

**REPORT OF THE FIRST MEETING OF THE 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**

OPENING OF THE MEETING

1. The first meeting of the Ad Hoc Working Group (hereinafter the Part 6 Working Group) established by the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (the Agreement) was held in Oslo, Norway from 1 to 2 June 2017. The meeting was attended by 32 Parties to the Agreement, and by observers from 11 States, 11 intergovernmental and 3 international non-governmental organizations. A list of Parties and observers is attached as Appendix B.

ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSON

2. Mr Terje Lobach, Specialist Director, Directorate of Fisheries, Ministry of Trade, Industry and Fisheries, Norway, was unanimously elected Chairperson of the meeting. Mr André Loua, Minister of Fisheries, Aquaculture and Maritime Economy, Guinea, was unanimously elected as Vice-Chairperson.

DESIGNATION OF RAPPORTEUR

3. The Part 6 Working Group entrusted FAO with the responsibilities of rapporteur for the meeting.

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE MEETING

4. The meeting adopted the agenda without modification (Appendix A).

5. The Part 6 Working Group followed the General Rules of the FAO and the Principles and Procedures that govern Conventions and Agreements concluded under Article XIV and XV of the FAO Constitution, and Commissions and Committees established under Article VI of the Constitution.

6. The Part 6 Working Group agreed that FAO assume the role of Secretariat for the meeting.

FUNCTIONING OF THE AD HOC WORKING GROUP

7. The Secretariat introduced PSMA_WG/2017/2 on working arrangements and preliminary tasks and also referred to the document PSMA_WG/2017/Inf.5 related to the Terms of Reference (ToRs) of the Part 6 Working Group adopted by the first meeting of the Parties to the Agreement.

8. The Part 6 Working Group noted its ToRs as adopted by the first meeting of the Parties to the Agreement (29 to 31 May, 2017) in particular its specific functions.

ASSESSMENT OF THE REQUIREMENTS OF DEVELOPING STATES IN THE IMPLEMENTATION OF THE AGREEMENT

9. The Chair opened the discussion and called on Parties to highlight the main requirements and priorities of developing States in the implementation of the Agreement, in order to provide guidance on the use of the funding mechanisms to be set up under Article 21 of the Agreement.

10. The Part 6 Working Group recommended that the support should consider three main areas, namely, legal and policy aspects, institutional set-up and capacity, and operations and procedures, and that these areas should be considered cohesively. The Part 6 Working Group stressed that, prior to the delivery of support, a gap analysis by the States concerned, should be undertaken to assess needs. It was noted that some regions have already undertaken gap analysis to determine capacity needs and to assist States in implementing the Agreement.

11. The Part 6 Working Group recognized that assistance should be tailored to accommodate the specific needs of countries and regions. Results of the gap analyses undertaken in different regions could, inter alia, be utilized to ascertain such needs.

12. The importance of linking individual and institutional capacity building was recognized by the Part 6 Working Group, since this would enhance the effectiveness and sustainability of capacity development efforts.

13. The Part 6 Working Group recognized the important support that existing regional fisheries management organization (RFMO) mechanisms can provide in delivering assistance to developing States Parties and that these should be utilized where possible, noting the significant number of States that are contracting parties of an RFMO.

14. The Part 6 Working Group stressed the need to engage all relevant national agencies involved in the implementation of the Agreement, including port, maritime and border control. Awareness raising among them on the implementation of the Agreement is critical to improve channels of communication and coordination.

15. The Part 6 Working Group noted that national policy and legal frameworks should be reviewed and enhanced to support the institutional framework and operational requirements for the implementation of the Agreement.

OPTIONS FOR THE ESTABLISHMENT OF FUNDING MECHANISMS TO ASSIST DEVELOPING STATES

16. The Secretariat highlighted that, while the Agreement does not specify the types of funding mechanisms to be established to assist developing States Parties, it encompasses broad examples of the types of assistance that might be provided, which affords flexibility in the implementation of the Agreement in light of specific needs at the national or regional level. The Secretariat presented draft terms of reference for funding mechanisms based on an earlier draft prepared by an informal open-ended meeting held in Rome, Italy from 21 to 23 November 2011, and taking into consideration experience and developments of similar funding mechanisms of other international treaties, together with FAO's global capacity development programme in support of the Agreement and complementary instruments. It was proposed that funding mechanisms shall include contribution schemes toward an Assistance Fund, including for projects in support of the implementation of the Agreement.

17. The Part 6 Working Group emphasized the important linkage between activities supported by the Assistance Fund, which benefits developing States Parties, and the FAO's global capacity development programme, which can also support developing non-parties.

18. The Part 6 Working Group expressed support for the framework and flexibility of the proposed Assistance Fund in providing different contribution options for donors. It was noted that, as stated in Article 21 of the Agreement, in addition to the funding mechanisms outlined in the draft Terms of Reference, bilateral and multilateral arrangements, either between Parties directly or through FAO, may be relied upon to support developing States Parties.

19. The Part 6 Working Group acknowledged that since the Assistance Fund is being established to support the needs of developing States Parties, access to the Assistance Fund by developing States Parties should be transparent, equitable, simple and well-coordinated. In this regard, assistance provided should be publicized on the Assistance Fund portal on the FAO website so that donors can align their own programmes to the Assistance Fund.

20. The Draft Terms of Reference for the funding mechanisms to assist developing States Parties set out in Appendix C is recommended for consideration by the Parties at their next meeting.

DATE AND VENUE OF THE MEETING

21. The Part 6 Working Group agreed that the next meeting should be convened prior to the 33rd session of the Committee of Fisheries, preferably back-to-back, at FAO Headquarters in Rome, unless an alternative proposal is put forward by a Party.

ADOPTION OF THE REPORT

22. The Part 6 Working Group recommended that this report be published as an FAO report. The report was adopted 2 June 2017 at 11.00.

CLOSURE OF THE MEETING

The meeting was closed on 2 June 2017 at 11.00.