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## **FIRST MEETING OF THE PARTIES TO THE FAO AGREEMENT ON PORT STATE MEASURES**

**Oslo, Norway, 29-31 May 2017**

**Outline of the FAO capacity development programme to support the  
implementation of the FAO Agreement on Port State Measures to Prevent,  
Deter and Eliminate Illegal, Unreported and Unregulated Fishing and  
complementary instruments<sup>1</sup>**

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<sup>1</sup> This document is to facilitate discussion at the meeting of the Parties and is without prejudice to the views or interpretation of the Agreement and international law and decisions on implementation of the Agreement by the Parties.

## I. BACKGROUND

1. The entry into force of the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (the PSMA or the Agreement) on 5 June 2016 has activated a set of duties and responsibilities for States Parties and other relevant entities. However, in most regions the rate of adoption of port State measures in compliance with international instruments and applicable national and / or international conservation and management measures is slow and their implementation often inadequate. Relevant constraints include: (i) shortcomings in national policies, laws and by-laws; (ii) weak institutional and operational capacities, particularly with regard to Monitoring, Control and Surveillance (MCS); and, (iii) poor cooperation and coordination nationally, among states as well as at the regional level.
2. In response, FAO has formulated a global capacity development Programme to “Support the Implementation of the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and Complementary Instruments”.

## II. PROGRAMME GOAL AND DEVELOPMENT OUTCOME

3. The goal of the Programme is to contribute to preventing, deterring and eliminating illegal, unreported and unregulated (IUU) fishing and improving the sustainability of fisheries. Its development outcome is to achieve the cohesive implementation at national and regional levels of the provisions of the PSMA and complementary international instruments and regional mechanisms to combat IUU fishing. Among others, such instruments and mechanisms include conservation and management measures adopted by concerned Regional Fisheries Management Organizations / Arrangements (RFMO / As), bilateral agreements, market access measures, and the Voluntary Guidelines for Flag State Performance (VGFSP) endorsed by the FAO Committee on Fisheries at its 31st session in June 2014.
4. The expected Programme benefits include: (a) a reduction in the incidence of IUU fishing; (b) positive impacts on national economies and improved livelihoods of coastal communities; (c) increased food security of coastal communities depending on the sustainability of local marine eco-systems, also by partly counterbalancing the adverse effects of climate change on marine fish production; (d) reduced pressure on the sustainability of marine fisheries and environmental damage; (e) improved fisheries governance, and; (f) reduced incidence of other illegal activities associated with IUU fishing.
5. The Programme is fully aligned with the 2030 Agenda for Sustainable Development,<sup>2</sup> and in particular Sustainable Development Goal 14.4 which calls for ending overfishing, IUU fishing and destructive fishing practices by 2020 through, inter alia, capacity building and support for MCS, compliance and enforcement system, as well as with the Small Islands Developing States Accelerated Modalities of Action (SAMOA) Pathway, adopted by the UN General Assembly in 2014.<sup>3</sup> The Programme is also aligned with FAO Blue Growth Initiative<sup>4</sup> and it adheres to the principles of the 1995 FAO Code of Conduct for Responsible Fisheries.

## III. GEOGRAPHICAL AREAS AND BENEFICIARIES

6. The Programme is global in scope but is focusing initially on a limited number of countries selected on the basis of the following criteria: (a) requests to assist in strengthening legal frameworks

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<sup>2</sup> UN General Assembly Resolution 70/1 adopted on 25 September 2015.

<sup>3</sup> UN General Assembly Resolution 69/15 adopted on 14 November 2014.

<sup>4</sup> The goal of the Blue Growth Initiative is to address food security and poverty alleviation through quality capture fisheries and aquaculture production through processes which are integrated, sustainable and socio-economically sensitive.

and operational and enforcement capacities to combat IUU fishing; (b) political stability and commitment to address IUU fishing through the provisions of the PSMA and complementary international instruments and regional mechanisms, including being, or willing to become, a party to the Agreement; (c) the existence of national institutions and / or entities already carrying out port State measures and / or MCS, even if at minimum or low capacity; (d) the importance at the international level of fishing activity (capture and trade) in the sub-region and the relative importance of the national fisheries' sector to the national economy and coastal communities, including with respect to fisheries' exports; (e) the impact of fisheries trade related measures, including the yellow / red carding scheme of the European Union; (f) the extent to which landings by foreign fishing vessels regularly take place, and; (g) opportunities to build synergies and complementarities with other projects / programmes, whilst avoiding overlap and the duplication of interventions.

7. The institutions directly benefiting from Programme support include the relevant line ministries, fisheries authorities, port authorities, maritime transport authorities, inspection and enforcement authorities, the judiciary, customs and trade authorities, health / sanitary control authorities, immigration authorities, labour authorities, and other concerned national public institutions and entities, RFMO / As and their staff which are, either directly or indirectly, engaged in activities related to combatting IUU fishing and port State controls.

#### **IV. PROGRAMME COMPONENTS AND ACTIVITIES**

8. The Programme is structured around two principal technical components – Component 1. Strengthening national and regional governance and Component 2. Reinforcing MCS systems - and a third component for Programme / projects coordination, monitoring and evaluation, knowledge management and learning.

9. Programme activities under Component 1 and 2 reflect the capacity development assistance and measures foreseen in the PSMA, the VGFSP, and the 2001 FAO International Plan of Action to Prevent, Deter, and Eliminate IUU Fishing. More specifically, the Programme supports: (a) the formulation of national strategies / roadmaps aimed at strengthening national capacities for the adoption and effective implementation of the provisions of the PSMA and complementary international instruments and regional mechanisms to combat IUU fishing; (b) the formulation or review of relevant fisheries policies, laws and by-laws, with a view to ensuring compliance with the PSMA and other relevant international instruments and regional mechanisms; (c) the strengthening of MCS institutions and systems; (d) the enhancement of capacity to improve flag State performance in line with the VGFSP, to perform inspections in port and to more effectively take action against persons and entities engaged in IUU fishing, and; the implementation of market access measures, such as catch documentation and traceability schemes.

10. Where feasible, the Programme seeks to complement relevant work of other concerned parties, RFMO / As, programmes and projects. As appropriate, cooperation and collaboration is sought with relevant UN entities or international organisations.

#### **V. IMPLEMENTATION AND MANAGEMENT ARRANGEMENTS**

11. The Programme aims to comprise of a partnership framework including a number of national, regional and global projects (co)financed by single or multiple donors supporting a programmatic approach to address IUU fishing through the provisions of the PSMA and complementary international instruments and regional mechanisms. Projects under the Programme are implemented within the framework of FAO's Global Partnership for Responsible Fisheries (FishCode) through informed and participatory processes, encompassing policy, legal and technical assistance and capacity-building / competency based training provided by FAO specialists, international technical

assistance, and partner countries with elevated capacities and proven expertise on the relevant subject matters.

12. FAO directly executes the projects under the Programme through a Programme Task Force established at FAO Headquarter under the overall supervision of the Director of FAO's Fisheries and Aquaculture Department.

## **VI. COST AND TIMEFRAME FOR IMPLEMENTATION**

13. The Programme has been designed to initially focus on a limited number of countries over a five-year period. The estimated cost of the first phase of the Programme is USD 10 million and would increase as other countries and / or partners join the Programme.