



Main features, obligations and benefits under the *Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*

OVERVIEW

Illegal, unreported, and unregulated (IUU) fishing is one of the greatest threats to marine ecosystems and undermines national and regional efforts to achieve sustainable fisheries. It contributes to the overexploitation of fisheries, harms the recovery of fish populations, and causes hardship, especially on coastal communities who depend on fishing for livelihoods. IUU fishing is often associated with or linked to crimes in the fisheries sector, such as tax evasion, money laundering, smuggling, and violation of labour standards.

The [Agreement on Port State Measures to prevent, deter and eliminate illegal, unreported and unregulated fishing \(PSMA\)](#) is the first legally binding international instrument to specifically target IUU fishing. It was approved by the FAO Conference on 22 November 2009, and entered into force on 5 June 2016. As the number of State Parties grows, the number of compliant ports will also grow: IUU fishing operators will have less opportunities to continue business as usual.

OBJECTIVES

The PSMA's main objective is to prevent vessels engaged in IUU fishing from using ports and landing their catches, serving as a disincentive for such vessels to continue operating while also blocking fishery products derived from IUU fishing from reaching national and international markets. This is achieved through measures in the Agreement such as port entry denials and port inspections, among others. Compared to monitoring, control and surveillance (MCS), including boarding and inspecting vessels at sea, PSMA tools are cost-effective and their enforcement is safer.

At the Fourth Meeting of the Parties (MoP) (May 2023), the Parties adopted the 'Bali Strategy' with a view to improving the effective implementation of the PSMA and ultimately contributing to the long-term conservation and sustainable use of living marine resources and marine ecosystems.

MAIN ELEMENTS

The Agreement is structured in ten Parts, including the following core obligations on each State Party:

- Duty to cooperate and exchange information with relevant States, FAO, other international organizations and regional fisheries management organizations (RFMOs) – Article 6;
- Duty to designate and publicize the ports to which vessels may request entry – Article 7;
- Duty to require, as a minimum standard, the information requested in the Annex A of the Agreement (Advance request for port entry) – Article 8;
- Duty to deny the entry of a vessel into its ports, upon sufficient proof that it has engaged in IUU fishing, and to communicate this decision to the vessel or its representative – Article 9;
- Duty to transmit the results of each inspection to the flag State of the inspected vessel – Article 15;
- Duty to designate a national contact point for the exchange of information, and, where possible, establish a communication mechanism for direct electronic exchange of information – Article 16;
- Duty to require the vessels entitled to fly its flag to cooperate with the Port State during inspections – Article 20.



POTENTIAL BENEFITS FOR PARTIES

On becoming a party to the PSMA and implementing its provisions effectively, a State stands to gain numerous benefits, including:

A. SUSTAINABLE MANAGEMENT OF FISHERIES RESOURCES

Port States can improve the conservation and management of fisheries resources, especially migratory species, with better information about the history and activities of IUU fishing vessels, details about what is caught and landed, and what is transshipped with opportunities to cross-check data with other port States. The MCS and information-exchange systems help produce and share information, based on which States can improve the monitoring of fishing activities in national waters and beyond.

B. ECONOMIC BENEFITS

Port States demonstrate to the international community that they are committed to their responsibilities to keep illegally caught fish out of their ports. Also, port States have an advantage over those that do not: market States prefer fish and/or fisheries products landed or transshipped in designated ports in State Parties to the PSMA or at sea, owing to their commitment to combat IUU fishing. Consequently, State Parties benefit from increased income through port operations and associated industries activities.

C. FOREIGN INVESTMENT IN THE FISHERIES AND MARITIME SECTORS

A port State is seen as a lawful, transparent, reliable, cooperative port State. This reputation can attract foreign investment in the fisheries and maritime sectors, and income for port services such as supplies, repairs, processing, and transshipment.

D. IMPROVED GOVERNANCE OF THE FISHERIES SECTOR THROUGH EFFECTIVE INTER-AGENCY COOPERATION

The relevant government agencies of a port State establish an inter-agency coordination and information exchange mechanism and procedures for the effective implementation of PSMA. This minimizes costs, helps save time, and fosters cooperation and greater compliance with labour, immigration, health, and sanitary laws. Inter-agency cooperation can also boost transparency, limiting opportunities for corruption.

E. FINANCIAL SUPPORT FOR DEVELOPING STATES TO IMPLEMENT THE PSMA

Article 21 of the PSMA establishes that developing countries can get support for building the capacity needed to comply with the treaty. On acceding to the PSMA, a State Party can request for support to set up the system of port State measures, including establishing inspection procedures and training for port State officials and other authorities.

FOR MORE INFORMATION on the PSMA, model instruments for adherence to the PSMA and treaty processes in FAO, please contact: treaties@fao.org