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Report of the

**THIRD MEETING OF THE PARTIES TO THE AGREEMENT ON
PORT STATE MEASURES TO PREVENT, DETER AND ELIMINATE
ILLEGAL, UNREPORTED AND UNREGULATED FISHING**

**Brussels, 31 May–4 June 2021
(Virtual meeting)**

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THIRD MEETING OF THE PARTIES TO THE AGREEMENT ON PORT STATE MEASURES TO
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Brussels, 31 May–4 June 2021
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PREPARATION OF THIS DOCUMENT

This is the final version of the report of the Third Meeting of the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, which was hosted by the European Union and held virtually in Brussels, Belgium, from 31 May to 4 June 2021.

ABSTRACT

The Parties discussed the results of the questionnaire for the review and assessment of the effectiveness of the Port State Measures Agreement (PSMA), agreeing that the questionnaire was a useful tool, whilst noting the need for further improvements. The Parties tasked the FAO to review the questionnaire, and agreed that the questionnaire would be completed every four years. Parties noted that whilst progress has been made in effectively using the PSMA to combat IUU fishing, a number of challenges remain. Parties welcomed the useful information provided by Regional Fishery Bodies (RFBs) related to progress made in the implementation of the PSMA, and agreed that a standardized questionnaire for RFBs is needed. Parties tasked FAO to develop a first draft of this questionnaire. The Parties welcomed the prototype of the global information exchange system (GIES) and agreed that it should enter a pilot phase. They also reiterated the importance of the availability of information related to the national contact points for the PSMA. The Parties expressed the importance of receiving support on the implementation of effective monitoring, control and surveillance, enforcement and the implementation of GIES. The Secretariat announced the launch of the Global Capacity Development Portal. The Parties requested that discussions around developing a strategy to improve the effectiveness of the PSMA be deferred to an ad hoc working group, and approved the terms of reference of the PSMA Strategy Ad Hoc Working Group.

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OPENING OF THE MEETING

1. The third meeting of the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing (the Agreement) was hosted by the European Union, and due to the global COVID-19 pandemic, was held virtually from 31 May to 4 June 2021. The meeting was attended by 65 Parties to the Agreement, and by observers from 44 States, 35 intergovernmental and 12 international non-governmental organizations. The list of participants is attached as Appendix 2.
2. The Chairperson, Mr Ramon Van Barneveld, opened the meeting and thanked the participation of delegates in the *High-Level Event leading to the Third Meeting of the Parties to the PSMA*, which preceded the opening of the meeting and for which the agenda is attached in Appendix 3.

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE MEETING

3. The meeting adopted the agenda with amendments, as included in Appendix 1.
4. In view of the virtual nature of the meeting, the Secretariat clarified that in accordance with established practice by FAO during the COVID-19 pandemic, any parts of the Rules of Procedure incompatible with the virtual modality of the meeting would be suspended, on an exceptional basis.

STATUS OF THE 2009 FAO AGREEMENT ON PORT STATE MEASURES (PSMA)

5. The Secretariat introduced document PSMA/2021/3, noting that nine new Parties had adhered to the Agreement since the second meeting of the Parties to the PSMA, held in June 2019 in Chile, and that 56 percent of port States are now Party to the Agreement.
6. The Chairperson opened the floor to non-party States to provide information on their intentions to adhere to the Agreement and on the status of their internal processes to do so. Delegates from Belize, Colombia, Guinea-Bissau, Honduras, Jamaica, Lebanon, Marshall Islands, Morocco, Papua New Guinea and Timor-Leste indicated their States' positive intentions to adhere to the Agreement.

RECALLING OUTCOMES OF THE SECOND MEETING OF THE PARTIES TO THE PSMA

7. The Secretariat introduced document PSMA/2021/2, recalling outcomes of the second meeting of the Parties to the PSMA.

RESULTS OF THE QUESTIONNAIRE FOR THE REVIEW AND ASSESSMENT OF THE EFFECTIVENESS OF THE PSMA

8. The Secretariat introduced document PSMA/2021/4, noting that the questionnaire for the review and assessment of the effectiveness of the PSMA was completed by 82 percent of the Parties and that one third of Parties had reported already having denied entry into port to vessels believed to have engaged in IUU fishing. The Chairperson invited Parties to comment on the usefulness of the questionnaire in reviewing and assessing the effectiveness of the Agreement.
9. Parties agreed that the questionnaire was a useful tool for self-assessment of implementation of the Agreement, and that its structure, which categorizes questions in accordance with Articles of the Agreement, provided an organized system for identifying successes and gaps in implementation, while noting the need of further improvement of future editions of the questionnaire and to repeat some key questions so that the Parties have the opportunity to carry out an analysis on trends in implementation.
10. Parties tasked the FAO to review the questionnaire in consultation with the Parties to facilitate the necessary modifications to improve the usefulness and practicality of the questionnaire. Parties agreed that the questionnaire would be completed every four years.
11. Parties noted the high percentage of responses to the questionnaire, underscoring the need for full participation by all Parties in future questionnaires.

REPORT ON CHALLENGES AND PROGRESS IN IMPLEMENTATION OF THE PSMA

12. Following reports by Parties and observers on implementation of the PSMA, there was consensus that progress has been made in effectively using the PSMA to combat IUU fishing. However, it was also noted that a number of challenges remain, including clarifying terminology, achieving adequate national-level interagency coordination and sufficient institutional capacity to conduct port State measures, particularly by developing States, as well as widespread regional-level cooperation and global information exchange, as well as strengthening human capacity and raising the awareness among the stakeholders on PSMA. Some Parties noted that the following terms and definitions should be included for improved implementation: “landed” and “previously landed”.

13. Parties highlighted the importance of designating national contact points and ports for the purposes of the implementation of the PSMA, and encouraged all Parties to take action in this regard as soon as possible.

14. Some Parties expressed views of possible ways to monitor compliance with the provisions of the Agreement.

15. The Secretariat introduced document PSMA/2021/5, noting that 13 regional fishery bodies (RFBs) had submitted information related to progress made in the implementation of the PSMA. Parties welcomed these reports and the useful information provided, but agreed that a standardized questionnaire for RFBs is needed in order to permit more detailed assessments of results in future review meetings. Parties tasked FAO to develop a first draft of the questionnaire, in cooperation with secretariats of RFBs and in consultation with the Parties.

PROGRESS ON THE DEVELOPMENT OF THE PSMA GLOBAL INFORMATION EXCHANGE SYSTEM (GIES) AND PSMA APPLICATIONS

16. The Secretariat introduced document PSMA/2021/6 providing a detailed account, followed by a live demonstration, of the characteristics, components and functionalities of the PSMA global information exchange system (GIES) prototype, highlighting that the prototype is a fully functioning system which is ready for piloting by the Parties.

17. Parties recognised the importance of information sharing for the implementation of the Agreement and more widely for combatting IUU fishing. In this respect they recognized the importance of the availability of information related to the national contact points for the PSMA and called for all those Parties not having done so yet, to provide updated information through the PSMA application for designated ports and national contact points.

18. The Parties welcomed the prototype of the GIES and agreed that it enters a pilot phase, whereby Parties would have first-hand use of the system in a real-life environment, allowing for complete familiarization with the data upload and information sharing functions, and other features. During the pilot phase, the Secretariat will also work on the possible automatic linkages of the GIES to existing relevant systems, and introduce additional improvements to the system.

19. The Parties highlighted the need for communications through electronic means to enable discussion on the GIES during the pilot phase and prior to the next meeting of the Open-ended Technical Working Group on Information Exchange (TWG-IE).

20. The Parties noted that the system could be further enhanced or modified at a later stage, for example through the inclusion of additional fields, functionalities and elements, such as for the advance request for port entry. The Parties also noted the importance of ensuring the system is practical and user friendly, including making it as interoperable as possible with existing systems, and minimizing unnecessary burdens on Parties.

21. The Parties agreed that a meeting of the TWG-IE shall be convened in 2022 to discuss technical and operational matters related to the GIES, using as a basis the pilot phase experiences, and to suggest any changes to be made in the lead up to the fourth Meeting of the Parties. The Parties also noted the need to consider the process to address potential additions of information that is not included in the

annexes of the PSMA in the context of the effective implementation of the GIES, taking into account that such updates may be needed from time to time.

22. The Parties highlighted the need to take into careful consideration aspects related to data protection and confidentiality, as well as interoperability with existing information systems and relevant provisions of the Agreement and that these matters could also be addressed by the TWG-IE.

23. The Parties noted the value in developing a training programme to support countries in the use of the GIES and developing supporting material in this regard.

24. The Parties thanked Iceland for funding the initial development of the GIES and noted that a funding mechanism for the long-term sustainability of the system should be considered.

25. The Parties encouraged the Secretariat to strengthen the exchange of information with other relevant regional and international organizations and vice versa.

REQUIREMENTS OF DEVELOPING STATES

26. The Secretariat introduced document PSMA/2021/7 on the requirements of developing States, reporting on progress made under FAO's *Global Programme to support the implementation of the PSMA and complementary international instruments to combat IUU fishing* (the Programme), and providing an overview of the activities delivered and results achieved by capacity development initiatives. The status of the establishment of the Trust Fund under Part 6 of the Agreement was also reported by the Secretariat, noting that it will become operational once the first funding contribution is deposited.

27. The meeting acknowledged the generous contributions to the Programme by the European Union, Germany, Iceland, Norway, Republic of Korea, Spain, Sweden and the United States of America. The European Union confirmed its intention to continue supporting the Programme.

28. Parties that have received assistance under the Programme thanked the FAO for the support and expressed the importance of receiving ongoing support on the implementation of effective monitoring, control and surveillance (MCS) systems and procedures, enforcement and the implementation of the GIES. The PSMA Secretariat confirmed that such assistance was available and that Parties that have not yet received support may benefit from this assistance by making a formal request to the Secretariat.

29. The Secretariat announced the launch of the Global Capacity Development Portal which is intended to serve, *inter alia*, as a tool to facilitate the coordination of the delivery of capacity development initiatives related to supporting countries in combatting IUU fishing, and identifying priority actions for technical assistance around the world. Donors, Organisations, States and other entities engaged in relevant capacity development initiatives were encouraged to submit information to the Portal.

30. The Parties reiterated the importance of capacity building for developing countries, making use the resources under the assistance fund and continuing to deal with topics about which the Parties are concerned when it comes to the implementation of the Agreement.

STRATEGY TO IMPROVE THE EFFECTIVENESS OF THE PSMA

31. In light of the challenging conditions imposed by the virtual setting of the meeting, including the connectivity issues experienced by some delegations and in particular, preventing the opportunity for ample side discussions throughout the course of the meeting, the Parties requested that discussions around developing a strategy to improve the effectiveness of the PSMA be deferred to an ad hoc working group, and for terms of reference for this group to be established during the course of the meeting. The Parties noted the need to consider regional and/or subregional discussions in support of the PSMA Strategy Ad Hoc Working Group.

32. The Parties approved the terms of reference of the PSMA Strategy Ad Hoc Working Group (WGS), which are attached in Appendix 4.

DATE AND VENUE OF NEXT MEETING

33. The meeting recalled the offer made at the previous meetings of the Parties by Indonesia to host the Fourth Meeting of the Parties. The Indonesian delegation announced that the meeting will take place in Bali, tentatively from 8 to 12 May 2023. The meeting welcomed the delegation of Ecuador's re-confirmation to host the Fifth Meeting of the Parties in 2024.

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSONS

34. In accordance with Rule 3 of the Rules of Procedure for meetings of the Parties, the Parties conducted elections for the Chairperson, First Vice-Chairperson, and Vice-Chairpersons to serve as officers. Mr Nilanto Perbowo, Principal Fisheries Management Specialist, Directorate General of Capture Fisheries, Ministry of Marine Affairs and Fisheries of Indonesia, was unanimously elected Chairperson, and Mr Andres Arens Hidalgo, Vice Minister of Fisheries and Aquaculture of the Ministry of Production, Foreign Trade, Investments and Fisheries of Ecuador, was unanimously elected First Vice Chairperson. The following were unanimously elected as Vice-Chairpersons:

- Ms Alexa Cole, Acting Deputy Assistant Secretary for International Fisheries, Director, Office of International Affairs and Seafood Inspection, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, United States of America;
- Mr Luke Bantock, Team Leader, Illegal, Unreported and Unregulated Fishing, External Fisheries Negotiations and Trade Policy, Marine and Fisheries Department For Environment, Food and Rural Affairs, United Kingdom of Great Britain and Northern Ireland.
- Mr Andrew Wright, Senior Compliance Advisor, Ministry of Primary Industries, New Zealand
- Ms Lucy Obungu, Fisheries Secretary, Ministry of Agriculture, Livestock and Fisheries, State Department of Fisheries, Aquaculture and Blue Economy, Kenya
- Mr Hadi Etorjmani, Manager of National and Technical Cooperation Office, Ministry of Marine Wealth, Libya

CLOSURE OF THE MEETING

35. The meeting thanked Mr Ramon Van Barneveld for his efficient chairing of the meeting and expressed appreciation to the Secretariat for the preparation for and technical support throughout the meeting. The meeting expressed gratitude to the European Union for its generosity in hosting the meeting. The meeting was closed at 14.21 hours CEST on 3 June 2021.

ADOPTION OF THE REPORT

36. The report was adopted at 13.41 hours CEST on 4 June 2021.

AGENDA

Monday 31 May 2021

High Level Segment

09.00–11.00 hours CEST (Recorded session)

- Opening speech by the Commissioner for Environment, Oceans and Fisheries of the European Union, Mr Virginijus Sinkevičius.
- Opening speech by the Director-General of the Food and Agricultural Organization of the United Nations, Mr Qu Dongyu.
- Statements.
- Testimonies from Parties to the Agreement.
- Panel discussion.

11.00–14.00 hours CEST

1. Opening of the Meeting.
2. Adoption of the agenda and arrangements for the Meeting.
3. Status of the 2009 FAO Agreement on Port State Measures (PSMA).
4. Outcomes of the second meeting of the Parties to the PSMA.
5. Results of the questionnaire for the review and assessment of the effectiveness of the PSMA.

Tuesday 1 June 2021

11.00–14.00 CEST

6. Report on challenges and progress in implementation of the PSMA.
 - 6.1 Report by Parties.
 - 6.2 Report by Regional Fishery Bodies (RFBs).

Wednesday 2 June 2021

11.00–14.00 CEST

7. Progress on the development of the PSMA Global Information Exchange System (GIES) and PSMA applications.
8. Requirements of developing States.

Thursday 3 June 2021

11.00–14.00 CEST

9. Strategy to improve the effectiveness of the PSMA.
10. Date and venue of next meeting.
11. Election of Chairperson and Vice Chairpersons
12. Any other matters.
13. Closure of the meeting.

Friday 4 June 2021

11.00–14.00 CEST

14. Adoption of the report.

APPENDIX 2

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**High-Level Event leading to the
Third Meeting of the Parties of the
2009 FAO Agreement on Port State Measures (PSMA)**

Organised by the Food and Agriculture Organization of the United Nations (FAO)
and the European Commission

Programme

31 May 2021

09.00 hours–11.00 hours (CEST)

Introduction by Event Moderator

Opening Statement by Commissioner Virginijus Sinkevičius
Commissioner for the Environment, Oceans and Fisheries

Opening Statement by Dr QU Dongyu
FAO Director-General

Short Film produced by FAO

Statement by H.E. Ricardo Serrão Santos
Minister of Maritime Affairs, Portugal

Testimonial Statements by States (5 minutes each):

- Hon. Bernadette Jordan, *Minister for Fisheries, Oceans and the Canadian Coastguard, Canada*
- Hon. Semi Tuleca Koroilavesau, *Minister for Fisheries, Fiji*
- H.E. Augusta Maita, *Minister for the Sea, Inland Waters and Fisheries, Mozambique*
- H.E. Don José Luis Chicoma Lúcar, *Minister of Production, Peru*
- H.E. Don Luis Planas Puchades, *Minister for Agriculture, Fisheries and Food, Spain*
- H.E. Chalermchai Sreeon, *Minister for Agriculture and Cooperatives, Thailand*
- H.E. Georges Rebelo Pinto Chikoti, *Secretary-General, Organisation of African, Caribbean and Pacific States (OACPS)*

Panel Discussion led by Dr Cormac Cullinan
Environmental attorney and author

With the participation of:

- Hon. Bernadette Jordan, *Minister for Fisheries, Oceans and the Canadian Coastguard, Canada*
- Hon. Semi Tuleca Koroilavesau, *Minister for Fisheries, Fiji*
- H.E. Augusta Maita, *Minister for the Sea, Inland Waters and Fisheries, Mozambique*
- H.E. Don José Luis Chicoma Lúcar, *Minister of Production, Peru*
- H.E. Don Luis Planas Puchades, *Minister for Agriculture, Fisheries and Food, Spain*
- H.E. Mr. Narapat Kaewthong, *Vice Minister for Agriculture and Cooperatives, Thailand*
- H.E. Georges Rebelo Pinto Chikoti, *Secretary-General, Organisation of African, Caribbean and Pacific States (OACPS)*
- Cdr. (Retd.) Peter Horn, MBE, *Project Director, The PEW Charitable Trusts*

Conclusion of the Event

APPENDIX 4

TERMS OF REFERENCE FOR THE PSMA STRATEGY AD HOC WORKING GROUP

1. Establishment

The third meeting of the Parties to the PSMA has pursuant to Rule 10.1 of the Rules of Procedure established an ad hoc Working Group on Strategy (WGS) that shall convene a physical meeting, if possible, or virtually before the fourth meeting of the Parties, and thereafter as decided by the Parties. It would be preferable for meetings of the WGS to be held back-to-back with other meetings under the Agreement.

2. Objective

The WGS shall develop a strategy to improve the effectiveness of the PSMA.

3. WGS tasks

3.1 Based on the analyses of the questionnaire and reports submitted by Parties and Regional Fishery Bodies (RFBs) on the review and assessment of the effectiveness of the PSMA and other relevant documents prepared by the Secretariat and the Parties, the WGS shall develop a strategy which focuses on the following elements, *inter alia*:

- (a) Application of the PSMA, including aspects relating to vessels carrying out fishing related activities;
- (b) Integration and coordination at national and regional levels;
- (c) Cooperation and exchange of information;
- (d) Entry into port;
- (e) Use of ports;
- (f) Inspections and follow-up actions;
- (g) Role of flag States;
- (h) Capacity building;
- (i) Encouragement of non-Parties to adhere to the PSMA; and
- (j) Mechanisms for implementation of Part 9 of the PSMA.

3.2 Review the questionnaires (existing one for States and new one for RFBs), and to amend and improve them, as required.

4. Participation

The WGS is open to all Parties to PSMA and eligible observers pursuant to Rule 8 of the Rules of Procedure.

5. Chairperson

The Chairperson and the vice-Chairperson of the WGS shall be elected among the participating Parties at the start of the meeting.

6. Working arrangements

6.1 The language of the WGS shall be the six languages of the United Nations.

6.2 Parties and observers shall notify their intended participation in the meeting to the Secretariat at least 30 days prior to the meeting.

6.3 The provisional agenda shall be developed by the Secretariat in consultation with the Chairperson and Vice-Chairpersons of the Meeting of the Parties. Documents shall be made available at least 30 days prior to the meeting.

7. Expenses

The expenses shall be covered pursuant to Rule 11 of the Rules of Procedure.

8. Report

The WGS shall prepare a report on the outcome of the meeting at least 60 days before the Fourth Meeting of the Parties and other Meetings as decided by the Parties, as appropriate.

This document contains the report of the third meeting of the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, which was hosted by the European Union and held virtually from 31 May to 4 June 2021. The meeting was attended by 65 Parties to the Agreement and by observers from 44 States, 35 intergovernmental and 12 international non-governmental organizations.

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