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

Oslo, Norway, 29 – 31 May 2017

MATTERS CONCERNING THE IMPLEMENTATION OF THE FAO AGREEMENT ON PORT STATE MEASURES TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING¹

The Parties are invited to:

- Review the requirements for implementation of the Agreement and highlight the roles of concerned States, Regional Fisheries Management Organizations (RFMOs), FAO and other international organizations and bodies.
- Provide guidance on transmittal, electronic exchange and publication of information. In this regard, Parties may wish to consider establishing an ad hoc technical open-ended working group, and if so developing terms of reference which may include the following topics: protocols for designation of ports; duties of contact points and communication of information on inspection results, including a comprehensive list of the information to be exchanged; confidentiality requirements; publicity requirements; format and procedures for exchange of information, including with non-Parties, RFMOs and other international organizations.
- Provide guidance on how to ensure regular and systematic monitoring and review of the implementation of the Agreement as well as assessment of progress made towards achieving its objective.
- Consider periodically convening informal consultations and intersessional meetings as appropriate to discuss matters related to the implementation of the Agreement and to monitor progress in achieving its objective.

¹ 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.

*This document can be accessed using the Quick Response Code on this page;
an FAO initiative to minimize its environmental impact and promote greener communications.
Other documents can be consulted at www.fao.org/fishery/nems/40910/en*



I. INTRODUCTION

1. The FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (hereinafter referred to as “the Agreement”) sets out a number of obligations that are binding for the States and regional economic integration organizations², which are Party to the Agreement. In addition, the Agreement contains provisions concerning the involvement of non-Parties, Regional Fisheries Management Organizations (RFMOs), and other international organizations, and specifies the roles and responsibilities of FAO in the implementation of the Agreement. Nonetheless, there are a number of issues that necessitate guidance and decisions by the Parties, including on matters related to cooperation and coordination schemes.
2. The Appendix to this document provides a list of the duties and responsibilities concerning cooperation, coordination and reporting/notification of each Party (as a port State and a flag State), other States, FAO, RFMOs and other international organizations under the various Articles of the Agreement. A summary of the most relevant provisions concerning each of them is provided in the following sections.

II. REVIEW OF THE REQUIREMENTS FOR THE IMPLEMENTATION OF THE AGREEMENT

All Parties

3. In general, each Party is required to apply the provisions of the Agreement to all foreign vessels³ and to illegal, unreported and unregulated (IUU) fishing conducted in marine areas, and to fishing related activities in support of such fishing, and to cooperate at the sub-regional, regional and global levels in the implementation of the Agreement. The objective of the Agreement is to prevent, deter and eliminate IUU fishing through the implementation of effective port State measures thereby ensuring the long term conservation and sustainable use of living marine resources and marine ecosystems. Enabling legislation, if not already in place, is a prerequisite for implementing many provisions of the Agreement.
4. Among other things, the Agreement stipulates that the Parties shall: (i) ensure, to the greatest extent possible, that ports designated by the port State, to which foreign vessels may request entry pursuant to the Agreement, have sufficient capacity to conduct inspections; (ii) seek to agree on the minimum levels for inspection of vessels through, as appropriate, RFMOs, FAO or otherwise; (iii) where possible, establish a communication mechanism that allows for direct electronic exchange of information; (iv) provide assistance to developing States Parties for the implementation of port State measures consistent with the Agreement, either directly or through FAO, other specialized agencies of the United Nations or other appropriate international organizations; and (v) ensure, within the framework of FAO and its relevant bodies, the monitoring and review of the implementation of the Agreement, as well as assess the progress made. In addition, the Parties shall cooperate to establish an information-sharing mechanism, preferably coordinated by FAO, in conjunction with other relevant multilateral and intergovernmental initiatives, and to facilitate the exchange of information with existing databases relevant to the Agreement.
5. These requirements and related matters are addressed in more detail in the following paragraphs of this document.

² Article 28 regulates the participation by regional economic integration organisations and the extent to which a regional economic integration organization shall exercise or accept the rights and obligations of its member States on the matters governed by the Agreement.

³ “Foreign vessel” means a vessel not entitled to fly the flag of the port State.

Port State Duties

6. Part 1 (General provisions) of the Agreement stipulates that each Party, in its capacity as a port State, shall apply the Agreement in respect of foreign vessels that are seeking entry to its ports or are in one of its ports, with specific exempt categories. Parties are required to: (i) integrate or coordinate fisheries related port State measures with the broader system of port State controls; (ii) integrate port State measures with other measures to prevent, deter and eliminate IUU fishing and fishing related activities in support of such fishing, and; (iii) take measures to exchange information among relevant national agencies and to coordinate the activities of such agencies in the implementation of the Agreement.

7. Part 2 (Entry into port) of the Agreement requires that port States designate and publicize the ports to which foreign vessels may request entry, and ensure that they have adequate inspection capacity. It also details the procedures to be adopted to assess whether to deny or authorize port entry and the use of its ports, including entry for the exclusive purpose of inspection. It includes provisions for requiring information to be provided sufficiently in advance by vessels requesting port entry to allow adequate time for the port State to examine such information,⁴ and for communicating denial or authorisation of entry.⁵

8. Part 3 (Use of ports) of the Agreement outlines the cases whereby a vessel in port shall be denied the use of port for landing, transshipping, packaging and processing of fish that have not been previously landed and for other port services. Among others, it includes provisions for seeking the confirmation of the flag State that the fish on board was taken in accordance with applicable requirements of a relevant RFMO, for withdrawing denial and for notifying that decision to the flag State, relevant coastal States, RFMOs, and other relevant international organizations.

9. Part 4 (Inspections and Follow-up Actions) of the Agreement stipulates the minimum elements for a port State inspection regime. It requires each Party to annually inspect a number of vessels in its ports required to reach an annual level of inspections sufficient to achieve the objective of the Agreement, and calls upon the Parties to agree on the minimum levels for inspections of vessels through RFMOs, FAO or otherwise, and it defines a number of priority criteria to be applied in determining which vessels to inspect. Furthermore, it sets forth minimum standards for the conduct of inspections,⁶ including the responsibility of the port State to ensure that inspections are carried out by properly qualified inspectors,⁷ minimum standards for the information to be included in an inspector's report,⁸ and the obligation for the transmittal of inspection results to relevant Parties and States. Where, following an inspection, there are clear grounds for believing that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing, it is the duty of the port State to promptly notify the findings to the flag State and, as appropriate, relevant coastal States, RFMOs and other international organizations, and the State of which the vessel's master is a national, and to deny the vessel the use of its port for landing, transshipping, packaging and processing of fish that have not been previously landed, and for other port services.

10. *For the effective implementation of these provisions, there needs to be clarity on, inter alia:* (i) *the determination of the timeframe within which vessels may submit an advance request for port entry;* (ii) *what is adequate time for the port State to examine the information submitted by vessels requesting entry into port;* (iii) *the timeliness for the flag State to respond to the request of the port*

⁴ Article 8 and Annex A to the Agreement.

⁵ To the vessel or to its representative, as well as to the flag State, relevant coastal States, RFMOs, and other international organizations.

⁶ Defined in Article 13 and Annex B to the Agreement.

⁷ Guidelines for the training of inspectors are provided for in Annex E to the Agreement.

⁸ Defined in Annex C to the Agreement.

State to confirm that the fish on board was taken in accordance with applicable requirements of a relevant RFMO; and (iv) how to involve non-party flag States and coastal States.

Role of flag States and other States

11. The roles and responsibilities of the flag State are both explicitly set out in Part 5 of the Agreement, as well as implicitly throughout the Agreement.
12. Part 5 of the Agreement stipulates the duties of the flag State to: (i) require vessels entitled to fly its flag to cooperate with the port State in inspections carried out pursuant to the Agreement; (ii) request port States to inspect vessels entitled to fly its flag or to take other measures consistent with the Agreement when it has clear grounds to believe that such vessels have engaged in IUU fishing; (iii) encourage vessels entitled to fly its flag to use ports of States that are acting in accordance with, or in a manner consistent with, the Agreement; (iv) fully investigate and take enforcement action without delay upon the receipt of an inspection report concerning vessels believed to have engaged in IUU fishing, and report to relevant Parties, other relevant States, RFMOs and FAO on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to the Agreement, have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing; and (v) ensure that measures applied to vessels entitled to fly its flag are at least as effective in preventing, deterring, and eliminating IUU fishing and fishing related activities in support of such fishing as the measures applied to vessels within the scope of the Agreement. In addition, Parties are encouraged to develop, including through RFMOs and FAO, fair, transparent and non-discriminatory procedures for identifying States that may not be acting in accordance with, or in a manner consistent with, the Agreement.
13. The Agreement also contains other provisions concerning cooperation, communication and exchange of information in general and specifically with regard to providing timely information to the port State,⁹ and foresees the possibility of the flag State taking part in port State inspections.
14. The role of other States in the implementation of the Agreement is mentioned throughout the text of the Agreement. Specifically, the Parties are called upon to cooperate and exchange information with the coastal States, other relevant States, and the vessel masters' national States in relation to, as appropriate, determining the right of vessels to engage in fishing or fishing related activities, and with regard to being notified of decisions, inspection results, and actions taken in respect of vessels that pursuant to the Agreement have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing.
15. ***For the effective implementation of these provisions, there needs to be clarity on the modalities for the development of fair, transparent and non-discriminatory procedures for identifying States that may not be acting in accordance with, or in a manner consistent with, the Agreement, as well as the role of RFMOs and FAO.***

Role of FAO

16. The role and responsibilities of FAO under the Agreement include: (i) duties concerning cooperation, data and information collection and exchange of information; (ii) possible involvement in the establishment of minimum levels for inspection of vessels; (iii) the provision of assistance to

⁹ E.g., in relation to determining the right of vessels to engage in fishing or fishing related activities, and, upon request of the port State, confirming that the fish on board of vessels in port were taken in accordance with applicable requirements of a relevant RFMO.

developing States Parties; (iv) duties in the monitoring and review of the implementation of the Agreement and convening of meetings of the Parties; and (v) the duties of the Director-General of FAO as Depositary of the Agreement.

17. *For FAO to effectively carry out some of the above-listed duties and responsibilities, there needs to be clarity on the role that the Parties envisage FAO playing in the implementation of the Agreement. These responsibilities are addressed further in Sections III and IV of this document and document PSMA/2017/5.*

Role of regional fisheries management organizations

18. RFMOs' roles and responsibilities are included in various provisions of the Agreement and mostly refer to communication measures, decisions they have adopted that are related to the Agreement, communication from flag States and port States, and information exchange. In addition, the Agreement contains provisions for the possible involvement of RFMOs in the establishment of minimum levels for inspection of vessels, in the development of fair, transparent and non-discriminatory procedures for identifying States that may not be acting in accordance with, or in a manner consistent with, the Agreement, and in providing assistance to developing States Parties.

19. *For the effective implementation of these provisions, the mechanisms for involving RFMOs, options for those cases where there are no RFMOs in a given area, options for when a Party is not a member of a relevant RFMO, and criteria for engaging a particular RFMO should be considered.*

Role of other international organizations and bodies

20. The role of other international organizations and bodies referred to in the Agreement are limited to their responsibility in terms of receiving from and exchanging information with port States.

21. *The mechanism for communication, and how to engage with these organizations and the criteria for determining to which organizations communications should be transmitted must be addressed.*

III. TRANSMITTAL, ELECTRONIC EXCHANGE AND PUBLICATION OF INFORMATION

22. The transmittal, electronic exchange and publication of information is a key component of the Agreement essential for meeting its objectives.

23. *Parties are invited to provide guidance on whether to establish an ad hoc open-ended technical working group to take forward the guidance from this meeting to develop mechanisms for the implementation of requirements involving global cooperative exchange of information as prescribed by the Agreement.*

Designated national authority for information exchange

24. Article 16 (Electronic exchange of information) of the Agreement requires Parties to designate an authority that shall act as a contact point for the exchange of information under the Agreement. Each Party shall notify the pertinent designation to FAO.

25. *Parties are invited to consider developing a protocol for the designation of an authority to act as a contact point under the Agreement. Parties may also wish to consider: (i) how contact points communicate actions taken as a result of inspection results and indicating that a vessel has engaged in IUU fishing; (ii) developing guidelines for how contact points communicate with entities mentioned in the Agreement, including those that are not Parties to it and RFMOs; and (iii) publication of contact points through the electronic information-sharing mechanism called for in Article 16 of the Agreement and addressed below.*

Designated ports

26. Article 7 (Designation of Ports) of the Agreement requires each Party to designate and publicize the ports to which vessels may request entry pursuant to the Agreement. Each Party shall provide a list of its designated ports to FAO, which shall give it due publicity.

27. *Parties are invited to consider developing a protocol for designation of ports under the terms of the Agreement, including what information should be provided to FAO, whether a standardized template should be used, frequency of updates, the level of publicity this list should be given, and whether and how this information should be incorporated into the electronic information-exchange mechanism.*

Inspection results and actions taken

28. Multiple articles of the Agreement, including articles 6, 9, 11, 13, 15, 18, 19 and 20, require the communication and dissemination of information regarding inspection results and actions taken among and between the port State, flag State, relevant coastal States, RFMOs and other international organizations.

29. *Parties are invited to consider developing terms of reference for communicating information on inspection results and actions taken pursuant to the Agreement, including: (i) guidance for determining when it is “appropriate” to disseminate information to relevant coastal States, RFMOs and other relevant international organizations regarding inspection results and actions; (ii) the format and type of information provided (beyond those indicated in the relevant Annexes of the Agreement), frequency, and confidentiality considerations; and (iii) whether and how communications regarding inspection results and actions taken fit within the electronic information-exchange mechanism referred to below.*

Establishment of electronic information-exchange mechanism

30. Under Article 16 (Electronic exchange of information) of the Agreement, Parties shall, where possible, establish a communication mechanism that allows for direct electronic exchange of information, with due regard to appropriate confidentiality requirements, and should cooperate to establish an information-sharing mechanism, preferably coordinated by FAO, in conjunction with other relevant multilateral and intergovernmental initiatives, as well as facilitate the exchange of information with existing databases relevant to the Agreement.

31. *Parties are invited to provide further guidance on the proposed communication and information-sharing mechanism, including specifying: (i) the role, if any, for FAO; (ii) appropriate confidentiality requirements and dissemination of data; (iii) the format and type of information provided, (beyond those indicated in the relevant Annexes of the Agreement); and (iv) how the proposed mechanism fits with the broader framework of the Agreement, including designation of a*

national authority to act as a focal point, designation of ports, and communication of inspection results and actions taken among relevant stakeholders. It is recommended that mechanisms already employed by RFMOs are considered as these may serve as foundations for the development of a global mechanism.

32. *As Article 16 of the Agreement makes reference to “appropriate confidentiality requirements,” the Parties are invited to provide further guidance on the legal basis for the exchange of information that would activate and operationalise the proposed mechanism. These arrangements could possibly be in the form of agreements between the Parties which could specify the information to be exchanged and deal with practical issues, such as timing and format of the exchange.*

IV. MONITORING, REVIEW AND ASSESSMENT OF THE IMPLEMENTATION OF THE AGREEMENT

Monitoring schemes and assessments

33. Article 24 (Monitoring, review and assessment) of the Agreement requires Parties, within the framework of FAO and its relevant bodies, to ensure the regular and systematic monitoring and review of the implementation of the Agreement as well as the assessment of progress made towards achieving its objective. Four years after the entry into force of the Agreement, FAO is expected to convene a meeting of the Parties to review and assess the effectiveness of the Agreement in achieving its objective. Parties shall decide on further such meetings as necessary.

34. *The Parties are invited to provide guidance on how to ensure regular and systematic monitoring and review of the implementation of the Agreement as well as assessment of progress made toward achieving its objective, including through the convening of regular informal consultations or intersessional sessions of meetings of the Parties, if required.*

Date and venue of the next meeting of the Parties

35. *The Parties are invited to discuss and decide on the date and venue of the next meeting of the Parties and any other intersessional informal or technical meetings, as appropriate.*

V. SUGGESTED ACTION BY THE PARTIES

36. As noted in the paragraphs above, Parties are invited to take a number of decisions relating to the clear and effective implementation of the Agreement. Many of the responsibilities of Parties are national in nature which do not necessarily require discussion between Parties, while others must be considered and agreed by the Parties. A summary list of matters proposed for considerations and decision as appropriate are as follows:

- Review the requirements for implementation of the Agreement and highlight the roles of concerned States, RFMOs, FAO and other international organizations and bodies.
- Provide guidance on transmittal, electronic exchange and publication of information. In this regard, Parties may wish to consider establishing an ad hoc technical open-ended working group, and if so developing terms of reference which may include the following topics: protocols for designation of ports; duties of contact points and communication of information

on inspection results, including a comprehensive list of the information to be exchanged; confidentiality requirements; publicity requirements; format and procedures for exchange of information, including with non-Parties, RFMOs and other international organizations.

- Provide guidance on how to ensure regular and systematic monitoring and review of the implementation of the Agreement as well as assessment of progress made towards achieving its objective.
- Consider periodically convening informal consultations and intersessional meetings as appropriate to discuss matters related to the implementation of the Agreement and to monitor progress in achieving its objective.

Appendix

Table on international cooperation, coordination and reporting/notification obligations

PORT STATES	
Relevant Article	Duties and Responsibilities
Article 6: Cooperation and exchange of information	<p>Cooperate and exchange information with relevant States, FAO, other international organizations and RFMOs, including on the measures adopted by RFMOs in relation to the objective of the PSMA.¹⁰</p> <p>Cooperate at the subregional, regional and global levels in the effective implementation of the PSMA, including, where appropriate, through FAO or RFMOs and regional fisheries management arrangements.</p>
Article 7: Designation of ports	Designate and publicize the ports to which vessels may request entry pursuant to the PSMA. Each Party shall provide a list of its designated ports to FAO, which shall give it due publicity.
Article 8: Advance request for port entry	Require, as a minimum standard, the information requested in Annex A of the PSMA to be provided before granting entry to a vessel to its port.
Article 9: Port entry, authorization or denial	<p>Communicate its decision on whether to authorize or deny the entry of the vessel into its port to the vessel or its representative (and provide an authorization form in the case of authorization).</p> <p>Ensure competent authorities are made available to receive authorization upon vessel's arrival into port.</p> <p>In the case of denial of entry to a vessel, communicate its decision taken pursuant to Paragraph 1 Article 9 to the flag State of the vessel, and, as appropriate and to the extent possible, relevant coastal States, RFMOs, and other international organizations.</p>

¹⁰ In particular the inclusion of a vessel on a list of vessels having engaged in such fishing or fishing related activities adopted by a relevant regional fisheries management organization in accordance with the rules and procedures of such organization and in conformity with international law.

PORT STATES	
Relevant Article	Duties and Responsibilities
Article 11: Use of ports	With regards to a to e, paragraph 1, Article 11, the port State must verify validity and applicability of authorization to engage in fishing or fishing related activities, by communicating with relevant coastal State for fish taken in areas under the national jurisdiction of that State, and by communicating with the vessel's flag State to ensure the fish on board was taken in accordance with applicable requirements of a relevant RFMO.
	Collect information to determine whether there exists reasonable grounds to believe that a vessel has engaged in IUU fishing or related activities for a vessel referred to in Article 4 of Article 9.
	Receive and assess information provided by the vessel that it was acting in a manner consistent with relevant conservation and management measures or that it was not a vessel referred to in paragraph 4 of Article 9 at time of provisioning (in the case of provision of provision of personnel, fuel, gear, and other supplies at sea).
	Notify the flag State and, as appropriate, relevant coastal States, RFMOs and other international organizations of its decision to deny use of port.
	Notify those to whom a notification was issued pursuant to paragraph 3 Article 11 in the case where the port State has withdrawn its denial pursuant to paragraph 4 Article 11.
Article 12: Levels and priorities for inspections	Shall seek to agree on the minimum levels for inspection of vessels through, as appropriate, RFMOs, FAO or otherwise.
	Receive requests from other relevant Parties, States or RFMOs that particular vessels be inspected.
Article 13: Conduct of inspections	Invite the flag State to participate in the inspection.
Article 15: Transmittal of inspection results	Transmit the results of each inspection to the flag State of the inspected vessel.
	Consider as appropriate the transmittal of inspection results to relevant Parties and States, including those States for which there is evidence through inspection that the vessel has engaged in IUU fishing within waters under their national jurisdiction, the State of which the vessel's master is a national, relevant RFMOs, FAO and other international organizations.

PORT STATES	
Relevant Article	Duties and Responsibilities
Article 16: Electronic exchange of information	<p>Cooperate to establish an information-sharing mechanism, preferably coordinated by FAO, in conjunction with other relevant multilateral and intergovernmental initiatives, and to facilitate the exchange of information with existing databases relevant to the PSMA.</p> <p>Designate an authority that shall act as a contact point for the exchange of information under the PSMA. Notify the pertinent designation to FAO.</p>
Article 17: Training of inspectors	Seek to cooperate with other Parties in ensuring that inspectors are properly trained.
Article 18: Port State actions following inspections	<p>Promptly notify the flag State and, as appropriate, relevant coastal States, RFMOs and other international organizations, and the State of which the vessel's master is a national of the findings (where there are clear grounds for believing that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing).</p> <p>Take additional measures as consented or requested by the flag State.</p>
Article 19: Information on recourse in the port State	Inform the flag State, the owner, operator, master or representative, as appropriate, of the outcome of any recourse as set out in Article 19. Where other Parties, States or international organizations have been informed of the prior decision pursuant to Articles 9, 11, 13 or 18, the Party shall inform them of any change in its decision.
Article 20: Role of flag States	Receive reports from flag States on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to the Agreement, have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing.

PORT STATES	
Relevant Article	Duties and Responsibilities
Article 21: Requirements of developing States	Parties shall, either directly or through FAO, other specialized agencies of the United Nations or other appropriate international organizations and bodies, including regional fisheries management organizations, provide assistance to developing States Parties.
	Parties shall give due regard to the special requirements of developing port States.
	Parties, in particular the least-developed among them and small island developing States, to ensure that a disproportionate burden resulting from the implementation of the Agreement is not transferred directly or indirectly to them. In cases where the transfer of a disproportionate burden has been demonstrated, Parties shall cooperate to facilitate the implementation by the relevant developing States Parties of specific obligations under the Agreement.
	Parties shall, either directly or through FAO, assess the special requirements of developing States Parties concerning the implementation of the Agreement.
	Parties shall cooperate to establish appropriate funding mechanisms to assist developing States in the implementation of the Agreement.
	Parties shall establish an ad hoc working group to periodically report and make recommendations to the Parties on the establishment of funding mechanisms including a scheme for contributions, identification and mobilization of funds, the development of criteria and procedures to guide implementation, and progress in the implementation of the funding mechanisms.
	Parties shall take into account the reports and any recommendations of the ad hoc working group and take appropriate action.
Article 22: Peaceful settlement of disputes	May seek consultations with any other Party or Parties on any dispute with regard to the interpretation or application of the provisions of the Agreement with a view to reaching a mutually satisfactory solution as soon as possible.
	Consult among themselves as soon as possible with a view to having the dispute settled by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice in the event that the dispute is not resolved through these consultations within a reasonable period of time.

PORT STATES	
Relevant Article	Duties and Responsibilities
Article 23: Non-Parties to this Agreement	Encourage non-Parties to the Agreement to become Parties thereto and/or to adopt laws and regulations and implement measures consistent with its provisions.
Article 24: Monitoring, review and assessment	<p>Parties shall, within the framework of FAO and its relevant bodies, ensure the regular and systematic monitoring and review of the implementation of the Agreement as well as the assessment of progress made towards achieving its objective.</p> <p>Four years after the entry into force of the Agreement, FAO shall convene a meeting of the Parties to review and assess the effectiveness of the Agreement in achieving its objective. The Parties shall decide on further such meetings as necessary.</p>

FLAG STATES	
Relevant Article	Duties and Responsibilities
Article 6: Cooperation and exchange of information	Cooperate and exchange information with relevant States, FAO, other international organizations and RFMOs, including on the measures adopted by RFMOs in relation to the objective of the PSMA.
Article 9: Port entry, authorization or denial	Ensure that master of vessel or vessels representative is aware of requirement to present the authorization for entry to the competent authorities of the port State party upon vessel's arrival into port.
	Receive communication of a port State's decision to deny entry to vessel flying its flag.
Article 11: Use of ports	Be available to communicate information on its vessels with regards to valid and applicable authorization to engage in fishing or fishing related activities.
	Confirm within a reasonable amount of time, upon request of port State, that the fish on board the vessel for which the port State is requesting information, was taken in accordance with applicable requirements of a relevant RFMO taking into account paragraphs 2 and 3 of Article 4.
	Receive notification from the port State of its decision to deny use of port to a vessel, and the withdrawal of denial of the use of its port
Article 13: Conduct of inspections	Coordinate with the port State to participate in the inspection if invited.
Article 15: Transmittal of inspection results	Receive transmittal of inspection results.
Article 18: Port State actions following inspections	Receive information on the findings of an inspection which determine clear grounds for believing that a vessel has engaged in IUU fishing.
Article 19: Information on recourse in the port State	Receive information from the port State of any change in decision pursuant to Articles 9, 11, 13 or 18.

FLAG STATES	
Relevant Article	Duties and Responsibilities
Article 20: Role of flag States	Require the vessels entitled to fly its flag to cooperate with the port State in inspections carried out pursuant to the Agreement.
	Request a State Party to inspect the vessel or to take other measures consistent with the Agreement when a Party has clear grounds to believe that a vessel entitled to fly its flag has engaged in IUU fishing or fishing related activities in support of such fishing and is seeking entry to or is in the port of another State.
	Encourage vessels entitled to fly its flag to land, tranship, package and process fish, and use other port services, in ports of States that are acting in accordance with, or in a manner consistent with the Agreement.
	Parties are encouraged to develop, including through regional fisheries management organizations and FAO, fair, transparent and non-discriminatory procedures for identifying any State that may not be acting in accordance with, or in a manner consistent with, the Agreement.
	Report to other Parties, relevant port States and, as appropriate, other relevant States, regional fisheries management organizations and FAO on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to the Agreement, have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing.

COASTAL STATES	
Relevant Article	Duties and Responsibilities
Article 6: Cooperation and exchange of information	Cooperate and exchange information with relevant States, FAO, other international organizations and RFMOs, including on the measures adopted by RFMOs in relation to the objective of the PSMA.
Article 9: Port entry, authorization or denial	Receive communication of a port State's decision to deny entry to vessel.
Article 11: Use of ports	Ensure communication open to port States on applicable authorizations for vessels to engage in fishing or fishing related activities in areas under its national jurisdiction as well as applicable requirements for taking fish from areas under national jurisdiction. Receive notification from the port State of its decision to deny use of port to a vessel.
Article 15: Transmittal of inspection results	Receive transmittal of inspection results.
Article 18: Port State actions following inspections	Receive information on the findings of an inspection which determine clear grounds for believing that a vessel has engaged in IUU fishing.
Article 19: Information on recourse in the port State	Receive information from the port State of any change in decision pursuant to Articles 9, 11, 13 or 18.
Article 20: Role of flag States	Receive reports from flag States on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to the Agreement, have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing.

OTHER STATES	
Relevant Article	Duties and Responsibilities
Article 6: Cooperation and exchange of information	Cooperate and exchange information with relevant States, FAO, other international organizations and RFMOs, including on the measures adopted by RFMOs in relation to the objective of the PSMA.
Article 9: Port entry, authorization or denial	Receive communication of a port State's decision to deny entry to vessel.
Article 15: Transmittal of inspection results	Receive transmittal of inspection results.
Article 20: Role of flag States	Receive reports from flag States on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to the Agreement, have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing.

VESSEL MASTERS' STATES	
Relevant Article	Duties and Responsibilities
Article 15: Transmittal of inspection results	Receive transmittal of inspection results.
Article 18: Port State actions following inspections	Receive information on the findings of an inspection which determine clear grounds for believing that a vessel has engaged in IUU fishing.
Article 19: Information on recourse in the port State	Receive information from the port State of any change in decision pursuant to Articles 9, 11, 13 or 18.

FAO	
Relevant Article	Duties and Responsibilities
Article 6: Cooperation and exchange of information	Cooperate and exchange information with relevant States, FAO, other international organizations and RFMOs, including on the measures adopted by RFMOs in relation to the objective of the PSMA.
Article 7: Designation of ports	Give due publicity to list of designated ports provided by Parties.
Article 9: Port entry, authorization or denial	Receive communication of a port State's decision to deny entry to vessel.
Article 11: Use of ports	Receive notification from the port State of its decision to deny use of port to a vessel.
Article 12: Levels and priorities for inspections	Assist Parties in seeking to agree on the minimum levels for inspection of vessels.
Article 15: Transmittal of inspection results	Receive transmittal of inspection results.
Article 16: Electronic exchange of information	Coordinate the cooperative establishment of an information-sharing mechanism, in conjunction with other relevant multilateral and intergovernmental initiatives, and to facilitate the exchange of information with existing databases relevant to the PSMA. Receive notification of the pertinent designation that shall act as a contact point for the exchange of information under the PSMA. Request relevant RFMOs to provide information concerning the measures or decisions they have adopted and implemented which relate to the Agreement for their integration, to the extent possible and taking due account of the appropriate confidentiality requirements, into the information-sharing mechanism referred to in paragraph 2 of Article 16 of the Agreement.

FAO	
Relevant Article	Duties and Responsibilities
Article 18: Port State actions following inspections	Receive information on the findings of an inspection which determine clear grounds for believing that a vessel has engaged in IUU fishing.
Article 19: Information on recourse in the port State	Receive information from the port State of any change in decision pursuant to Articles 9, 11, 13 or 18.
Article 20: Role of flag States	<p>Parties are encouraged to develop, including through regional fisheries management organizations and FAO, fair, transparent and non-discriminatory procedures for identifying any State that may not be acting in accordance with, or in a manner consistent with, the Agreement.</p> <p>Receive reports from flag States on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to the Agreement, have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing.</p>
Article 21: Requirements of developing States	Parties, directly or through FAO, other specialised UN agencies and RFMOs provide assistance to developing States Parties.
Article 24: Monitoring, review and assessment	Four years after the entry into force of the Agreement, FAO shall convene a meeting of the Parties to review and assess the effectiveness of the Agreement in achieving its objective. The Parties shall decide on further such meetings as necessary.
Article 36: The Depositary	<p>Transmit certified copies of the Agreement to each signatory and Party.</p> <p>Register the Agreement, upon its entry into force, with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.</p> <p>Promptly inform each signatory and Party to the Agreement of all (i) signatures and instruments of ratification, acceptance, approval and accession deposited under Articles 25, 26 and 27; (ii) the date of entry into force of the Agreement in accordance with Article 29; (iii) proposals for amendment to the Agreement and their adoption and entry into force in accordance with Article 33; (iv) proposals for amendment to the Annexes and their adoption and entry into</p>

FAO	
Relevant Article	Duties and Responsibilities
	force in accordance with Article 34; and (v) withdrawals from the Agreement in accordance with Article 35.

RFMOs	
Relevant Article	Duties and Responsibilities
Article 6: Cooperation and exchange of information	Cooperate and exchange information with relevant States, FAO, other international organizations and RFMOs, including on the measures adopted by RFMOs in relation to the objective of the PSMA.
Article 9: Port entry, authorization or denial	Receive communication of a port State's decision to deny entry to a vessel.
Article 11: Use of ports	Receive notification from the port State of its decision to deny use of port to a vessel.
Article 12: Levels and priorities for inspections	Shall seek to agree on the minimum levels for inspection of vessels with Parties.
Article 15: Transmittal of inspection results	Receive transmittal of inspection results.
Article 16: Electronic exchange of information	Provide information to FAO concerning the measures or decisions they have adopted and implemented which relate to the Agreement.
Article 18: Port State actions following inspections	Receive information on the findings of an inspection which determine clear grounds for believing that a vessel has engaged in IUU fishing.
Article 19: Information on recourse in the port State	Receive information from the port State of any change in decision pursuant to Articles 9, 11, 13 or 18.
Article 20: Role of flag States	Parties are encouraged to develop, including through regional fisheries management organizations and FAO, fair, transparent and non-discriminatory procedures for identifying any State that may not be acting in accordance with, or in a manner consistent with, the Agreement.

RFMOs	
Relevant Article	Duties and Responsibilities
	<p>Receive reports from flag States on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to the Agreement, have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing.</p> <p>Cooperate and exchange information with relevant States, FAO, other international organizations and RFMOs, including on the measures adopted by RFMOs in relation to the objective of the PSMA.</p>

OTHER INTERNATIONAL ORGANIZATIONS	
Relevant Article	Duties and Responsibilities
Article 9: Port entry, authorization or denial	Receive communication of a port State's decision to deny entry to a vessel.
Article 11: Use of ports	Receive notification from the port State of its decision to deny use of port to a vessel.
Article 15: Transmittal of inspection results	Receive transmittal of inspection results.
Article 18: Port State actions following inspections	Receive information on the findings of an inspection which determine clear grounds for believing that a vessel has engaged in IUU fishing.
Article 19: Information on recourse in the port State	Receive information from the port State of any change in decision pursuant to Articles 9, 11, 13 or 18.
Article 20: Role of flag States	Receive reports from flag States on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to the Agreement, have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing.