

# The combat against IUU fishing and the Port State Measures Agreement



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**AGREEMENT  
ON PORT STATE MEASURES TO PREVENT, DETER  
AND ELIMINATE ILLEGAL, UNREPORTED AND  
UNREGULATED FISHING**

**ACCORD  
RELATIF AUX MESURES DU RESSORT DE L'ÉTAT  
DU PORT VISANT À PRÉVENIR, CONTRECARRER ET ÉLIMINER  
LA PÊCHE ILLICITE, NON DÉCLARÉE ET NON RÉGLEMENTÉE**

**ACUERDO  
SOBRE MEDIDAS DEL ESTADO RECTOR DEL PUERTO DESTINADAS  
A PREVENIR, DESALENTAR Y ELIMINAR LA PESCA ILEGAL,  
NO DECLARADA Y NO REGLAMENTADA**



**General provisions**

**Entry into port**

**Use of ports**

**Inspections and follow-up actions**

**Role of flag states**

**Requirements of developing states**

**Dispute settlement**

**Non-parties**

**Monitoring, review and assessment**

**Final provisions**

A magnifying glass with a wooden handle and a gold-colored frame. The lens is a light blue circle containing the word "Objectives" in a dark blue, serif font. The magnifying glass is positioned over the word, making it appear larger and more prominent.

Objectives

scope

# The FAO Agreement – requirements concerning entry into ports

- ✓ Designation of ports/ port capacity
- ✓ Advance request, including information on:
  - a) Vessel identification
  - b) Purpose of visit
  - c) Fishing authorizations
  - d) Trip information
  - e) Species information





## The FAO Agreement – port entry, authorisation or denial



- ✓ Evaluation of information; deny or authorise
- ✓ Proof on IUU fishing, in particular on RFMO IUU Vessel Lists
- ✓ Denial; communication requirements
- ✓ Allow access, if taking actions at least as effective as port denial
- ✓ If an IUU vessel is in port for any reason, port State shall deny the use
- ✓ Force majeure and distress



# The FAO Agreement – regulation on the use of ports

## The port State shall deny the use of its port if:

- a) No valid or applicable authorisation in respect of the flag State and/or a coastal State
- b) Clear evidence of contravening requirements of a coastal State
- c) No confirmation from the flag State, if requested
- d) Reasonable grounds to believe IUU fishing, unless rebutted by the vessel

Use includes:

Landing  
Transshipping  
Packaging  
Processing  
Refuelling  
Resupplying  
Maintenance  
Drydocking



## The FAO Agreement – regulation on the use of ports

✓ The port State shall not deny the use of its port if:

- a) Essential to safety and health
- b) Scrapping of the vessel

✓ **Notification**

✓ **Withdrawal**

Use includes:

Landing  
Transshipping  
Packaging  
Processing  
Refuelling  
Resupplying  
Maintenance  
Drydocking



# The FAO Agreement – inspections



## Conduct of inspections

- ✓ Qualified inspectors
- ✓ Identification document
- ✓ Examination of areas, catch, gear, documents
- ✓ Assistance by master
- ✓ Avoid unduly delays etc.
- ✓ Interpreter present where needed
- ✓ No harassment
- ✓ Not interfere with master's ability to communicate with flag State authorities





# The FAO Agreement – inspections

## Results of inspections - report

- ✓ Identification; vessel, owner (and previous), operator, master, agent
- ✓ RFMO status
- ✓ Authorisations
- ✓ Catch (offloaded and retained)
- ✓ Logbooks and gear
- ✓ Findings, comments and signatures



## Transmittal of inspection results to:

- ✓ Relevant parties
- ✓ RFMOs and FAO



## Actions following an inspection

**If clear grounds to believe involvement in IUU fishing:**

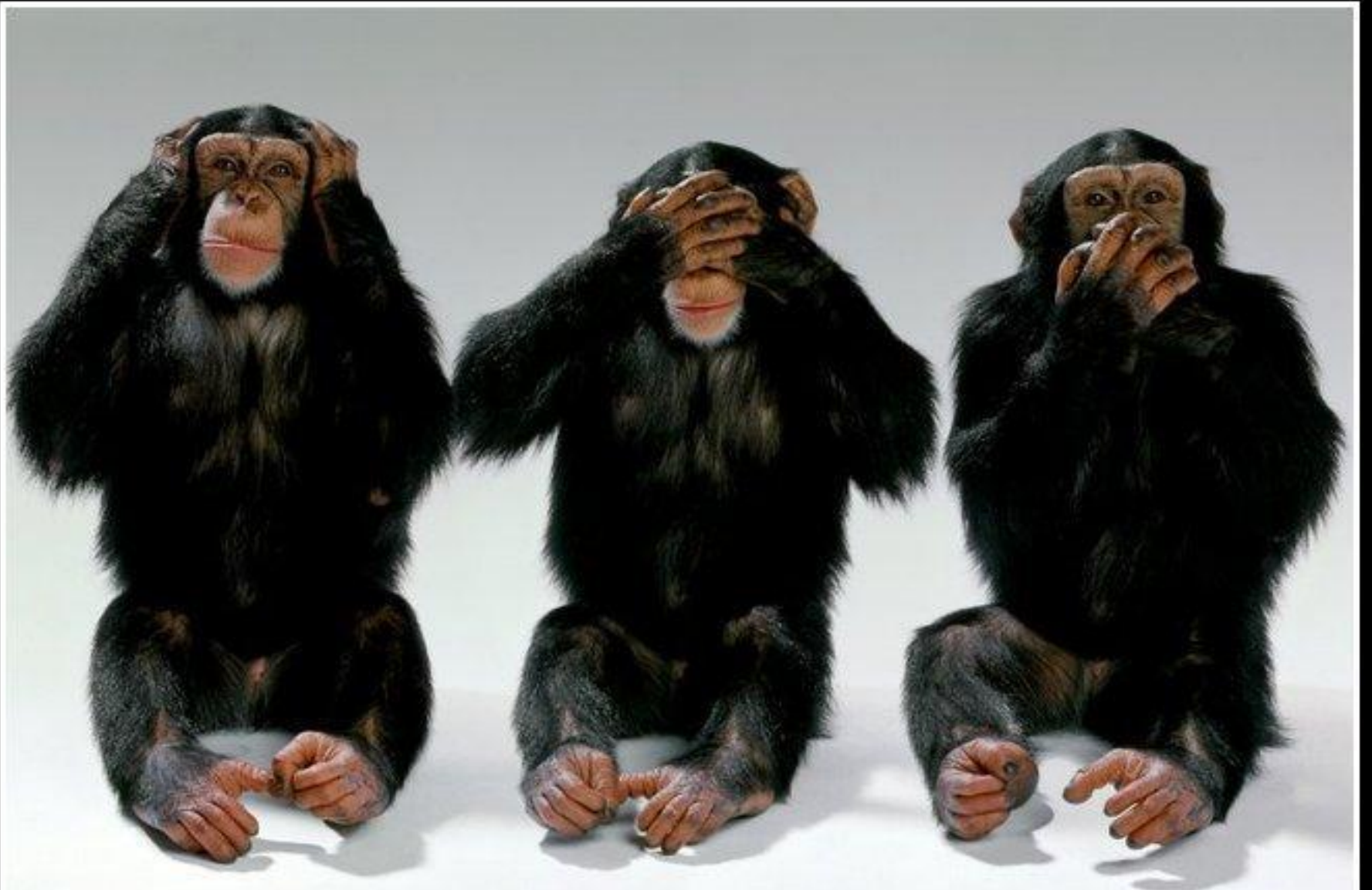
- a) Notify flag State, coastal State, state of which master is national and relevant RFMO
- b) Deny use of ports, however not services essential to safety of crew and vessel
- c) Other actions with the consent or request of the flag State

# Role of Flag States



## Article 20:

- Parties shall encourage its vessels to use only ports of States that are acting in accordance with, or in a manner consistent with the FAO Agreement
- Parties are encouraged to through RFMOs to develop proceduers for identifying any State that may not be acting like that



**Ports of non-compliance**

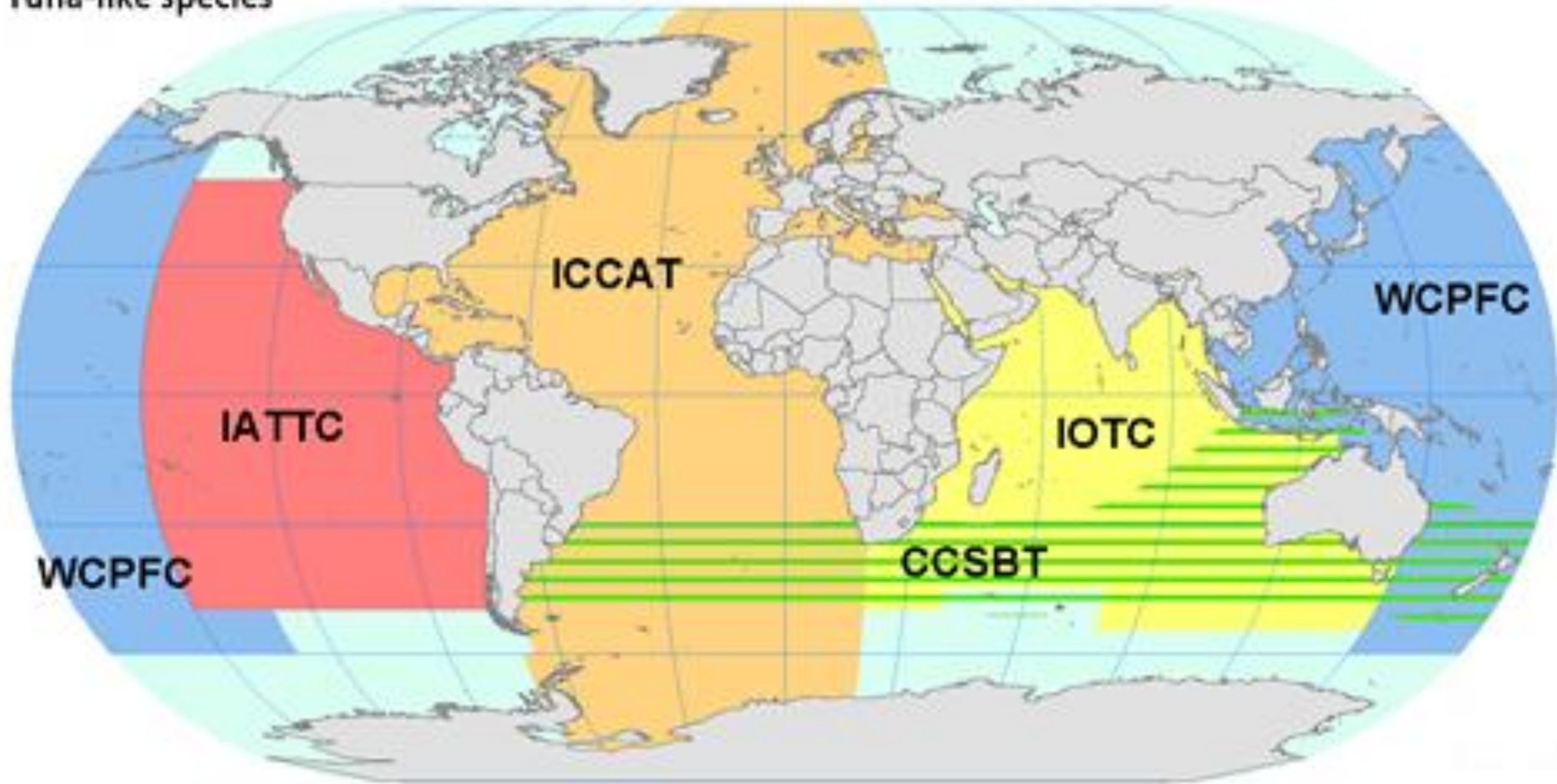


## The FAO Agreement – requirements of developing States

- ✓ Full recognition; provide assistance
- ✓ Enhancing ability; legal basis and capacity
- ✓ Establishing funding mechanisms
- ✓ Cooperation on bilateral, regional, multilateral level, including South-South
- ✓ Establishing an *ad hoc* working group, which shall make recommendations on, *inter alia*:
  - a) Funding mechanisms; schemes for contribution, identification and mobilisation of funds
  - b) Criteria to guide implementation and progress

# Regional Fisheries Management Organizations

Tuna-like species





A close-up photograph of a computer keyboard. The central focus is a large, L-shaped key that is a vibrant red color. On the horizontal part of the key, the word "Thanks" is printed in a clean, white, sans-serif font. On the vertical part of the key, there is a small white icon of a left-pointing arrow with a small 'L' next to it, indicating a left-shift function. The surrounding keys are a dark grey or black color, creating a strong contrast with the red key. The lighting is soft, highlighting the texture of the keycaps and the metallic frame of the keyboard.

Thanks