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Report of the

FIRST MEETING OF THE STRATEGY AD HOC WORKING GROUP

Rome, 3–7 April 2023

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PREPARATION OF THIS DOCUMENT

This is the final version of the report of the first meeting of the Strategy ad hoc Working Group (SWG) established by the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, which was held at FAO Headquarters in Rome, Italy, from 3 to 7 April 2023.

ABSTRACT

This document contains the report of the first meeting of the Strategy ad hoc Working Group (SWG) established by the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (hereinafter referred to as the Agreement or the PSMA), held at FAO Headquarters in Rome, Italy, from 3 to 7 April 2023. It was attended by 55 Parties to the Agreement, and by observers from 23 States, 11 intergovernmental, 5 international non-governmental organizations and one specialized agency from the United Nations (UN). In line with its Terms of Reference adopted by the Parties, the SWG discussed aspects to improve the effectiveness of the PSMA, namely in relation to increasing adherence to the Agreement, the fulfilment of Parties' responsibilities, mechanisms for the monitoring, review and assessment of the implementation of the Agreement, as well as resources required for the sustainable functioning of the Agreement. On the basis of the discussions and on the consolidated recommendations emanating from the four PSMA regional coordination meetings convened in 2022, the SWG developed a draft Strategy to Improve the Effectiveness of the PSMA and agreed to put it forward for consideration at the Fourth Meeting of Parties (MoP4).

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ABBREVIATIONS AND ACRONYMS

ARPE	advance request for port entry
CMM	conservation and management measure
GIES	Global Information Exchange System
IUU	illegal, unreported and unregulated
MCS	monitoring, control and surveillance
MoP	Meeting of the Parties (to the Agreement on Port State Measures)
PSC	port State control
PSM	port State measure
PSMA	Agreement on Port State Measures
RFB	regional fishery body
RFMO	regional fisheries management organization
SSF	small-scale fisheries
SWG	Strategy ad hoc Working Group
TWG-IE	Technical Working Group on Information Exchange
UN	United Nations
VGT	Voluntary Guidelines for Transshipment

OPENING OF THE MEETING

1. The first meeting of the Strategy ad hoc Working Group (SWG) established by the Parties to the Agreement on Port State Measures (PSMA) was held in Rome, Italy, from 3 to 7 April 2023. The meeting was attended by 132 participants from 55 Parties to the PSMA, 80 participants from other FAO Members, 11 inter-governmental organizations, 5 international non-governmental organizations and one specialized agency from the United Nations (UN). A list of participants is attached in Appendix 2.
2. Mr Matthew Camilleri, Leader, Global and Regional Processes Team, FAO, opened the meeting, welcomed participants and thanked the European Union, Norway, and the United Kingdom for supporting the convening of the meeting of the SWG, including the participation of delegates from developing States.
3. Ms Vera Agostini, Deputy Director, Fisheries and Aquaculture Division, FAO, delivered opening remarks. Her opening statement is attached in Appendix 3.

ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSON

4. The floor was opened for nominations for the Chairperson and Vice-Chairperson of the meeting.
5. Mr Andres Arens Hidalgo, Vice Minister of Aquaculture and Fisheries, Ecuador, was elected chairperson and Mr Urbain Thibauthéon Arron Sonagnon Brito, Director of Fisheries Production, Ministry of Agriculture, Livestock and Fisheries, Benin, was elected Vice-chairperson.

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE MEETING

6. The Strategy Working Group adopted the agenda without modification, as shown in Appendix 1.

REVIEW OF THE OUTCOME OF THE THIRD MEETING OF THE PARTIES TO THE AGREEMENT ON PORT STATE MEASURES (PSMA)

7. The Secretariat introduced document PSMA_StrategyWG1/2023/2, recalling the outcomes of the third meeting of the Parties to the PSMA.

REVIEW OF THE OUTCOME OF THE FOUR PSMA REGIONAL COORDINATION MEETINGS

8. The Secretariat introduced document PSMA_Strategy WG1/2023/3 and highlighted implementation challenges and recommendations for strengthened implementation of the Agreement as identified by participants of the four PSMA regional coordination meetings.
9. The SWG agreed that the Strategy for improving effectiveness of the PSMA could be developed on the basis of the recommendations of the above-mentioned meetings. Recommendations included: 1) increasing number of Parties to the PSMA; 2) encouraging regional fisheries management organizations (RFMOs) to establish conservation and management measures in relation to port State measures that meet the minimal requirements of the PSMA; 3) continuing the mechanism of regional coordination meetings as an effective means for enhancing regional collaboration and sharing of experience for a harmonized implementation of the PSMA; 4) operationalization of the Global Information Exchange System (GIES) as a critical tool in support of the implementation of the PSMA; 5) FAO continuing to provide capacity development to developing States to enhance their capacities to implement the PSMA; 6) strengthening awareness raising on PSMA to different agencies and underscoring the importance of interagency collaboration between agencies involved in port State measures; 7) ensuring effective monitoring of implementation of the PSMA by Parties; 8) strengthening

the PSMA Secretariat to ensure it can provide effective support to the Parties to implement the Agreement.

REVIEW OF THE OUTCOME OF THE THIRD MEETING OF THE PSMA TECHNICAL WORKING GROUP ON INFORMATION EXCHANGE

10. The Secretariat introduced the outcome of the third meeting of the Technical Working Group on Information Exchange (TWG-IE) held from 13 to 14 December 2022 as summarized in PSMA_Strategy WG1/2023/3.

11. The SWG recognized that the Global Information Exchange System (GIES), developed by the Secretariat as requested by the Parties, constitutes a critical tool to facilitate the effective implementation of the Agreement.

12. The SWG emphasized the importance of awareness raising initiatives, including towards RFMOs/regional fishery bodies (RFBs), and capacity development in relation to the use of the GIES.

STRATEGY TO IMPROVE THE IMPLEMENTATION OF THE AGREEMENT

Development of a Strategy for improved implementation to enhance the effectiveness of the PSMA

13. Following initial discussions on a Strategy to improve the effectiveness of the PSMA, the SWG called upon the Secretariat to prepare a draft Strategy to facilitate the discussion during the meeting. The Secretariat based the draft on the consolidated recommendations emanating from the four PSMA regional coordination meetings, interventions made during the ongoing SWG meeting and the Terms of Reference of the SWG as adopted by the Third Meeting of Parties (MoP3).

Review of the questionnaires for States to assess the implementation of the PSMA and the development a new questionnaire for regional fishery bodies

14. The Secretariat introduced changes made to the questionnaire for Parties to assess the implementation of the PSMA as requested by the MoP3 and invited Parties to submit comments in written form to refine the questionnaire to be represented to the Fourth Meeting of the Parties (MoP4).

15. The Secretariat introduced the questionnaire developed for RFBs as requested by MoP3 and explained that the questionnaire is not only intended for the use of RFMOs, but for all RFBs and relevant international organizations which engage in initiatives that support the implementation of the PSMA.

FAO Voluntary Guidelines for Transshipment – a new soft law instrument complementing the implementation of the PSMA

16. The SWG welcomed the adoption of the Voluntary Guidelines for Transshipment (VGT) and recognized the importance of this new instrument in supporting the implementation of the PSMA.

17. The SWG requested that FAO continues to deliver awareness raising initiatives on the VGT and that MoP requests to develop a guidance document for the implementation of the VGT in the context of the PSMA, including to support its uptake in RFMOs.

Administration and financial mechanisms

18. The Secretariat presented financial estimates required for the functioning of the Agreement including costs related to the Secretariat, meetings of the Parties and subsidiary working group meetings, the development and management of the GIES, regional coordination meetings, as well as capacity development. It was emphasized that currently the functioning of the Agreement was highly dependent on extra-budgetary resources which might not be sustainable and cannot be guaranteed for the future.

19. The SWG proposed that MoP4 discusses the possibility of the establishment of a mechanism for contributing funds and other resources to sustainably support the administrative and operational functioning of the Agreement.

CONCLUSIONS AND RECOMMENDATIONS

20. The SWG developed a draft Strategy to Improve the Effectiveness of the PSMA, as contained in Appendix 4, and agreed to put it forward for consideration at the forthcoming MoP4.

DATE AND VENUE FOR THE NEXT MEETING OF THE WORKING GROUP

21. Future meetings of the SWG will be convened at a time to be decided by MoP4 and subject to the hosting by a Party and/or the availability of funds.

ADOPTION OF THE REPORT

22. The SWG agreed that the Secretariat will circulate the report following the closure of the meeting and Parties will be invited to submit any proposed amendments over a period of one week. It was agreed that comments would only be permitted on the body of the report and not on the draft Strategy. Following this period, the report, including any agreed amendments, would be considered adopted.

CLOSURE OF THE MEETING

23. The meeting was closed at 17 hours on 7 April 2023.

AGENDA AND TIMETABLE

Monday 3 April

Morning 9.30–12.00

1. Opening of the meeting
2. Election of Chairperson and Vice-chairperson
3. Adoption of agenda and arrangements for the meeting
4. Review of the outcome of the third meeting of the Parties to the Agreement on Port State Measures (PSMA)
5. Review of the outcome of the four PSMA regional coordination meetings

Afternoon 14.00–16.30

6. Review of the outcome of the third meeting of the PSMA Technical Working Group on Information Exchange

Tuesday 4 April

Morning 9.30–12.00

7. Strategy to improve the implementation of the Agreement
 - 7.1. Increasing the number of Parties
 - 7.2. Effective implementation of the provisions of the Agreement
 - 7.2.1. Port State performance
 - 7.2.2. Policy/legal matters
 - 7.2.3. Institutional arrangements
 - 7.2.4. Operational arrangements
 - 7.2.5. Exchange of information
 - 7.2.6. Review of the questionnaires for States to assess the implementation of the PSMA and the development a new questionnaire for regional fishery bodies
 - 7.2.7. FAO Voluntary Guidelines for Transshipment – a new soft law instrument complementing the implementation of the PSMA.
 - 7.2.8. Other

Afternoon 14.00–16.30

7.2 (Cont.)

Evening 17.00–19.30

Fourth Meeting of the Part 6 Working Group

Wednesday 5 April

Morning 9.30–12.00

7.2 (Cont.)

Afternoon 14.00–16.30

7.2 (Cont.)

Thursday 6 April

Morning 9.30–12.00

- 7.3. Capacity development and training
- 7.4. Assessment and monitoring of compliance
- 7.5. Administration and financial mechanisms

Afternoon 14.00–16.30

- 8. Conclusions and recommendations
- 9. Date and venue for the next meeting of the working group
- 10. Any other business

Friday 7 April

Afternoon 14.00–17.00

- 11. Adoption of the report
- 12. Closure of the meeting

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**OPENING REMARKS
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Illegal, unreported and unregulated (IUU) fishing is a serious concern to the global community. It undermines international, regional, sub-regional and national conservation and management measures for sustainable fisheries, poses a serious threat to marine ecosystems, leads to the loss of short and long-term social and economic opportunities and has negative impacts on the livelihoods of legitimate fishers and coastal communities around the globe. Developing states, in particular small island developing states, due to their limited resources and capacities for effective fisheries monitoring, control and surveillance (MCS) are particularly vulnerable to IUU fishing.

International fisheries governance is complex, as oceans are functionally and geographically divided into different maritime zones and subject to different legal regimes, which makes combatting Illegal fishing, as well as Unreported and Unregulated fishing, even more complicated. To address this complexity, a wide range of international instruments are developed to delineate States responsibilities as flag, coastal and port States, as well as internationally implementing market related measures to address IUU fishing.

The FAO Agreement on Port State Measures (PSMA), adopted by FAO Conference in November 2009 and entered into force in June 2016, is the first international legally binding agreement to specifically target IUU fishing. The PSMA, by blocking fishery products derived from IUU fishing from entering national and international markets, reduces the incentives and profitability of IUU fishing operations. It is proven as a potent and cost-effective tool to combat IUU fishing.

As of today, they are 74 Parties to the PSMA, 73 State Parties and the European Union as one Party representing its 27 Member States. This brings the number of States adhering to the PSMA to 100. PSMA is the instrument with the fastest rate of adherence among all ocean related international instruments. Furthermore, more FAO Members are reporting to us on their national processes for ratification or accession to the PSMA.

The PSMA provides States with a powerful instrument for curtailing IUU fishing, and implementation is key. To that end, the following are essential:

Parties are to strengthen national legal and institutional frameworks and their MCS systems and operations for effective implementation of the PSMA.

To facilitate information exchange under the Agreement, Parties tasked FAO to develop the Global Information Exchange System (GIES) which is now operationalized and in pilot phase. Fully utilizing the GIES will bring operationalization and effectiveness of the PSMA to a greater level and provides an effective vehicle to realize cooperation between Parties to combat IUU fishing.

Further promoting development and implementation of complementary instruments such as the newly adopted FAO Voluntary Guidelines for Transshipment certainly supports the effective implementation of the PSMA.

The progressive development of international law does not stop at the entering into force of an international instrument. It must constantly be reviewed, monitored and analysed against the emerging challenges and be updated accordingly. The PSMA is not an exception. It requires initiative for assessing the effectiveness of the Agreement and the adequacy of its provisions. To this end, the PSMA Strategy Ad hoc Working Group is established to develop a strategy to improve the effectiveness of the PSMA.

I believe your deliberations this week leading to the development of a global strategy of the PSMA, for consideration and adoption in the forthcoming Fourth Meeting of Parties in May this year, will be pivotal in fostering more concerted action worldwide to maximize the potential of the PSMA to effectively combat IUU fishing.

Colleagues, the FAO was established in 1945 to end hunger and poverty, while using natural resources sustainably. Last year the FAO started its Blue Transformation initiative, to ensure aquatic foods increase their contributions to the fight for a world without hunger. The second objective of Blue Transformation is to ensure that 100% of global fisheries, both in marine and inland waters, are placed under effective management, because managed fisheries are sustainable fisheries. The Port State Measures Agreement is one of a collection of instruments that, in tandem with other international instruments, such as the World Trade Organization (WTO) Agreement on Fisheries Subsidies adopted last year, and combined with technical solutions, capacity building and policy support, will eventually allow us to ensure all fisheries are sustainable, productive and impactful.

I remain optimistic that as more and more countries adhere to, and effectively implement the PSMA, it will become harder and harder for perpetrators of IUU fishing to continue business as usual, safeguarding the long-term conservation and sustainable use of living marine resources.

The soon to be adopted new international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, will add another instrument that through adequate coordination, cohesion, and implementation, will help us achieve our objectives. Ms Rena Lee, President of the BBNJ Intergovernmental Conference, at the conclusion of the Fifth session of the BBNJ Intergovernmental Conference, said “The ship has reached the shore”. In the context of implementation and the need for complementarity, coordination and cohesion, when a ship reaches the shore, it is up to the port state to begin playing its role.

I wish you a successful meeting this week.

**A DRAFT¹ STRATEGY TO IMPROVE THE EFFECTIVENESS
OF THE
AGREEMENT ON PORT STATE MEASURES TO PREVENT, DETER AND ELIMINATE
ILLEGAL, UNREPORTED AND UNREGULATED FISHING**

A. INCREASING ADHERENCE TO AND PARTICIPATION IN THE PSMA

1. Parties should support bilateral, sub-regional, regional and global efforts to increase the number of Parties, especially major port States and flag States, including through:
 - a. raising awareness and sharing knowledge of benefits of ratification, acceptance or approval to the PSMA;
 - b. encouraging non-Parties to implement measures consistent with the Agreement and to participate in meetings and, to the extent possible, actively cooperate with Parties in the implementation including by responding to request for information and taking follow up actions where appropriate;
 - c. supporting capacity development and preparation of non-Parties to reach a state of readiness to become Parties; and
 - d. [Promoting the added value of implementing the PSMA to international financial institutions and to support preparedness of non-Parties to reach a state of readiness to become Parties]

B. FULFILMENT OF RESPONSIBILITIES OF THE PARTIES FOR EFFECTIVE IMPLEMENTATION OF THE PSMA

Strengthening the policy, legal, institutional frameworks and operational mechanisms

2. Parties should develop, [and periodically] review, revise and [update] as appropriate national policy, legal and institutional frameworks, and operational mechanisms to:
 - a. implement the PSMA, relevant international instruments and measures to combat IUU fishing and related activities in support of such fishing;
 - b. strengthen timely and effective enforcement of port State measures (PSMs) [and appropriate follow-up actions];
 - c. strengthen inter-agency cooperation for efficient and effective implementation of the PSMA; and
 - d. share and disseminate best practices and experiences amongst the Parties in the effective implementation of the PSMA.

Integration and coordination at national and regional levels

3. Parties at the national level should:
 - a. integrate the PSMs under the PSMA into their national management and regulatory frameworks, including monitoring, control and surveillance (MCS) [, compliance] [and enforcement systems];
 - b. recognise that PSMs and the PSMA apply to the entire fisheries sector, including the commercial small-scale fisheries (SSF), the specificities of which should be duly taken into consideration in the

¹ The SWG did not reach consensus on the text between square brackets.

design and implementation of measures, including capacity development related measures to address the specific requirements of developing countries;

- c. encourage using a risk assessment approach to implement PSMs to contribute to combatting IUU fishing and related activities in support of such fishing; and
- d. strengthen inter-agency collaboration among agencies involved in PSMs and integrate the PSMs into the broader framework of port State control (PSC), as appropriate.

4. Parties that are contracting parties to or members of regional fishery bodies (RFBs), in particular regional fisheries management organizations (RFMOs), or participate in such RFMOs, should promote the adoption and harmonization of PSMs consistent with the PSMA, including by proposing new and revised conservation and management measures (CMMs) .

Cooperation and exchange of information

5. Parties should submit their national contact points and designated ports by end of 2023 and keep this information up to date.

6. Parties and FAO should cooperate to make the Global Information Exchange System (GIES) fully operational by the end of 2023. In particular, they should consider:

- a. cooperate fully with RFBs and non-Parties States to support the use of the GIES;
- b. seek ways to continuously improve GIES particularly by supporting full participation of developing States,
- c. consider additional components to incorporate into the GIES, as agreed by future meetings of the Parties, [such as advance request of port entry and compliance history of individual vessels within GIES records.]

7. Parties that are contracting parties to, members of or participate in RFBs, in particular RFMOs, as well as FAO, should encourage Parties or Members of such RFBs having electronic information exchange systems in place agree to cooperate with the GIES as a means of exchanging information related to implementation of their PSMs subject to measures on compatibility, interoperability, and confidentiality of the information exchange with the GIES; they should also encourage RFBs with no electronic information exchange systems in place to consider using GIES as means for sharing information on their PSMs as required. FAO should engage with RFBs, in particular RFMOs, to assist in removing barriers for information exchange through GIES.

Entry and use of Ports

8. In light of PSMA requirements, Parties should consider:

- a. interagency coordination and cooperation processes, where needed, for entry or denial of entry, and for authorization or denial of use of ports for requesting foreign fishing vessels
- b. sharing of information in a timely manner among relevant agencies~~[-]~~;
- c. clear and published requirements and processes for port entry that include the collection of advance request for port entry (ARPE) by foreign fishing vessels information consistent with Annex A, as well as, procedures and requirements for submitting ARPE to a designated national agency which will then notify all other relevant agencies;
- d. method to communicate [a port entry or] denial of port entry to the foreign fishing vessel which submitted the ARPE;

9. Parties should consider requesting, as and when relevant, transshipment or landing declarations as part of the conditions and requirements for ARPE consistent with the Voluntary Guidelines on Transshipment.

10. Flag States, port States, coastal States and RFMOs should cooperate and respond in a timely manner following request of a port State in order to process an entry or denial of entry to the port.

11. Parties are invited to consider the need for establishing requirements and procedures for:

- a. entry of foreign fishing vessels into ports or internal waters in the case of force majeure or distress and consider designating areas for safe refuge, quarantine, or for preliminary inspections; and
- b. the use of port to vessels for reasons of the safety or health of the crew or the safety of the vessel, where the reasons for such need are duly proven.

Inspections and follow-up actions

12. Parties should consider domestically and within their RFMOs:

- a. a minimum annual level of inspections [and communicate to the Secretariat annually number of requests of port entries, number of port entries and level of inspections to meet the objectives of the Agreement]
- b. the use of properly designed and regularly revised risk assessment, taking into account information exchanged between the port State, relevant coastal States, the flag States, relevant RFMOs, FAO, and other relevant international organizations as well as updates to fisheries regulations;
- c. reinforcing interagency collaboration and information exchange in the adoption and use of risk assessment, and, where appropriate, the assignment of specific risks to agencies in accordance with their mandates;
- d. having procedures in place for conducting [boardings and] inspections that include any needed interagency coordination in accordance with Annex B, including review of documentation and physical inspection of vessel, gear and catches;
- e. a regular training programme for inspectors is set up following at least Annex E guidelines for the training of inspectors and taking into consideration the FAO Training Prospectus; and
- f. procedures and processes in place for taking enforcement action for infringements of the port State's domestic laws found during an inspection, as appropriate, that includes coordination with an appropriate law enforcement agency, where needed.

13. Parties should conduct a coordinated and effective inspection of vessels by relevant agencies and the results of the inspection are recorded in a clear, comprehensive, transparent and timely manner, consistent with Annex C, and to be promptly transmitted as per Article 15 and 16.

14. Parties are encouraged to create a national database where the results of the inspections, especially where infringements are found, are recorded, and such records be shared promptly through national interagency information exchange mechanisms, as appropriate.

Role of flag States

15. Parties and non-Parties, in their capacity as flag States, are encouraged to record in GIES actions taken in respect of vessels where it has been established as per PSMs under the Agreement that IUU fishing has

been conducted and are encouraged to cooperate with port States to take enforcement measures against their flag vessels following the detection of IUU fishing by a port State.

16. Parties, in their capacity as flag States, when they believe that a vessel entitled to fly its flag has engaged in IUU fishing or fishing related activities in support of such fishing and is seeking entry to or is in the port of another State, should proactively communicate a request to that State to inspect the vessel or to take other measures consistent with the PSMA.

Capacity development

17. Parties should:

- a. strengthen existing capacity development efforts aimed at a more effective implementation of the PSMA, and develop new capacity development and training initiatives to address policy, legal, institutional, technical and operational gaps[, including interagency coordination,] exchange of information, MCS, inspections, [compliance and enforcement];
- b. voluntarily make contributions to the trust fund established under Part 6 of the PSMA that is administered by FAO or contributions for specific projects and programmes supporting the implementation of the PSMA;
- c. [through FAO would put together a committee of experts;] share information on best practice for the implementation of PSMs, including measures under the PSMA, CMMs that integrate PSMs, and relevant regional and international instruments to combat IUU fishing and related activities in support of such fishing;
- d. share information in an effective manner on the available capacity building and training programmes, projects or activities on the PSMA targeted at Parties on the FAO Capacity Development Portal Application; and
- e. support capacity development initiatives jointly organized and delivered by the PSMA Secretariat or FAO in collaboration with the Secretariats from other international instruments that complement and strengthen the implementation of the PSMA.
- f. [Strengthen donor coordination in capacity development initiatives and assistance delivery.]

Relationship with international law and other international instruments

18. Parties should identify international instruments related to or impacting on fisheries², where appropriate and feasible, integrate implementation of those instruments and PSMA, to help promote that only legally sourced fish and fishery products enter into ports.

[19. Parties should strive to identify and clearly define terms used in the Agreement, [and be encouraged to use these definitions] [in their domestic laws and procedures, as necessary. [Given the recently adopted guidelines on transshipment, Parties are encouraged to] consider in particular the definition of]:

² International Instruments relating to or impacting on fisheries include: the United Nations Convention on the Law of the Sea; Agreement for the implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas; the Code of Conduct for Responsible Fisheries and related voluntary instruments developed thereunder including the Voluntary Guidelines on Transshipment; [Conventions and Agreements establishing]RFMOs; and, other relevant instruments.

- a. “landed” as it corresponds with or relates to the definition of the term “landing” as defined in the Voluntary Guidelines on Transshipment³; and
- b. “previously landed” as fish that have been landed and documented accordingly.]

C. MECHANISMS FOR IMPLEMENTATION OF PART 9 (MONITORING, REVIEW AND ASSESSMENT)

20. Parties should continue using the PSMA Questionnaire for self-assessment of their implementation of the Agreement. Parties should consider additional means for monitoring the implementation of the Agreement. Parties should consider, consistent with Article 24 of the Agreement, additional review meetings, in consultation with the Bureau and the Secretariat.

21. At MoPs, Parties and other States observers as appropriate should report in plenary or through a dedicated session of the MoPs on the progress made and their efforts in implementing the PSMA.

[22. Parties should consider regular monitoring of the implementation of the Agreement through a subsidiary body [or a breakout monitoring sessions of the MoP] which report back to the plenary session of the MoP for consideration of and decision on any recommendations.]

D. ENSURING EFFICIENT AND SUSTAINABLE FUNCTIONING OF THE AGREEMENT

23. Parties acknowledged the increasing needs in human and financial resources resulting from the growth of the Agreement in number of Parties, the increase in the number of meetings, and the development of tools for the effective implementation of the Agreement. In this regard:

- a. Parties will consider any option to respond to these challenges, bearing in mind the priority nature of the fight against IUU fishing and the importance of the effective implementation of the PSMA in this fight.
- b. As a first step, and in accordance with paragraph 11.5 of the Rules of Procedures of their meeting, the Parties request FAO, through its Director General, to draw the attention of the FAO Governing Bodies on the need to bring the financial and human resources supporting the functioning of the Secretariat, as well as the administrative and operational functions of the Agreement, in adequation with the priorities and challenges.

E. MONITORING AND REVIEW OF THE STRATEGY

24. Parties should consider, as a part of the monitoring and review of the implementation of the Agreement, updating of this strategy as appropriate at least every [X] years taking into account the decisions made by Parties at the MOP.

25. In such context, Parties request the Secretariat to maintain a compendium of decisions made by the Parties.

³ The term “landing” is defined in the Guidelines as, “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”.

This document contains the report of the first meeting of the Strategy ad hoc Working Group (SWG) established by the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (hereinafter referred to as the Agreement or the PSMA), held at FAO Headquarters in Rome, Italy, from 3 to 7 April 2023.

It was attended by 55 Parties to the Agreement, and by observers from 23 States, 11 intergovernmental, 5 international non-governmental organizations and one specialized agency from the United Nations (UN). In line with its Terms of Reference adopted by the Parties, the SWG discussed aspects to improve the effectiveness of the PSMA, namely in relation to increasing adherence to the Agreement, the fulfilment of Parties' responsibilities, mechanisms for the monitoring, review and assessment of the implementation of the Agreement, as well as resources required for the sustainable functioning of the Agreement. On the basis of the discussions and on the consolidated recommendations emanating from the four PSMA regional coordination meetings convened in 2022, the SWG developed a draft Strategy to Improve the Effectiveness of the PSMA and agreed to put it forward for consideration at the Fourth Meeting of Parties (MoP4).

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