information on inspections. The United Nations Oceans Conference which convenes in New York next week must hear of the renewed commitments that we have made here this week.

Friends, fellow children of the Ocean, today we celebrate a sea of change in international cooperation to stop illegal fishing.

The PSMA is a great step forward in the fight to eliminate pirate fishing. But we need to ensure that all parties can effectively implement the agreement, and that more countries will step up and join us in this fight for our oceans.

Only together, through effective global partnership, can we hope to keep illegal fish out of the market, deny pirates their profits, and work toward assuring a sustainable fishing future for all our countries.

Thank you and Kom kmal mesulang.

**Opening Speech**  
by  
**Mr Árni Mathiesen**  
**Assistant Director-General, FAO Fisheries and Aquaculture Department**

I would like to welcome you all, distinguished delegates, guests and begin by kindly thanking the government of Norway for hosting this important event.

The governance of the world's fisheries and aquaculture is a challenge that involves actors working across different sectors, and requires improved actions and synergies at the global level. The pursuit of sustainable development has led to the formulation of a wide spectrum of treaties, agreements, and instruments, with the ambition to reconcile its three pillars, namely the sustainability of natural resources, social equity and economic development. As such these instruments, treaties and agreements, are key to achieving sustainable development of the fisheries and aquaculture sector within a wider sustainable development framework.

The international legal framework for ocean governance and fisheries is made up of a multitude of global, regional and bilateral binding and voluntary instruments. Key binding and voluntary international fisheries instruments have progressed to address prominent and emerging fisheries challenges, and have been influenced by the ongoing evolution of global milestones. Unfortunately, Illegal, Unregulated and Unreported or IUU fishing, increasingly became a problem that could not be dealt with using ad hoc approaches. It is a global problem, one that needed to be addressed through global action. The international community called for a binding international treaty to eliminate this phenomenon, and thus the Port State Measures Agreement was formulated and adopted, after a series of meetings and sessions, representing a commitment by the states, regional economic integration organizations, NGOs, IGOs and others.

It was less than one year ago, at the 32<sup>nd</sup> session of COFI that we were celebrating the entry into force of the Port State Measures Agreement, the first binding international agreement targeting IUU fishing. Indeed, this was a moment for celebration, as this Agreement entered into force with 30 Parties. Since that date, the number of parties to the Agreement has almost doubled, thanks to both your efforts to bring about awareness on the importance of this Agreement, and to the increasing recognition of the effective nature of this Agreement in combatting IUU fishing.

Those of you that have become party to the PSMA are well-aware of the potential role that it can play in combatting IUU fishing, if correctly implemented by as many countries as possible around the world. The entry into force of this Agreement marks a powerful blow to IUU fishing; yet it is not enough. States have responsibilities as port, flag, coastal and market States, and these must be realized together and with a strong commitment.

This first meeting of Parties provides you, the parties to the Port State Measures Agreement, with the very first opportunity to sit down together and discuss its implementation, how it will operate, discuss the challenges of implementation, and agree on how this Agreement will be applied in your ports. The

Agreement will remain words on a paper; steps are needed to be taken to ensure effective implementation on the ground, in your ports. This meeting is critical and unique, as it represents a chance to start developing a sort of handbook to the PSMA, and guide future actions in its implementation as well as future meetings of parties to the PSMA.

Over the next two days, you have a heavy agenda with a number of decisions and actions to be taken. From agreeing on the rules of procedure for meetings of the parties, to reviewing the requirements of the PSMA, there are a number of important issues to be addressed. Delegations must carefully consider what these mean in terms of responsibilities for concerned States, regional fisheries management organizations, FAO, and other international organizations. While it is the Parties that have formally made the commitment to be bound by the PSMA, cooperation and coordination with other Parties and organizations will be key to the successful implementation of this Agreement.

In addition, it will be important to deliberate and provide guidance on how the necessary communication and exchange of information mechanisms will take shape. This aspect is especially important, as this information sharing will facilitate greater power for States by building a collective base of knowledge on vessels engaging in IUU fishing.

Key to the implementation of this Agreement will be the support provided to developing States parties, which will ultimately comprise the majority of parties to the PSMA, and thus will be key to its success. This is where the establishment of the ad hoc working group under Part 6, Article 21 of the PSMA and the review and adoption of the Terms of Reference for this group, will be crucial. Discussing and understanding the requirements of developing States parties, and corresponding assistance priorities will pave the way for a strong capacity amongst all Parties to effectively combat IUU fishing.

Finally, it will be important for this meeting to discuss options on how to ensure regular review and systemic monitoring of the implementation of the PSMA, in order to make certain that we continue to make progress towards achieving the objective of the PSMA, and be in a position to overcome the challenges that may arise along the way.

I wish you the best of luck in your endeavours over the course of this meeting, and I am confident that at its conclusion, you would have paved the way for huge leap ahead in the implementation of the PSMA. This meeting reflects your commitment to combat IUU fishing. I look forward to the discussions over the coming days, and the follow-up to your decisions.

**APPENDIX F****Terms of reference of the Ad Hoc Working Group under Part 6 of the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing****Background**

1. Article 21 of the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (hereinafter referred to as “the Agreement”) requires Parties to the Agreement (hereinafter referred to as “Parties”) to give full recognition to the special requirements of developing States Parties in relation to the implementation of port State measures consistent with the Agreement. Paragraph 6 of the said article requires Parties to establish an Ad Hoc working group that shall periodically report and make recommendations to the Parties on funding mechanisms.

**Establishment of the Ad Hoc Working Group**

2. The Ad Hoc Working Group is established pursuant to Article 21 (6) of the Agreement.
3. The Ad Hoc Working Group shall consist of representatives of the Parties.
4. The Ad Hoc Working Group shall, if consensus is not reached, elect by simple majority of the Parties present and voting, its chairperson and vice-chairperson(s) from among the Parties for a term of two years, with one of them representing a developing State Party.
5. The FAO Fisheries and Aquaculture Department shall provide services to the Ad Hoc Working Group.

**Observers**

6. The following shall be eligible to participate as observers in meetings of the Ad Hoc Working Group:
  - (a) signatories and all other non-Parties having an interest in becoming a Party to the Agreement;
  - (b) intergovernmental organizations whose mandates include addressing port State measures; and
  - (c) international non-governmental organizations that have demonstrated an interest in the Agreement.
7. Observers may address the Ad Hoc Working Group at the discretion of the Chairperson.
8. Observers shall not participate in decision making.

**Functions of the Ad Hoc Working Group**

9. The Ad Hoc Working Group shall report and make recommendations to Parties on:
  - (a) the establishment of a funding mechanism;

- (b) priorities for the use of the funding mechanism; and
- (c) identification of States, intergovernmental organizations, international financial institutions, regional economic integration organizations, national institutions, non-governmental organizations, foundations, as well as natural and juridical persons, that shall be approached by FAO to make voluntary financial contributions to the funding mechanism.

### **Meetings of the Ad Hoc Working Group**

10. The first meeting of the Ad Hoc Working Group shall be convened at FAO Headquarters between 90 and 120 days after the Agreement has entered into force, and shall thereafter meet at least every other year, preferably back-to-back with meetings of the FAO Committee on Fisheries at FAO Headquarters. A Party may request additional meetings of the Ad Hoc Working Group, which shall be convened if one third or more of the Parties agree to that request.

### **Expenses**

11. Participants shall meet their own expenses or obtain the financial resources necessary to attend meetings of the Ad Hoc Working Group. The attendance of representatives of developing States Parties to the Agreement may be funded by the mechanism referred to in paragraph 9 (a).

12. The administrative expenses of the Ad Hoc Working Group shall be covered by the funding mechanism referred to in paragraph 9 (a).

13. The FAO Fisheries and Aquaculture Department shall prepare and submit reports to the Ad Hoc Working Group on the use of the expenses referred to in paragraph 12.

### **Language**

14. In principle, the meetings of the Ad Hoc Working Group shall be conducted in the English language, and documents related to the work of the Ad Hoc Working Group shall be prepared in the English language.

### **General reporting on the activities of the Ad Hoc Working Group**

15. A general report prepared by the FAO Fisheries and Aquaculture Department on the activities of the Ad Hoc Working Group shall be presented to the Parties and, for information, to meetings of the FAO Committee of Fisheries.

### **Decision making**

16. Notwithstanding the procedure for the election of the chairperson and vice-chairperson(s) under paragraph 4, decisions of the Ad Hoc Working Group shall be taken by consensus of the Parties present at the Ad Hoc Working Group meeting.

### **Revision and review**

17. These Terms of Reference may be revised by the Parties if circumstances so require.

18. The Parties shall, within the framework of Article 24 of the Agreement, review the activities of the Ad Hoc Working Group with the view to assessing and evaluating the effectiveness of the implementation of these Terms of Reference.

**Publicity**

19. The FAO Fisheries and Aquaculture Department shall maintain on the FAO's website information on the Ad Hoc Working Group including the report provided in accordance with paragraph 15 of these Terms of Reference.

This document contains the report of the first meeting of the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing held in Oslo, Norway, from 29 to 31 May 2017. The Parties agreed that FAO assumes the role of Secretariat for the meeting. The need for concerted action by port States, flag States and other States in the implementation of the Agreement, together with the important role of FAO, regional fisheries management organizations (RFMOs) and other international organizations and bodies, was recognized. The Parties noted the value of drawing lessons from existing relevant initiatives of RFMOs and other international organizations. The Parties agreed that a staged approach should be adopted with regards to data exchange and called for the establishment of an open-ended technical working group to provide guidance on the development of data exchange mechanisms. FAO was tasked with developing templates for reporting of information on national contact points, designated ports and other relevant information for the implementation of the Agreement, and to publish the information through a dedicated section within the FAO website. The Parties established the Working Group under Part 6 of the Agreement and its terms of reference were adopted. The Parties called upon the Secretariat to develop a specific web-based questionnaire for the purpose of monitoring implementation of the Agreement, as well as recording challenges faced, which is to be completed every two years initially. The Secretariat was also requested to prepare draft Rules of Procedure for meetings of the Parties and any subsidiary working groups based on the General Rules of the FAO, and relevant rules of the Committee on Fisheries, for consideration at the next meeting of the Parties. The Parties agreed to hold meetings every two years along with supplementary technical meetings as required.

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