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## **Third Meeting of the Parties to the 2009 FAO Agreement on Port State Measures**

**31 May to 4 June 2021  
Brussels, Belgium<sup>1</sup>**

### **Requirements of developing States**

#### **The Parties are invited to:**

- Note the status of the FAO Global Programme to support the PSMA and complementary international instruments to combat IUU fishing (the Programme) including the capacity development activities delivered and results achieved under this Programme.
- Comment on the effectiveness of the Programme and make recommendations for further support to be provided by FAO.
- Consider pledging funds to the Trust Fund established under the PSMA Part 6 Assistance Fund.
- Comment on the usefulness of the Global Portal for Capacity Development to fight IUU fishing to support coordinated capacity development efforts.

<sup>1</sup> To be held virtually.

## I. Introduction

1. The special requirements of developing States concerning the implementation of the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (the Agreement or PSMA), are addressed under Part 6 of the Agreement, and through the ad-hoc working group established by the Parties to the Agreement (hereinafter referred to as the Part 6 Working Group).
2. The terms of reference of the Part 6 Working Group were adopted at the First Meeting of the Parties to the Agreement<sup>2</sup>, held from 29 to 31 May 2017, in Oslo, Norway. The first<sup>3</sup> and second<sup>4</sup> meetings of the Part 6 Working Group were held from 1 to 2 June 2017, in Oslo, Norway, and from 5 to 6 July 2018, in Rome, Italy, respectively. The outcomes of these two meetings were discussed at the Second Meeting of the Parties to the PSMA, held from 3 to 6 June 2019, in Santiago, Chile<sup>5</sup>, where Parties adopted the terms of reference for the funding mechanisms under Part 6 of the Agreement.

## II. Outcomes of the third meeting of the Part 6 Working Group

3. The third meeting of the Part 6 Working Group was held on 7 June 2019, in Santiago, Chile<sup>6</sup>. The Part 6 Working Group discussed the terms of reference for the funding mechanisms under Part 6 of the PSMA, and made concrete recommendations for its use to support national and regional efforts to implement the Agreement. The Part 6 Working Group elected Mr Bjarne Garden from Norway and Ms Desri Yanti from Indonesia as the two official representatives from the Parties to join the FAO Secretariat on the panel to review applications and make recommendations on the assistance to be granted from the Trust Fund established under the Part 6 Assistance Fund. The Part 6 Working Group welcomed the proposed design and content of the Global Portal for Capacity Development to combat IUU fishing being developed by FAO, and encouraged FAO to continue its development.

## III. Trust Fund

4. The Trust Fund has been established under the PSMA Part 6 Assistance Fund in accordance with the terms of reference for the funding mechanisms under Part 6 of the PSMA, approved by the Parties at the Second Meeting of the Parties. Parties are invited to make pledges to contribute to the fund.

## IV. FAO global programme to support the implementation of the PSMA and complementary international instruments to combat illegal, unreported and unregulated (IUU) fishing

5. In response to FAO Members' requests for assistance in the implementation of the PSMA, in 2017, FAO launched a global capacity development programme to support developing coastal States and Small Island Developing States (SIDS) in developing capacity to adopt and implement the provisions of the PSMA and complementary international instruments and tools to combat IUU fishing (PGM/MUL/2016-2021/PSMA).
6. The programme represents one component of assistance that is being provided to developing States in accordance with Part 6 of the Agreement, and it contributes to the achievement of SDG 14, and in particular, SDG 14.4 which calls for ending overfishing, IUU fishing and

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<sup>2</sup> <http://www.fao.org/documents/card/en/c/b6b1b80e-9f2e-446f-ac0d-3eaa4c75b534/>

<sup>3</sup> <http://www.fao.org/documents/card/en/c/5499187b-c88b-45fd-aa51-dd464c240f05>

<sup>4</sup> <http://www.fao.org/3/ca2897en/CA2897EN.pdf>

<sup>5</sup> Report of the Second Meeting of the Parties (PSMA/2021/Inf.2).

<sup>6</sup> Report of the third meeting of Part 6 Working group (PSMA/2021/Inf.4).

- destructive fishing practices by 2020 through, inter alia, capacity development and support for fisheries monitoring, control and surveillance (MCS), compliance and enforcement systems.
7. Since its inception, the European Union (EU), Iceland, Norway, the Republic of Korea, Spain, Sweden and the United States of America have committed in excess of USD 20 million for the implementation of the programme through fifteen projects, of which eleven are currently ongoing. Contributions towards the programme as at end December 2020 amount to USD 15.8 million. Actual expenditures for the same period amount to USD 7.4 million, representing 37% and 47% of commitments made and contributions received, respectively (see Annex 1). It should be noted that the global COVID-19 pandemic has significantly slowed delivery of programme activities since March 2020. Finally, resources have also been brought to the programme through FAO's Regular Programme budget, as well as other projects largely dedicated to other, but complementary, fisheries related work.
  8. Since its inception, the programme has delivered the following capacity development activities:
    - (i) formulation of national strategies and action plans for the implementation of the PSMA and complementary international instruments to combat IUU fishing in 34 developing States;
    - (ii) support to align national policies and legislation with the requirements of the PSMA and complementary international instruments to combat IUU fishing to 20 developing States;
    - (iii) support to review and update monitoring, control and surveillance (MCS) systems and procedures in line with the PSMA and complementary international instruments to combat IUU fishing to 11 developing States; (iv) in-country judicial training in one developing State, in-country port inspection training in one developing State, a sub-regional workshop on flag State performance to five States, and a sub-regional MCS training to four States; (v) legal training in international fisheries law to 54 officials from 16 developing States; (vi) international MCS and port inspection training to 24 officials from seven developing States; and (vii) national-level seminars on the PSMA to four States (see Annex 2). Furthermore, countries have been supported in using regional and international tools and mechanisms for information-sharing and cooperation for the effective implementation of the PSMA and complementary international instruments, including importantly the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record).
  9. As at March 2021, the results of the capacity development activities funded by the programme (see paragraph 8) could be quantified in 20 developing States and Small Island Developing States in Africa, the Asia-Pacific region and in Latin America and the Caribbean, as follows: (i) three further ratifications/accessions to the PSMA; (ii) 13 revised laws in line with the PSMA and complementary international instruments of which six have been adopted and enforced; (iii) 10 drafts for MCS-related regulations of which two have been adopted; (iv) one formulation and three updates/revisions of NPOA-IUUs; (v) two fully and eight partly established, formalized interagency mechanisms; (vi) strengthened MCS and enforcement systems through: the identification of MCS-related standard operating procedures (SOPs) in 11 countries of which two have been fully integrated into the MCS systems; the development of risk assessment tools and procedures in four countries; the development of one, and the preparation of three, national inspection plans.
  10. Under the programme, FAO has also been producing a number of capacity development materials and guidance documents to facilitate States' legal, policy-level, institutional and operational alignment with the PSMA and complementary international instruments to combat IUU fishing. These documents are in the final stages of production, should be published by the third quarter 2021 at the latest, and include: (1) "A consolidated checklist of coastal, flag and port State responsibilities to combat IUU fishing", (2) "A legal checklist of the main duties and responsibilities of coastal, flag and port States, and internationally agreed market-related measures to prevent, deter and eliminate IUU fishing", (3) "A checklist of Monitoring, Control and Surveillance (MCS) procedures and systems to combat IUU fishing", and (4) a technical guidance document entitled "Understanding and implementing Catch Documentation Schemes for detecting and deterring IUU fishing".

11. In addition, the programme has been financing: (i) the development of global information systems in support of the implementation of the PSMA, including the PSMA Global Information Exchange System (GIES), the Global Record, the Global Portal for Capacity Development to combat IUU fishing, FAO's database on port State measures (Port-Lex), and the PSMA applications for designated ports and contact points; (ii) the undertaking of studies such as the global study on transshipment and the development of guidelines to estimate the magnitude and impact of IUU fishing, (iii) the development of a comprehensive training programme including a number of courses and materials; and (iv) travel costs for States to participate in the meetings of the Parties to the PSMA and relevant technical working groups.
12. Since the Second Meeting of the Parties to the Agreement, the Global Portal for Capacity Development to combat IUU fishing has been developed and is planned to be launched in May 2021 through the FAO IUU-fishing website<sup>7</sup>. The Portal, hosted by FAO, facilitates the sharing of knowledge and information in respect to activities being implemented around the world aimed at supporting States to improve their capacity to combat IUU fishing. In doing so, its objective is to promote synergies, complementarities, coordination and exchanges among relevant programmes, projects, and institutions, whilst avoiding overlapping and the duplication of interventions. The Portal allows implementing institutions to upload information on past, planned or ongoing projects as well as link resource materials developed from these projects, whilst facilitating searching by allowing for filtering according to various criteria. Finally, the Portal allows for the upload of contact information for each project with the aim of facilitating cooperation among funding or implementing institutions.

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<sup>7</sup> <http://www.fao.org/iuu-fishing/en/>

## ANNEX 1

**Table 1.** PGM/MUL/2016-2021/PSMA: FAO Global Capacity Development Programme to support the implementation of the PSMA<sup>8</sup>. Commitments, contributions and expenditures as at 31 December 2020 (USD)<sup>9 10</sup>.

Resource partner	Commitments <sup>11</sup> 2017-2020	Contributions <sup>12</sup>					Expenditures 2017-2020
		2017	2018	2019 <sup>13</sup>	2020	Total	
EU	4 900 789		1 803 617	816 149	910 709	3 530 476	2 008 798
Iceland	800 000			400 000		400 000	106 287
Norway	4 506 725	1 219 875		1 137 482	649 928	3 007 285	1 461 705
Republic of Korea	2 950 000		737 927	43 500	1 100 243	1 881 670	839 599
Spain	172 438			57 078	115 361	172 438	172 438
Sweden	5 800 600		5 807 688 <sup>14</sup>			5 807 688	1 995 091
United States of America	973 741		973 741			973 741	836 801
<b>Total</b>	<b>20 104 294</b>	<b>1 219 875</b>	<b>9 322 973</b>	<b>2 454 209</b>	<b>2 776 241</b>	<b>15 773 298</b>	<b>7 420 720</b>

<sup>8</sup> The programme does not only cover capacity development for PSMA implementation but also complementary instruments, tools and other related international processes.

<sup>9</sup> All data and information is provided for informational purposes only and should not be relied upon for any other use. In particular, it is not intended for financial reporting which is governed by the relevant agreements between FAO and the concerned Resource Partners.

<sup>10</sup> Net of interests accrued.

<sup>11</sup> As stipulated in formal agreements between FAO and relevant Resource Partners.

<sup>12</sup> Contributions received by FAO. The difference between Commitments and Contributions relate to commitments paid or to be paid in instalments.

<sup>13</sup> In June 2019, the Parties adopted the Terms of Reference for the Funding Mechanisms under Part 6 of the PSMA.

<sup>14</sup> Higher contribution than commitment is due to exchange rate gain.

## ANNEX 2

**Table 2.** National level PSMA-related capacity development support (2017-2021)

Country	PSMA Party	National strategy and roadmap	In-country assistance		International training	
			Policy/legislation	MCS/enforcement	Legal	Port inspection
Bahamas	✓	✓	✓	✓		
Brazil				✓		
Cambodia	✓		✓			
Colombia		✓	✓			
Costa Rica	✓	✓	✓		✓	✓
Cuba	✓	✓			✓	
Dominica	✓	✓				
Dominican Republic		✓	✓	✓		
Ecuador	✓	✓	✓		✓	✓
Equatorial Guinea		✓				
Gabon	✓	✓				
Ghana	✓	✓	✓		✓	
Guinea	✓	✓	✓	✓		✓
Guyana	✓	✓	✓	✓		
Indonesia	✓	✓	✓		✓	
Jamaica		✓	✓	✓		
Liberia	✓	✓	✓	✓		
Madagascar	✓	✓				✓
Malaysia			✓			
Maldives	✓		✓			
Marshall Islands					✓	
Mauritania	✓					✓
Micronesia (Federated States of)					✓	
Mozambique	✓	✓				
Myanmar	✓	✓				
Namibia	✓	✓			✓	
Palau	✓	✓				
Panama	✓	✓	✓	✓	✓	✓
Papua New Guinea					✓	
Peru	✓	✓	✓	✓	✓	✓
Philippines	✓	✓	✓			
Saint Vincent and the Grenadines	✓	✓	✓	✓	✓	
São Tome and Principe	✓	✓				
Sierra Leone	✓	✓	✓	✓		
Solomon Islands					✓	
Somalia	✓	✓				
South Africa	✓	✓				
Sri Lanka	✓			✓		
Sudan	✓	✓			✓	

Country	PSMA Party	National strategy and roadmap	In-country assistance		International training	
			Policy/legislation	MCS/enforcement	Legal	Port inspection
Suriname		✓		✓		
Thailand	✓	✓				
Tonga	✓	✓				
<b>TOTAL</b>	<b>43</b>	<b>34</b>	<b>20</b>	<b>11</b>	<b>16</b>	<b>7</b>
<b>Total non-Parties</b>	<b>10</b>	<b>5</b>	<b>4</b>	<b>2</b>	<b>4</b>	<b>0</b>
<b>Total Parties</b>	<b>33</b>	<b>29</b>	<b>16</b>	<b>9</b>	<b>12</b>	<b>7</b>
Trinidad and Tobago	✓	✓	✓	✓		
Vanuatu	✓	✓			✓	

**Table 3.** National-level seminars on the Agreement

Country	National seminar on PSMA
Republic of Korea	✓
Russian Federation	✓
Singapore	✓
Ukraine	✓
<b>Total</b>	<b>4</b>