

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

By Gail Lugten (London, February 2012)



This presentation will:

- look briefly at the content of the Agreement;**
- look at where the Agreement is now; and**
- it will consider future plans to promote the Agreement.**



The Port State Agreement assists Parties to identify IUU vessels and deny these vessels access to, or the use of, their port services.



The primary actions available to a Port State under the Agreement are:



- that the port State requires prior notice of a foreign fishing vessel's arrival in their port,
- that the port State has the ability to prohibit the vessel's entry to port;
- that the port State has the right to inspect vessels; and
- that the port State has the ability to deny a vessel the *use* of its port to unload fish and access services.

Flag States are to:

- encourage their vessels to only use ports in States that apply the Agreement's measures.
- require their vessels to cooperate with the port State's inspections and,
- if necessary, request that port States take measures against their flagged vessels.



23 Signatories to the Port State Agreement

- Angola
- Australia
- Benin
- Brazil
- Canada
- Chile
- European Union
- France
- Gabon
- Ghana
- Iceland
- Indonesia
- Kenya
- Mozambique
- New Zealand
- Norway
- Peru
- Russian Federation
- Samoa
- Sierra Leone
- Turkey
- United States
- Uruguay

Completions have been made by four entities:

- **Accession by Myanmar and Sri Lanka,**
- **Approval by the European Union,**
- **Ratification by Norway.**

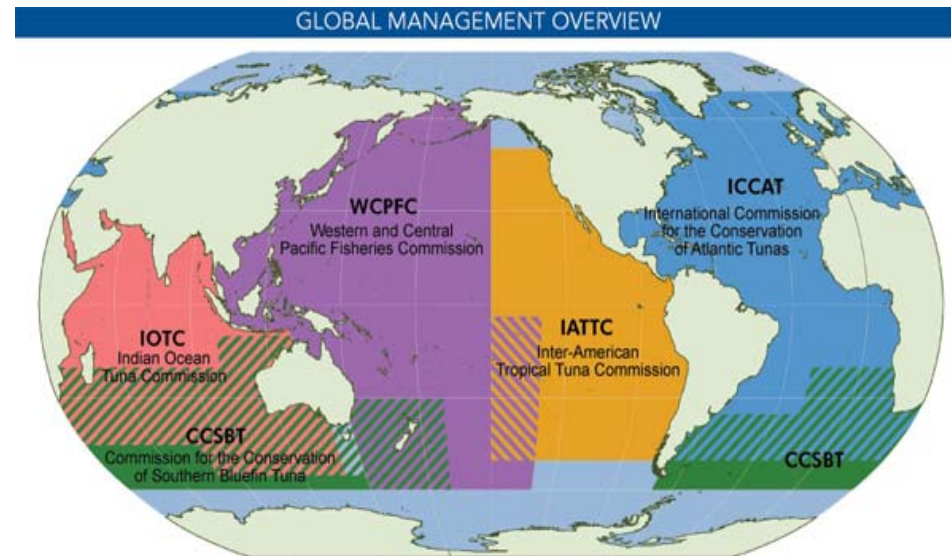


**Information provided by Members at
the Twenty-ninth Session of COFI 2011:
Expressions of intention to complete
the Agreement in the near future.**

- **Australia**
- **Brazil**
- **Canada**
- **Chile**
- **Costa Rica**
- **European Union**
- **Iceland**
- **Namibia**
- **New Zealand**
- **Norway**
- **Russian Federation**
- **Thailand**
- **Turkey**
- **United States of America**

Recent Developments

KOBE III in July 2011 endorses the FAO Port State Agreement as an important initiative in counteracting IUU fishing. All trfmo States are urged to ratify the Agreement and the trfmo's are urged to develop regional port schemes that comply with the FAO Agreement.



**Informal Open-Ended Technical Meeting to Review Draft Terms of Reference for the Ad Hoc Working Group Referred to in Paragraph 6 of Article 21 of the 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (The Agreement) and Draft Terms of Reference for an Appropriate Funding Mechanism Referred to in Article 21 of the Agreement to Assist Developing States Implement the Agreement.
(held at FAO HQ 21-23 November 2011.)**

FAO PORT LEX

Contains the domestic legislative port state measures of (currently) 49 FAO members which have been adopted by States as measures designed to prevent, deter and eliminate IUU Fishing.



- **By port state**

Select a country A search by a port state or by a regional economic integration organization will display all measures that apply in that port.

- **By type of measure**

Select type

- **By year of adoption**

Insert

- **By species**

Insert species name A search by a species will display all measures targeting that particular species and measures targeting "all aquatic species."

- **By flag of vessel**

Select vessel group Search by a vessel group will display measures targeting that specified vessel group only. A search by e.g. "foreign vessels" will not give you measures targeting "all vessels," and vice versa. In order to obtain all relevant measures, no vessel group should be selected.

Select flag of vessel Activate by selecting "selected flag of vessels" in the menu above.

Select RFMO Activate by selecting "RFMO vessels" or "Non-RFMO vessels" in the menu above.

- **By competence area**

Select area

Mozambique Port State Measure No. 1: Prior Notification of Port entry/landing/transshipment of EU vessels

- **Port State**

Mozambique

- **Target species**

All Aquatic Species

- **Target Vessels**

EU vessels

- **Target competence area**

National waters

- **Type of measure**

Prior notification of
port/entry/landing/transshipment

- **Year of Adoption**

2007

- **Type of legal instrument**

Bilateral agreement

- **Transshipment**

8.1. All Community vessels wishing to tranship catches in Mozambique's ports or port areas shall provide the competent Mozambican authorities with at least 24 hour's notice and await their prior authorisation.

8.2. For the purposes of assessing the transshipment request, the shipowners of these vessels shall indicate the following:

- the port of transshipment,
- the place where the operation shall take place, the date and time of transshipment,
- the name of the fishing vessel or of other vessel involved in transshipment,
- the tonnage by species to be transhipped.

- **FAO capacity development regional workshop on the Agreement on Port State Measures (Bangkok April, 2012)**
- **A second regional workshop is planned for later in 2012**
- **RSN4 – 13 July 2012**





The End