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Report of the

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**SECOND MEETING OF THE STRATEGY AD HOC WORKING  
GROUP ESTABLISHED BY THE PARTIES TO THE AGREEMENT  
ON PORT STATE MEASURES TO PREVENT, DETER AND  
ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED  
FISHING**

**Busan, Republic of Korea, 21–25 October 2024**



Report of the

Second meeting of the Strategy ad hoc Working Group established by the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

Busan, Republic of Korea, 21–25 October 2024

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## PREPARATION OF THIS DOCUMENT

This is the final version of the report of the second 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 in Busan, Republic of Korea, from 21 to 25 October 2024.

### ABSTRACT

This document contains the report of the second 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 in Busan, Republic of Korea, from 21 to 25 October 2024. It was attended by 38 Parties to the Agreement, and by observers from three States, three intergovernmental and one international non-governmental organization. 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 outcomes of the five PSMA Regional Coordination Meetings convened in 2024, the SWG drew up a series of recommendations to strengthen the implementation of the PSMA and its effectiveness in combating illegal, unreported and unregulated fishing. The SWG also considered options for monitoring the implementation of the Agreement.



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## **OPENING OF THE MEETING**

1. The second meeting of the Strategy ad hoc Working Group (SWG) established by the Parties to the Agreement on Port State Measures (PSMA) was held in Busan, Republic of Korea, from 21 to 25 October 2024. The meeting was attended by 57 participants from 38 Parties to the PSMA, five participants from other FAO Members, three inter-governmental organizations, and one international non-governmental organizations. 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 Republic of Korea for supporting the convening of the meeting of the SWG, including the participation of delegates from developing States.
3. Mr Hyun-Tae Kim, Deputy Minister for Fisheries, Ministry of Fisheries delivered opening remarks. His opening statement is attached in Appendix 3.
4. Mr Tang Shengyao, FAO Representative and Head of the Partnership and Liaison Office, Republic of Korea, delivered a statement highlighting the importance of the PSMA as an effective global tool to combat illegal, unreported and unregulated (IUU) fishing and to safeguard the long-term sustainability of living marine resources. He thanked the Republic of Korea for hosting the meeting, along with the first FAO international PSMA inspection course for the Asia-Pacific region which started in Busan that same day. He added that FAO was very grateful to the Republic of Korea for its generous contributions to FAO's PSMA Global Capacity Development Programme over the years and for the recent funding received for the associated Global Training Programme which comprises the delivery of several international courses in the coming two years.

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

5. The floor was opened for nominations for the Chairperson and Vice-Chairperson of the meeting.
6. Mr Thira Rodchevid (Thailand) was elected chairperson and Mr Urbain Thibauthéon Arron Sonagnon Brito (Benin) was elected Vice-chairperson.

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

7. The SWG adopted the agenda without modification, as shown in Appendix 1.

## **REVIEW OF THE DRAFT UPDATED TERMS OF REFERENCE OF THE PSMA STRATEGY AD HOC WORKING GROUP**

8. The Secretariat presented draft updated terms of reference that it was tasked with preparing by the Parties to the Agreement to include the task of monitoring the effective implementation of the agreement.
9. The SWG discussed the draft updated terms of reference and agreed to recommend revised terms of reference to the Fifth Meeting of the Parties (MOP5) for its consideration and adoption (Appendix 4).

## **REVIEW OF THE OUTCOME OF THE FOURTH MEETING OF THE PARTIES TO THE AGREEMENT ON PORT STATE MEASURES**

10. The Secretariat summarized the outcomes of MOP4, specifically highlighting the adoption of the Bali Strategy to improve the effectiveness of the PSMA. This strategy served as the basis for discussions at the regional coordination meetings (RCM) held subsequent to MOP4. The Secretariat also drew attention to the recent release of the Compendium of Decisions made by PSMA Parties. It was noted that it responds to a request of the Parties to have a single reference document containing all decisions since MOP1 which will be updated to reflect decisions in effect following every subsequent MOP. Finally, the Secretariat recalled that an amended questionnaire for Parties, as well as a new questionnaire for RFBs, were adopted by MOP4 and announced that these have just been released for filling and submission by the end of 2024 in advance of consideration by MOP5.

## STATUS OF THE PSMA GLOBAL INFORMATION EXCHANGE SYSTEM

11. The Secretariat updated the SWG on the current status of the Global Information Exchange System (GIES). It was noted that the top participating States were Thailand, the Republic of Korea, Indonesia, Ecuador and the Philippines. Although there appeared to be broad uptake of the system, some data fields were not being supplied and some States still had not provided national contact points. The SWG was informed that a module supporting the advance request for port entry (ARPE) procedures had just been launched.

## REVIEW OF THE OUTCOME OF THE 2024 PSMA REGIONAL COORDINATION MEETINGS

12. The Secretariat introduced document PSMA\_StrategyWG2/2024/4 summarizing achievements, challenges and proposals for each element of the Bali Strategy as developed by working groups convened as part of five PSMA RCMs held from February to September 2024. It was noted that the full outputs of the working groups are contained in PSMA\_StrategyWG2/2024/Inf.8. The SWG considered the outcome of the regional coordination meetings (RCMs) and drew up the following recommendations.

### Membership and capacity building

- a. SWG2 recommended that MOP5 supports continued capacity development, for Parties and non-Parties, including in the form of national training and regional coordination meetings, pending to available resources, to enhance the implementation and effectiveness of the PSMA.
- b. SWG2 recommended that MOP5 encourages FAO to continue its efforts to promote awareness and uptake of the PSMA, including through active engagement with RFBs/RFMOs.

### Technical issues and standards

- c. Acknowledging that the technical issues raised by the RCMs are important but may vary in priority between regions, SWG2 recommended that MOP5 tasks the Secretariat with preparing tailored agendas for subsequent RCMs to focus on issues identified as important for each region. This may involve, *inter alia*, compiling examples of regional best practices as a starting point for further discussion and/or encouraging the participation of national experts in certain fields to share experiences.

### Global information exchange system

- d. SWG2 commended the Secretariat on the development of the GIES thus far and welcomed the integration initiatives reported by Pacific Islands Forum Fisheries Agency (FFA) and North East Atlantic Fisheries Commission (NEAFC). SWG2 recommended MOP5 to task the Secretariat with prioritizing further development of the GIES on enhancing i) inter-operability with existing regional systems (e.g. RFMO authorized vessel lists) and the Global Record to reduce duplication of effort and enhance the scope and speed of information exchange, and ii) secure storage of confidential data while allowing access to those States which need to use it.
- e. SWG2 further recommended that MOP5 considers additionally tasking the Secretariat with exploring options for using the GIES to facilitate the standardization of risk assessment processes (including flag State verification) and support the development of implementation monitoring indicators.
- f. SWG2 tasked the Secretariat with preparing a paper for TWG-IE5 containing a broad menu of indicators possibly relevant to monitoring PSMA performance and explaining:
  - with what data each indicator could be calculated;
  - the expected quality and quantity of the data supporting each indicator; and
  - the expected clarity (or not) of the interpretation of each indicator.

Furthermore, SWG2 encouraged participants to provide candidate indicators for inclusion in the menu. Dashboard, performance, and detection indicator types would be included on the menu so that it can be evaluated by the TWG-IE for advice to MOP5 on whether, and at which level (e.g. regional or global), indicators would be calculated. When agreeing indicators, MOP5 should also consider how indicators should be used on a trial basis, taking into account that the interpretation of

analysis from the indicators will vary on the quality and quantity of the data and is subject to discussion of the Parties.

### **Flag state responsibilities**

- g. SWG2 recommended that MOP5 considers ways of promoting flag State responsibilities broadly and under the PSMA including providing opportunities to discuss topics from a flag State perspective as well as apply equally effective measures to vessels entitled to fly the flag of a State as called for by PSMA Article 20(6).

### **Strategic issues**

- h. SWG2 recommended that MOP5 weigh the value of the information resulting from the 2024 questionnaire against the effort required by Parties to complete it with a view to revising it where appropriate for the next review cycle.
- i. SWG2 recommended to MOP5 that a process to address the sustainability of the functioning of the PSMA, with a focus on the requirements of human and financial resources be established. In this regard, SWG2 proposes that a task force is set up to conduct an in-depth study to draw up options for mechanisms to meet these requirements, considering, inter alia, relevant experiences and mechanisms of other international agreements and bodies. The task force would consist of selected multidisciplinary experts from FAO, together with experts to be nominated by Parties through the Chairperson and vice-Chairpersons, as well as other invited experts. The conclusions and recommendations of the task force should be made available at least three months prior to SWG3, and, by derogation to Rule 6.3 of the Rules of Procedures of the Meeting of Parties the meeting document on this topic should be circulated at least in the same time than the provisional agenda of MOP6 in accordance with Rule 6.2 of the Rules of Procedures of the Meeting of the Parties. SWG2 tasked the Secretariat to prepare draft terms of reference for the task force for decision by MOP5.

## **OPTIONS FOR MONITORING THE IMPLEMENTATION AND EFFECTIVENESS OF THE PSMA**

### **The Agreement's performance indicators**

13. The Secretariat presented some options for various types of performance indicators and examples of specific indicators of each type (PSMA\_StrategyWG2/2024/4, Appendix 1). It was noted that most indicators can be calculated at national (or regional levels) and/or for the PSMA as a whole.

14. SWG2 considered that this topic requires more detailed, specialist consideration and deferred further discussion to the TWG-IE.

## **DATE AND VENUE FOR THE NEXT MEETING OF THE WORKING GROUP**

15. Future meetings of the SWG will be convened at a time to be decided by MoP5 and subject to the hosting by a Party and/or the availability of funds.

### **ADOPTION OF THE REPORT**

16. 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. Following this period, the report, including any agreed amendments, would be considered adopted.

### **CLOSURE OF THE MEETING**

17. The meeting was closed at 15:30 hours on 25 October 2024.

**AGENDA AND TIMETABLE****Monday 21 October***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 draft updated terms of reference of the PSMA Strategy ad hoc Working Group

*Afternoon 14.00–16.30*

5. Review of the outcome of the Fourth Meeting of the Parties to the Agreement on Port State Measures (PSMA)
6. Status of the PSMA Global Information Exchange System

**Tuesday 22 October***Morning 9.30–12.00*

7. Implementation of the “Bali Strategy”
  - Review of the outcome of the five PSMA Regional coordination meetings

*Afternoon 14.00–16.30*

7. (Cont.)

**Wednesday 23 October***Morning 9.30–12.00**Fifth Meeting of the Part 6 Working Group**Afternoon 14.00–16.30*

8. Options for monitoring the implementation and effectiveness of the PSMA
  - 8.1 The Agreement’s performance indicators

**Thursday 24 October***Morning 9.30–12.00*

8. (Cont.)

*Afternoon 14.00 - 16.30*

9. Conclusions and recommendations
10. Date and venue for the next meeting of the Working Group
11. Any other business

**Friday 25 October***Afternoon 14.00–17.00*

12. Adoption of the report
13. Closure of the meeting

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**WELCOMING REMARKS  
BY  
KIM, HYUN-TAE**

It is indeed a great pleasure for me to address *Second Meeting of the PSMA Strategy ad hoc Working Group* and *5th FAO international course on Fisheries Port Inspections in support of the PSMA*. I am Kim, Hyun-tae, Deputy Minister for Fisheries Policy Office of the Ministry of Oceans Fisheries of the Republic of Korea.

I would like to extend a warm welcome to the delegations of the Parties to the PSMA, FAO officers, fisheries inspectors and other participants who have devoted yourselves faithfully to the duties of your profession against IUU fishing.

IUU fishing remains one of the greatest threats to marine ecosystems due to its potent ability to undermine national, regional and international efforts to manage fisheries sustainably. It also contributes to the negative impacts on the livelihoods of fishing communities, as putting honest fishers at disadvantage.

IUU fishing activities are trans-nationally identified and linked to other associated crimes. These phenomena essentially require taking strong stand with preventive and proactive measures. As a responsible flag state and port state, the Republic of Korea has made no spare efforts to prevent, deter and eliminate IUU fishing domestically and internationally under *Distant Water Fisheries Development Act*, the main act for IUU fishing deterrence.

We have constantly reformed the legal and institutional frameworks in compliance with globally-heightened expectation, raising the public awareness on the harmful effects of IUU fishing. In addition, all national distant-water fishing vessels are monitored twenty-four seven (24 hours a day and seven days a week) at the Fisheries Monitoring Center.

Recognizing the concerted and collective responses, the Republic of Korea has also maintained bilateral and multilateral cooperative relations to strengthen the international governance to address multifaceted problems caused by IUU fishing. Those include the participation within RFMOs and international fisheries bodies to improve the compliance of conservation and management measures on transshipment monitoring scheme, bycatch mitigation and other related issues.

Distinguished participants, I would like to emphasize the importance of the FAO Agreement on Port State Measures, namely PSMA, adopted by the FAO Conference in November 2009. Entered into force in June 2016, the PSMA has performed its role as the first international legally-binding agreement targeted at IUU fishing. It is also proven as a cost-effective tool to prevent illegally-caught fish from entering the food supply chain.

As of October 2024, 105 states effectively enjoy the benefits provided by the Agreement, while some others are reportedly in the process of ratification. It is expected that joining more parties enhances the effectiveness of the Agreement to bring us into the world free from the scourge of IUU fishing.

In light of the substantial role of the Agreement, the PSMA Strategy ad hoc Working Group has served as a venue to come up with any ideas for efficient implementation of the Agreement. I think it is a remarkable achievement that the draft of strategy developed at the First meeting in 2023 was officially adopted at the Fourth meeting of the Parties to the PSMA held in Bali, Indonesia in May 2023.

I hope considerable discussion on more efficient implementation of the PSMA will take place at this meeting by evaluating the level of effectiveness and adequacy of the PSMA provisions.

We are here for another important event, international course on Fisheries Port Inspections under the PSMA. Developing countries experience greater difficulties in dealing with IUU fishing, as they have limited capacity and resources for monitoring, control and surveillance (MCS). The Republic of Korea has supported the FAO inspectors training program aimed at capacity building of the developing countries to combat IUU fishing, in particular those of the Asia-Pacific region.

Twenty inspectors of 10 countries in the Asia-Pacific, including Vietnam, the Philippines and Indonesia are supposed to spend three weeks from today for the training. Built on the program, we have a plan to promote Busan as the hub of PSMA inspectors training initiative in the Asia-Pacific.

Distinguished participants, Busan enjoys its renowned reputation as a global marine city, which deserves to organize these two important events associated with IUU fishing elimination. We also expect that *10<sup>th</sup> Our Ocean Conference*, to be held here in Busan next year, will be a good opportunity to share inspirational ideas on and demonstrate our commitment to the sustainable fisheries. I look forward to your interest and participation in the next year's event; and hope to make good memories during the stay in Korea.

Thank you.

## DRAFT TERMS OF REFERENCE FOR THE PSMA STRATEGY AND MONITORING WORKING GROUP

### 1. Establishment

- 1.1 The third meeting of the Parties to the PSMA has pursuant to Rule 10.1 of the Rules of Procedure established an ad hoc Working Group on Strategy (WGS) that shall convene a physical meeting, if possible, or virtually before the fourth meeting of the Parties, and thereafter as decided by the Parties. It would be preferable for meetings of the WGS to be held back-to-back with other meetings under the Agreement.
- 1.2 At their fourth meeting, the Parties agreed that the terms of reference of the WGS be modified to include the task of monitoring the effective implementation of the Agreement. The name of the working group is henceforth the Strategy and Monitoring Working Group (SMWG).

### 2. Objective

- 2.1 The SMWG shall monitor and review the implementation of the Agreement on Port State Measures (PSMA) as well as assess the progress made towards achieving its objective, within the context of Article 24 (1) of the Agreement. It will also review, at least every four years, the “Bali Strategy” to improve the effectiveness of the PSMA within the context of paragraph 24 of this Strategy.

### 3. SMWG tasks

- 3.1 Using the data and information provided by Parties and RFBs through the questionnaires on the implementation of the Agreement, supplementary reports submitted by Parties and Regional Fishery Bodies (RFBs), data submitted through the PSMA Global Information Exchange System, and other available and relevant information, the SMWG shall:
  - (a) develop mechanisms to regularly and systematically monitor the implementation of the Agreement by the Parties, including through using indicators
  - (b) develop mechanisms to periodically assess the progress made towards achieving the objective of the Agreement, including through using indicators.
  - (c) Review periodically the questionnaires on the implementation of the Agreement (Parties and RFBs versions) and amend them, as required.
- 3.2 Review the “Bali Strategy” and update it as required with a view to strengthening the effectiveness of the Agreement, focusing on, *inter alia*:
  - (a) Increasing adherence to and participation in the Agreement
  - (b) Fulfillment of responsibilities of the Parties for effective implementation of the Agreement
  - (c) Mechanisms for implementation of Part 9 of the Agreement
  - (d) Ensuring efficient and sustainable functioning of the Agreement

The outcomes of regional coordination meetings on the implementation of the Agreement should be taken into consideration when reviewing the above.

- 3.3 Provide recommendations to the Parties, through the MOP, to improve the effectiveness of the Agreement, and a progress report with the support of the Secretariat, based on the results produced through tasks conducted in 3.1 above.

### 4. Participation

- 4.1 The SMWG is open to all Parties to PSMA and eligible observers pursuant to Rule 8 of the Rules of Procedure.

**5. Chairperson**

- 5.1 The Chairperson and the vice-Chairperson of the SMWG shall be elected among the participating Parties at the start of the meeting.

**6. Working arrangements**

- 6.1 The language of the SMWG shall be the six languages of the United Nations.
- 6.2 The provisional agenda shall be developed by the Secretariat in consultation with the Chairperson and Vice-Chairpersons of the Meeting of the Parties and circulate to the Parties and observers at least 10 weeks before the opening of the meeting pursuant to the Rule 6 of the Rules of Procedure.
- 6.3 Documents shall be made available at least 30 days prior to the meeting.

**7. Expenses**

- 7.1 The expenses shall be covered pursuant to Rule 11 of the Rules of Procedure.

**8. Report**

- 8.1 The approved report will be circulated pursuant to Rule 9.3 of the Rules of Procedure.

**This document contains the report of the second 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 in Busan, Republic of Korea, from 21 to 25 October 2024. It was attended by 38 Parties to the Agreement, and by observers from three States, three intergovernmental and one international non-governmental organization. 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.**

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