



FAO Fisheries Instruments and Regional Fisheries Management Regional Training Course on UNCLOS 1982 Fisheries Perspective, SEAFDEC

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Basis for establishing international fisheries instruments for the conservation and management of common or shared fish stocks in particular in areas beyond national jurisdiction (ABNJ)



Examine international legal frameworks that support combating illegal, unreported and unregulated (IUU) fishing, with a focus on the FAO Agreement on Port State Measures (PSMA) and the FAO Compliance Agreement



Overview of Regional Fishery Bodies (RFBs) including Regional Fisheries Management Organizations (RFMOs): mechanisms for cooperation, how they are constituted and function, how they implement international fisheries instruments, and the outlook



Establish chain of custody to combat IUU fishing and how FAO global information systems support as verification systems and tools



How FAO supports implementation of international instruments of relevance to fisheries, such as Convention in International Trade in Endangered Species of Wild Fauna and Flora (CITES) in fisheries sector, with a focus on legal perspectives

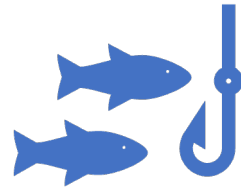
Basis for establishing international fisheries instruments for the conservation and management of common or shared fish stocks in particular in areas beyond national jurisdiction (ABNJ)

Mechanism under the UNCLOS 1982 to allow for its adaptation



Formal amendment procedures

*stringent requirements;
undermine the package deal.*



Implementing agreements

*the 1994 Part XI Agreement;
the 1995 UN Fish Stocks Agreement and ;
the BBNJ agreement.*



Provision for the obligation of States, acting through competent international organizations, to establish relevant international rules and standards in different areas

*inclusion of provisions calling on States to work through appropriate international organizations;
rule of reference;
regional organizations also play a role in the implementation of the Convention and related agreements, in particular RFMOs;
UN General Assembly annual resolution on oceans and law of the sea, and on fisheries;
International institutions created under the Convention, such as International Tribunal for the Law of the Sea (ITLOS) entrusted a regulatory rule.*

Mechanism under the Convention to allow for its adaptation



**Agreements
between States**



**State practice and
development of customary
international law**

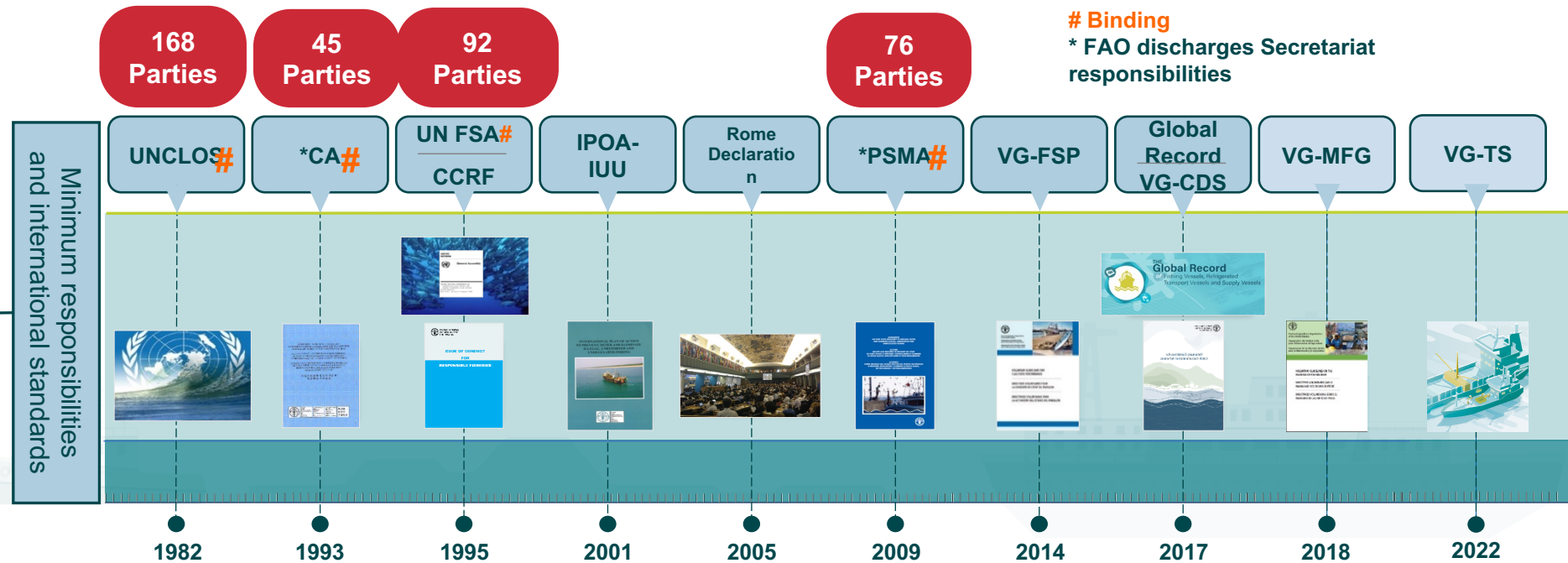
Examine international legal frameworks that support combating illegal, unreported and unregulated (IUU) fishing, with a focus on:

- the FAO Agreement on Port State Measures (PSMA); and
- the FAO Compliance Agreement

International legal frameworks to combat IUU fishing



Regional Fisheries Bodies

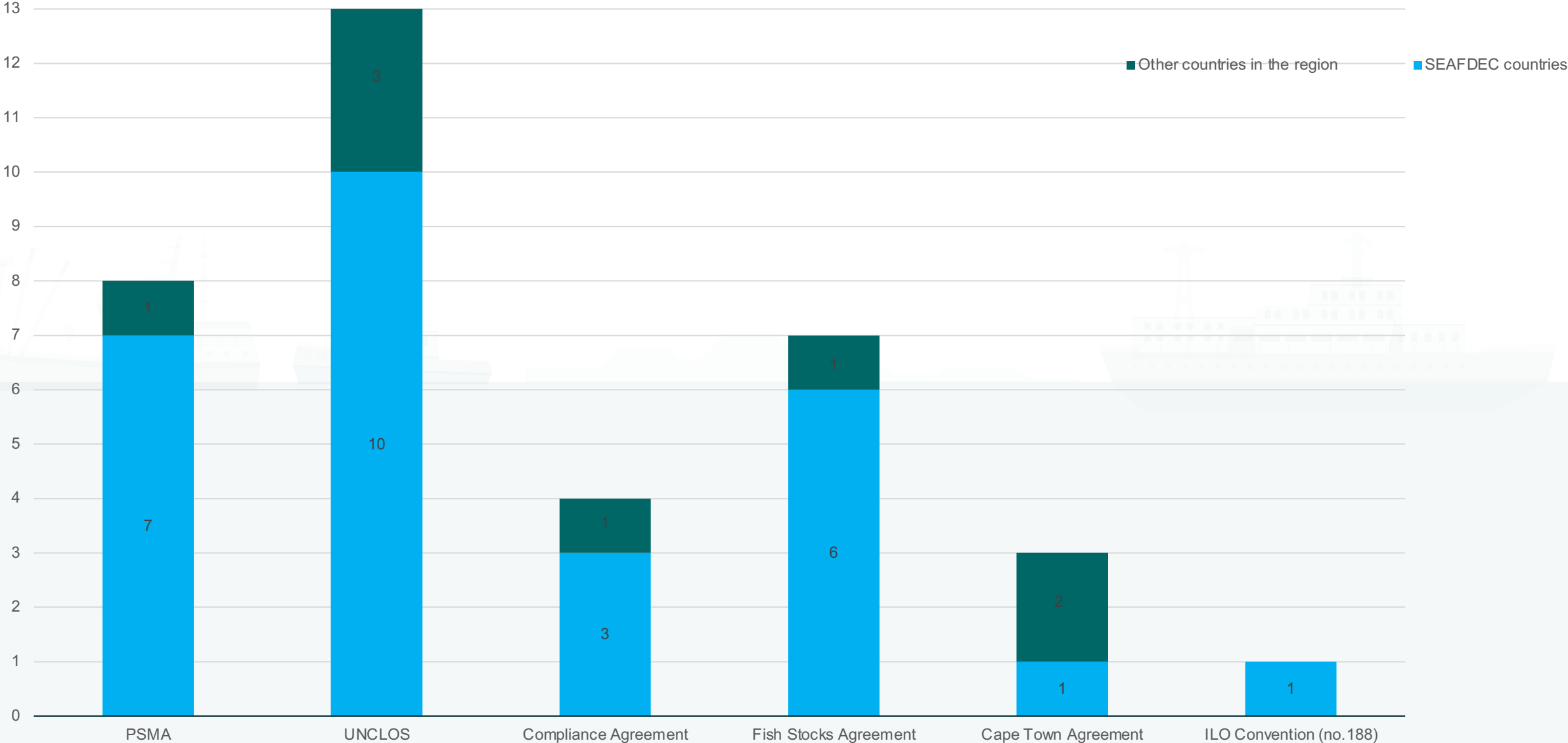


Target 14.4. By 2020, effectively regulate harvesting, and end overfishing, **illegal, unreported and unregulated (IUU) fishing** and destructive fishing practices (...) to restore fish stocks (...) to levels that can produce maximum sustainable yield (...)

Target 14.6. By 2020, prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to **illegal, unreported and unregulated (IUU) fishing** (...)



SE Asian countries Parties to international agreements



Principles and strategies for combatting IUU fishing

Para. 9 of the IPOA on IUU Fishing

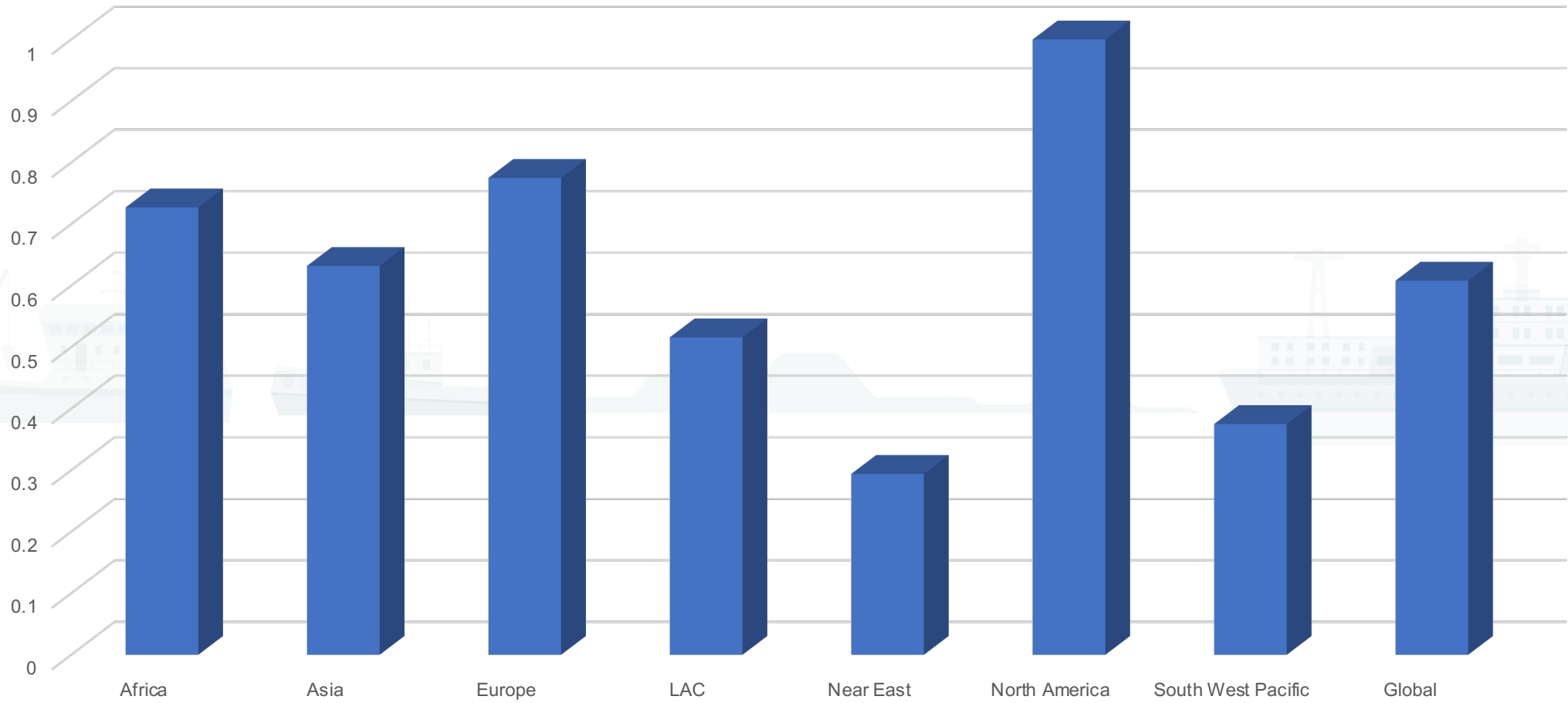
- Action by States individually or collectively and directly or through RFMOs, FAO or other bodies
- Phased implementation
- Comprehensive and integrated approach: exercising all available jurisdiction in accordance with international law in all relevant capacities
 - Flag State jurisdiction;
 - Coastal State jurisdiction;
 - Port State jurisdiction;
 - Market State jurisdiction;
 - Jurisdiction over natural and legal persons.

Objectives of the FAO Agreement on Port State Measures (PSMA)

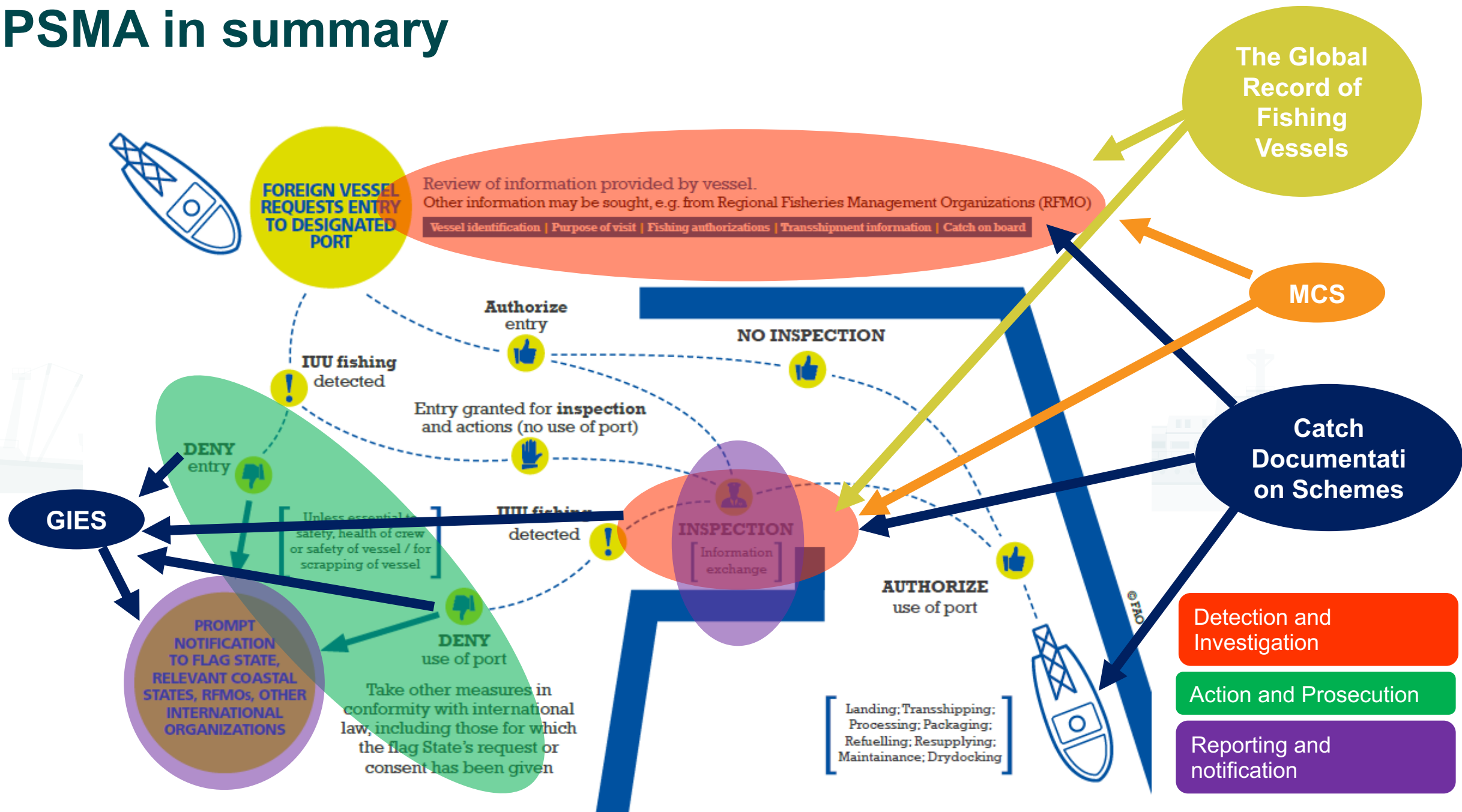


- First binding international agreement to specifically target IUU fishing
- Main objective is to prevent, deter and eliminate IUU fishing by preventing vessels engaged in IUU fishing from using ports and landing their catches
- Reduces the incentive of IUU fishing vessels to continue to operate
- Blocks fisheries products derived from IUU fishing from reaching national and international markets

Percentage of coastal States where PSMA is in force (by region)



PSMA in summary



Functioning of the PSMA

Meeting of the Parties (MOP)

MOP 1: Oslo, Norway, 29 – 31 May 2017

MOP 2: Santiago, Chile, 3 – 6 June 2019 (Rules of Procedures, TOR of Part 6 Working Group)

MOP 3: Brussels, Belgium, 31 May – 4 June 2021 (Review Conference)

MOP 4: Bali, Indonesia, 8 - 12 May 2023 (Bali Strategy and GIES operational by end of 2023)

MOP 5: Ecuador, May 2025

Strategy Working Group

1st meeting: Rome, Italy, 3 - 7 April 2023

2nd meeting: XX, March 2025

Technical Working Group on Information Exchange

1st meeting: London, UK, 16 – 18 April 2018

2nd meeting : Seoul, Korea, 15 – 17 May 2019

3rd meeting: Rome, Italy, 13 - 14 December 2022

4th meeting: Panamá, March 2024

Part 6 Working Group

1st meeting: Oslo, Norway, 1 – 2 June 2017

2nd meeting: Rome, Italy, 5 – 6 July 2018

3rd meeting: Santiago, Chile, 7 June 2019

4th meeting: Rome, Italy, 4 April 2023

5th meeting: XX, March 2025

Objectives of the Compliance Agreement

In the early 1990s, two issues of concern:

- the conservation and management of straddling fish stocks and highly migratory fish stocks;
- reflagging of fishing vessels



Compliance Agreement (adopted in 1993)



- flag State assumes jurisdiction in respect of administrative, technical and social matters concerning vessels;
- very brief on CMM of living

Resources on high seas



Elaborate on roles and responsibilities to control over vessels

Features of the Compliance Agreement

➤ Field of application

- Vessels 24 meters in length or more
- High seas
- All species

➤ Main target and requirements

- Flag States
- Many new obligations
 - Obligatory licensing, maintain record, proper marking, detailed information on catches/landings;
 - Transfer of information to FAO (global ship registry of vessels fishing on HS)

➤ Dispute settlement

- Consent of all parties is required in each instance before referring to ICJ, ITLOS, or arbitration.

➤ Entry into force

- 25 instruments of acceptance (only in 2003).
- As of today, 45 Parties.

Requirements of the Compliance Agreement

Specific Requirements

➤ **Flag State responsibilities (Article III)**

Parties to ensure that fishing vessels entitled to fly their flag do not engage in any activity that undermines international conservation and management measures.

➤ **Fishing authorization (Article III (2-6))**

Parties shall only allow its vessels to fish on the high seas with an authorization.

➤ **Record of fishing vessels (Article IV)**

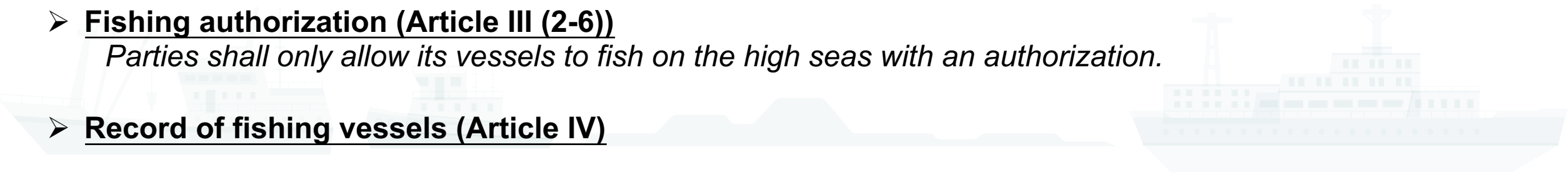
➤ **Marking of vessels (Article III (6))**

➤ **Reporting (Article III (7)) and exchange of information (Article VI)**

information regarding high seas fisheries outlined in Article VI made available to FAO.

➤ **Enforcement (Article III (8))**

Parties shall take enforcement measures against any of their flag vessels that act in contravention of the agreement provisions.



Challenges for Strengthened Implementation

Challenges

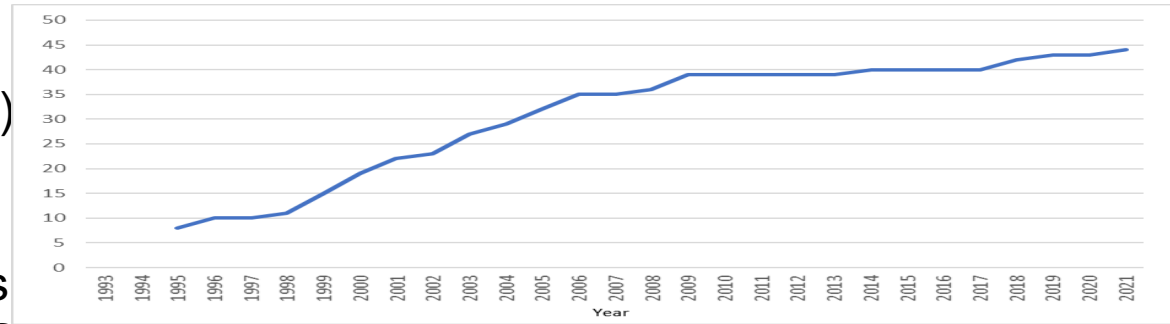
- Number of Parties
44 State Parties + EU (hidden Parties)

- No Institutional set-up

- No article on monitoring, review and assess

Problem when compared to 1995 UN Fish Stocks Agreement and 2009 FAO Port State Measures Agreement

- HSVAR: dormant system



Relevance and Importance of the Agreement

- Compliance Agreement is basic steppingstone of present-day conservation and management system of living resources on the high seas, i.e. flag State jurisdiction and still play a central role in international law on fisheries conservation and management on the high seas;

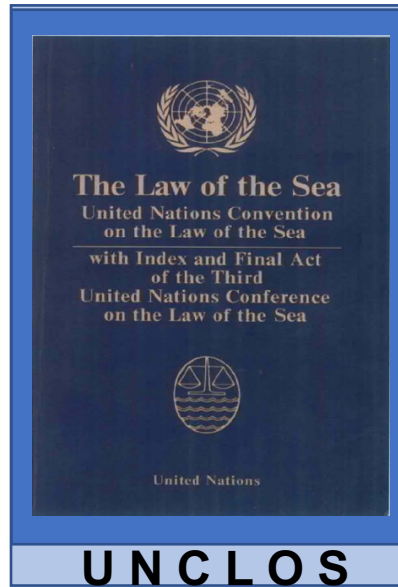
- Agreement needs to be revamped

- database to host information exchanged under the Compliance Agreement (Global Record to serve for information exchange under the Agreement);
- Meeting of the Parties

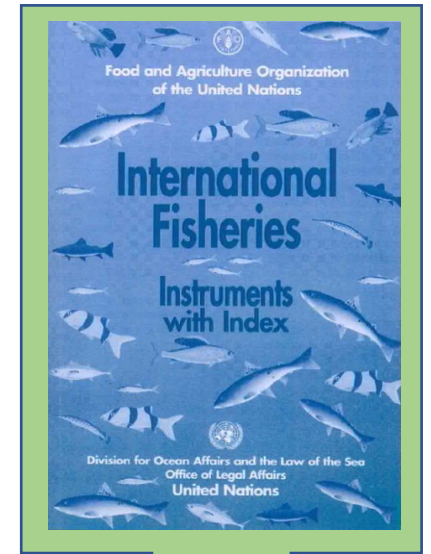
Overview of Regional Fishery Bodies (RFBs) including Regional Fisheries Management Organizations (RFMOs):

- mechanisms for cooperation;
- how they are constituted and function;
- how they implement international fisheries instruments; and
- the outlook.

UNCLOS basis for cooperation between coastal and fishing States on fisheries

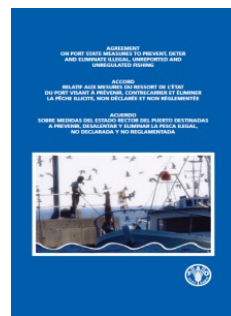
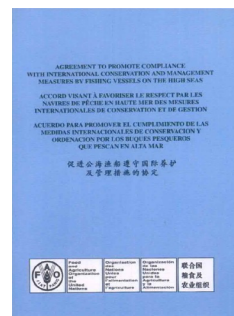


- Art 63 – directly or via **sub regional or regional organizations** for the **conservation of straddling fish stocks** or associated species in EEZs and in adjacent to the zone
- Art 64 – directly or via **international organizations** with a view to ensuring conservation and promoting optimum utilization of Annex I species
- Art 118 – States to cooperate in conserving and managing high seas living resources



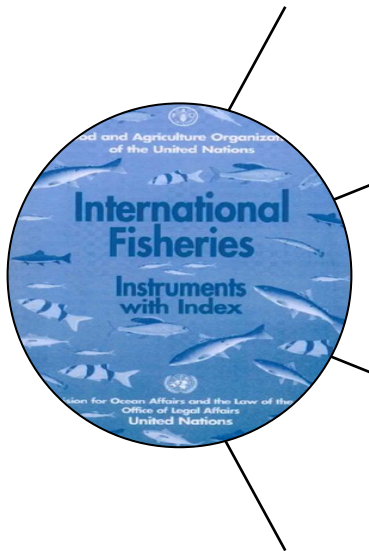
UNFSA

Compliance Agreement



Port States Measures Agreement

UNFSA requirements on cooperation for fisheries conservation and management



Primary role of RFMOs – articles 8 and 9



- Establish RFMOs if none exists
- States to become members or **participants**

Functions of RFMOs – technical and operational – article 10



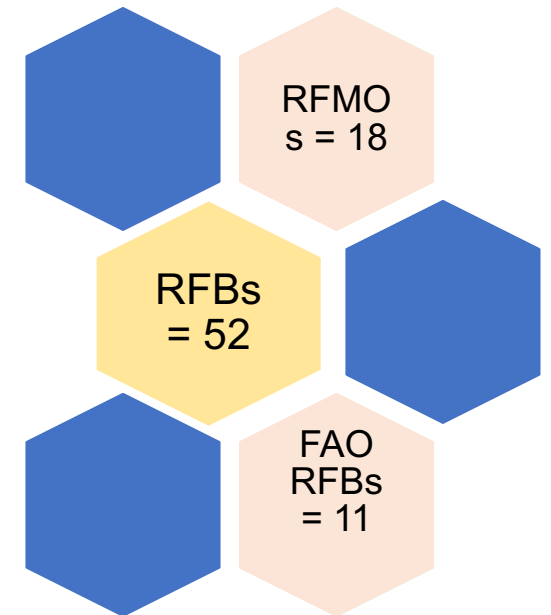
- **Ensure long term sustainability** of stocks and agree as appropriate on participatory rights
- Adopt/apply minimum standards for fishing

Non members/parties or non participants – article 17

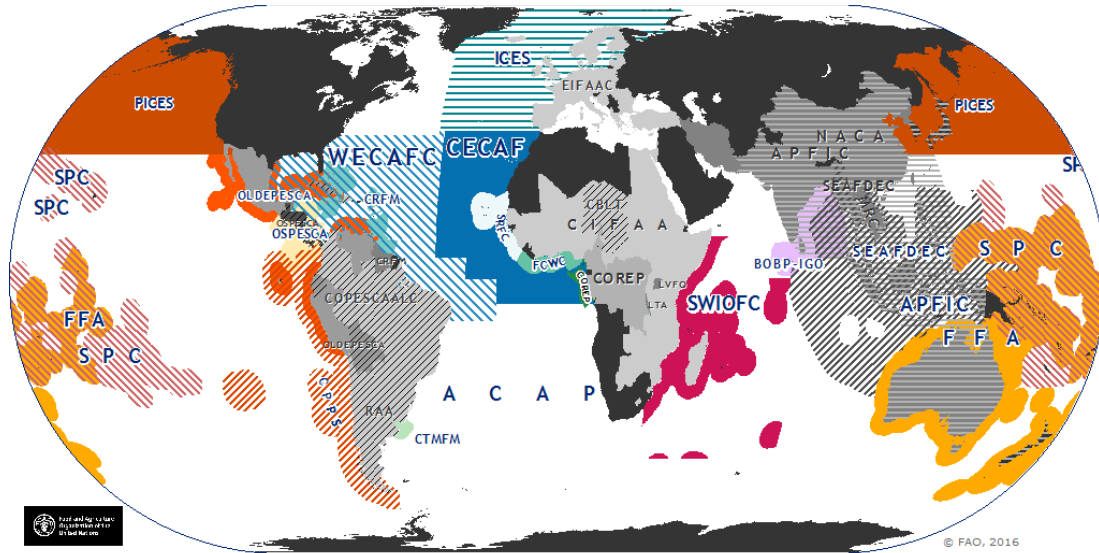


- Are not discharged from their obligations to cooperate
- Cannot authorize vessels to fish in area where RFMO measures apply
- **Fishing entities** can be asked to cooperate

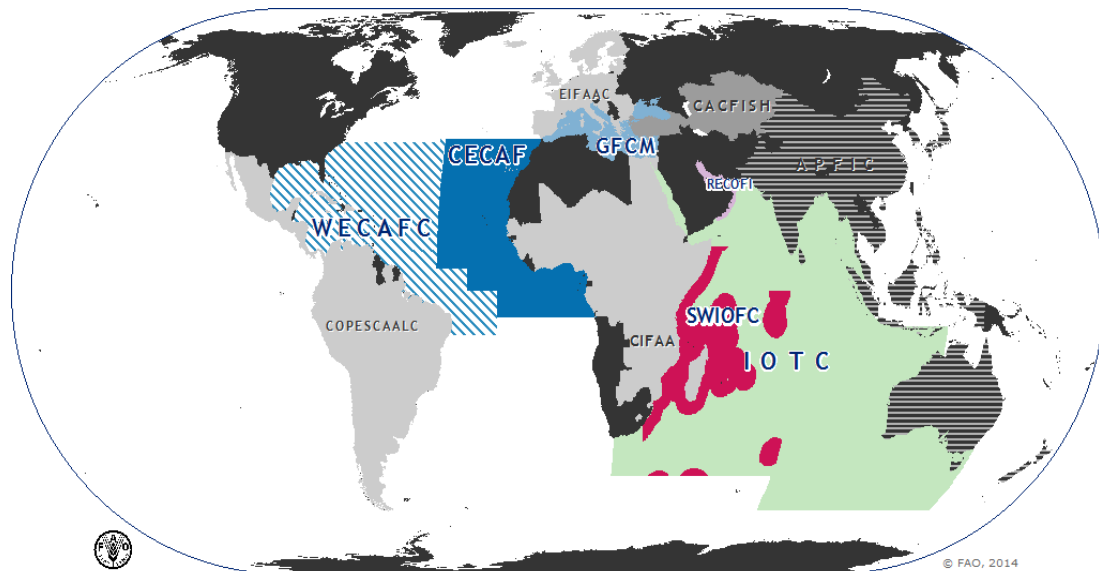
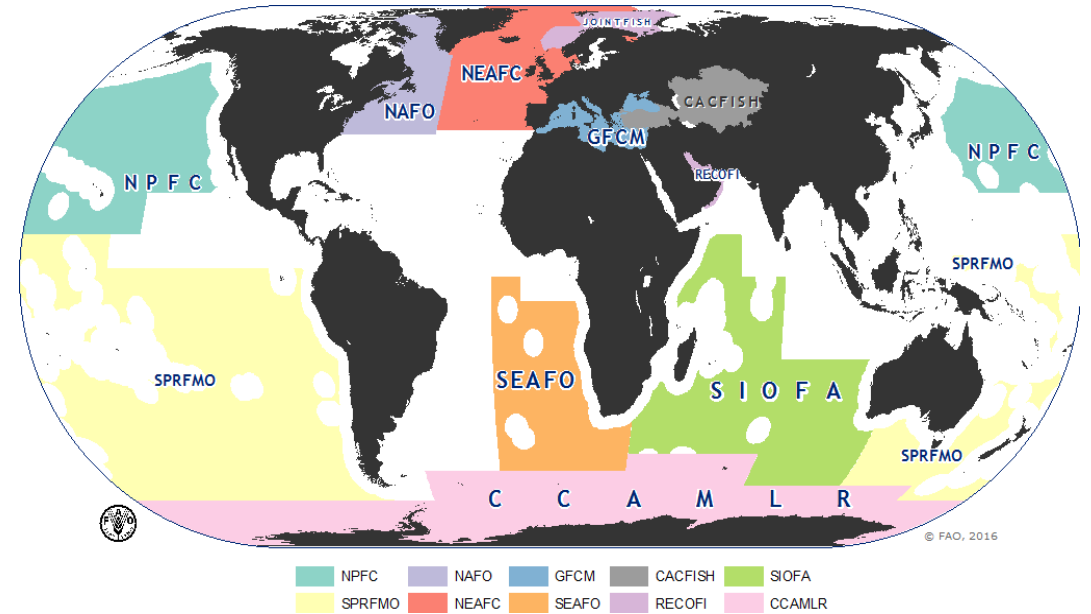
Regional Fishery Bodies including RFMOS



Regional Fishery **Advisory** Bodies (RFBs)



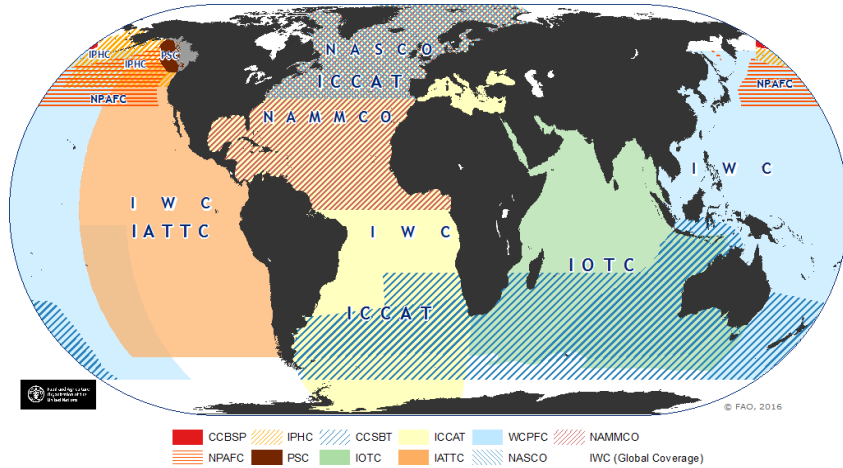
Regional Fishery **Management** Organizations (RFMOs – non species-specific)



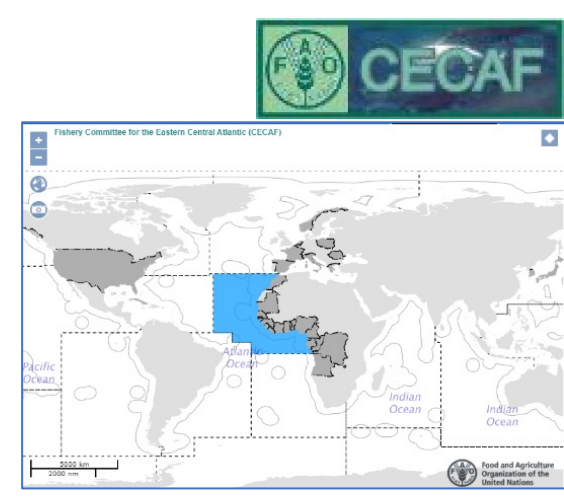
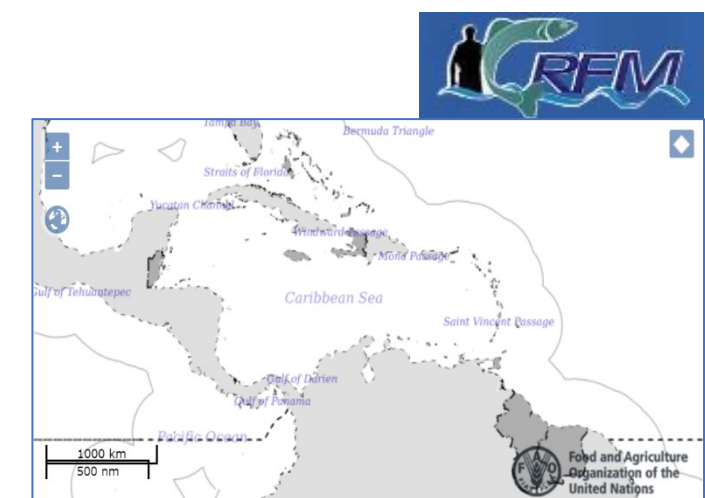
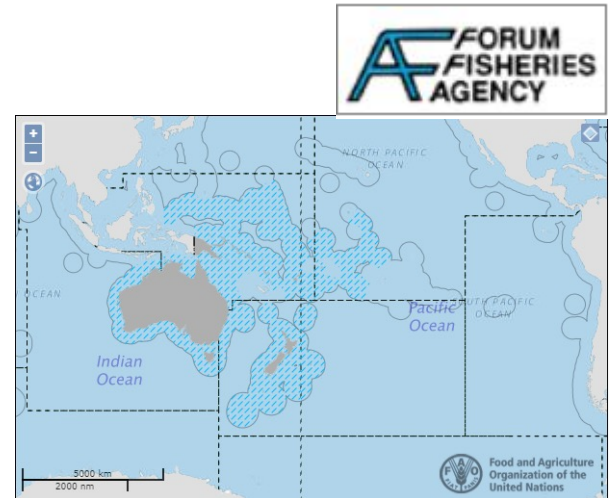
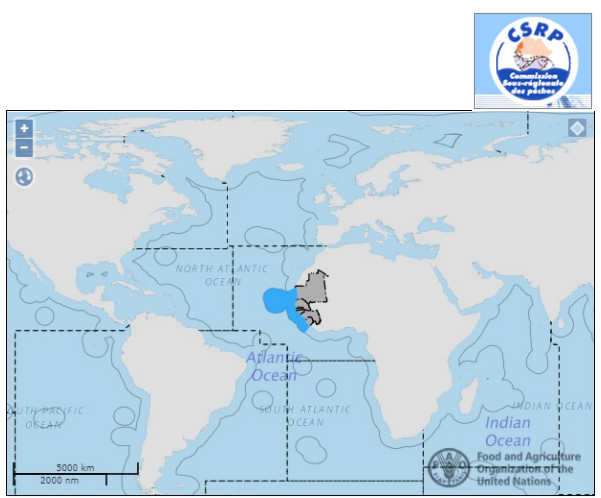
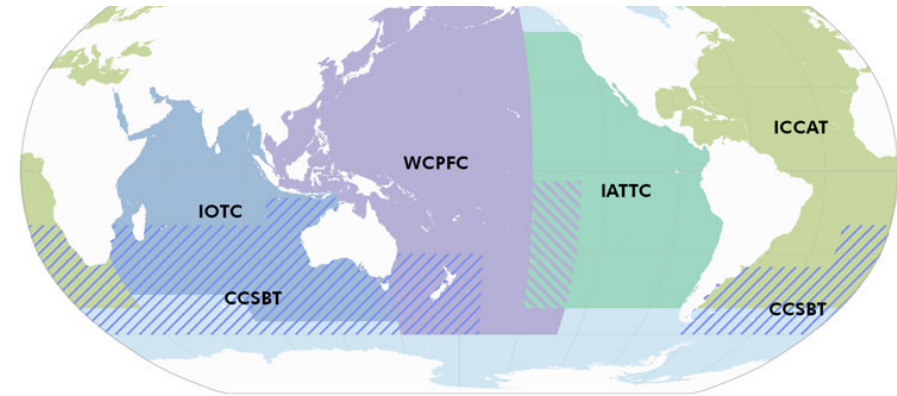
FAO **Advisory** Bodies (Art VI – FAO Constitution) and FAO **Management** Bodies (Art XIV- FAO Constitution)

Regional Fishery Management Organizations (RFMOs – species specific)

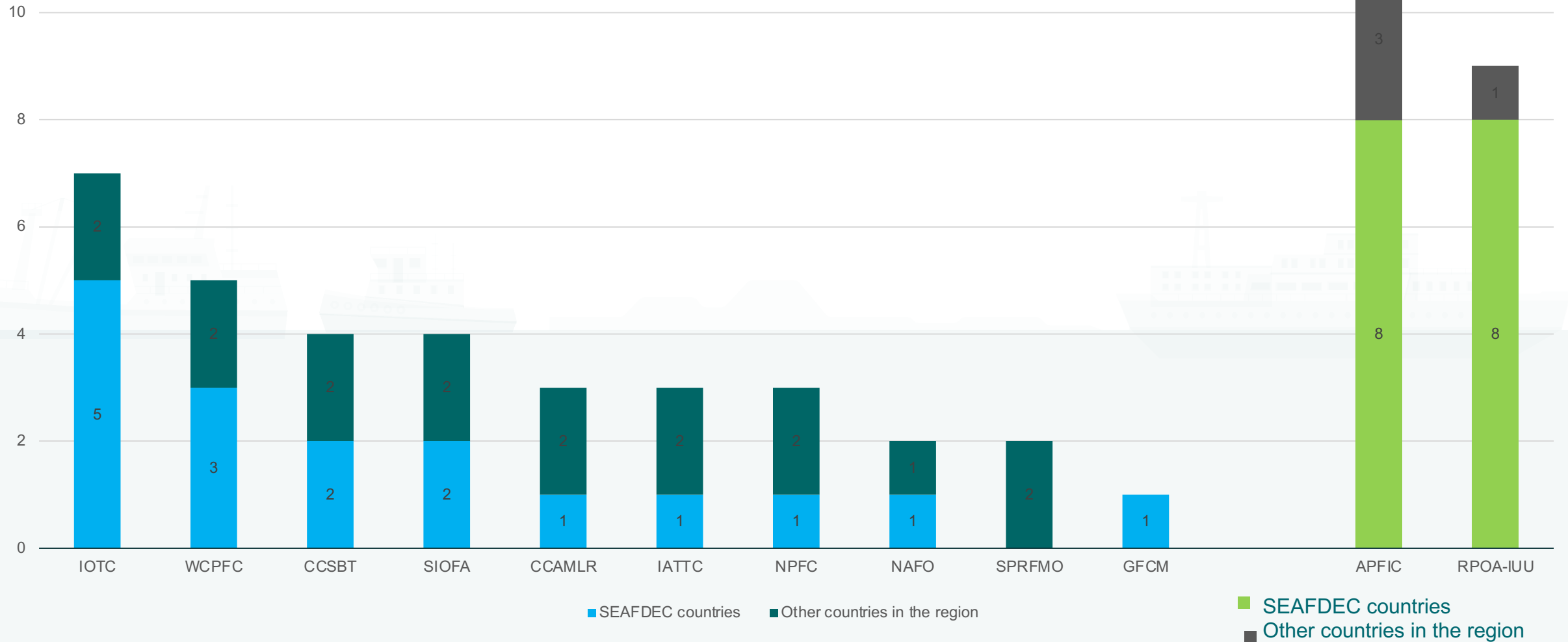
Species Specific RFMOs (i.e. halibut, salmon, marine mammals, etc.)



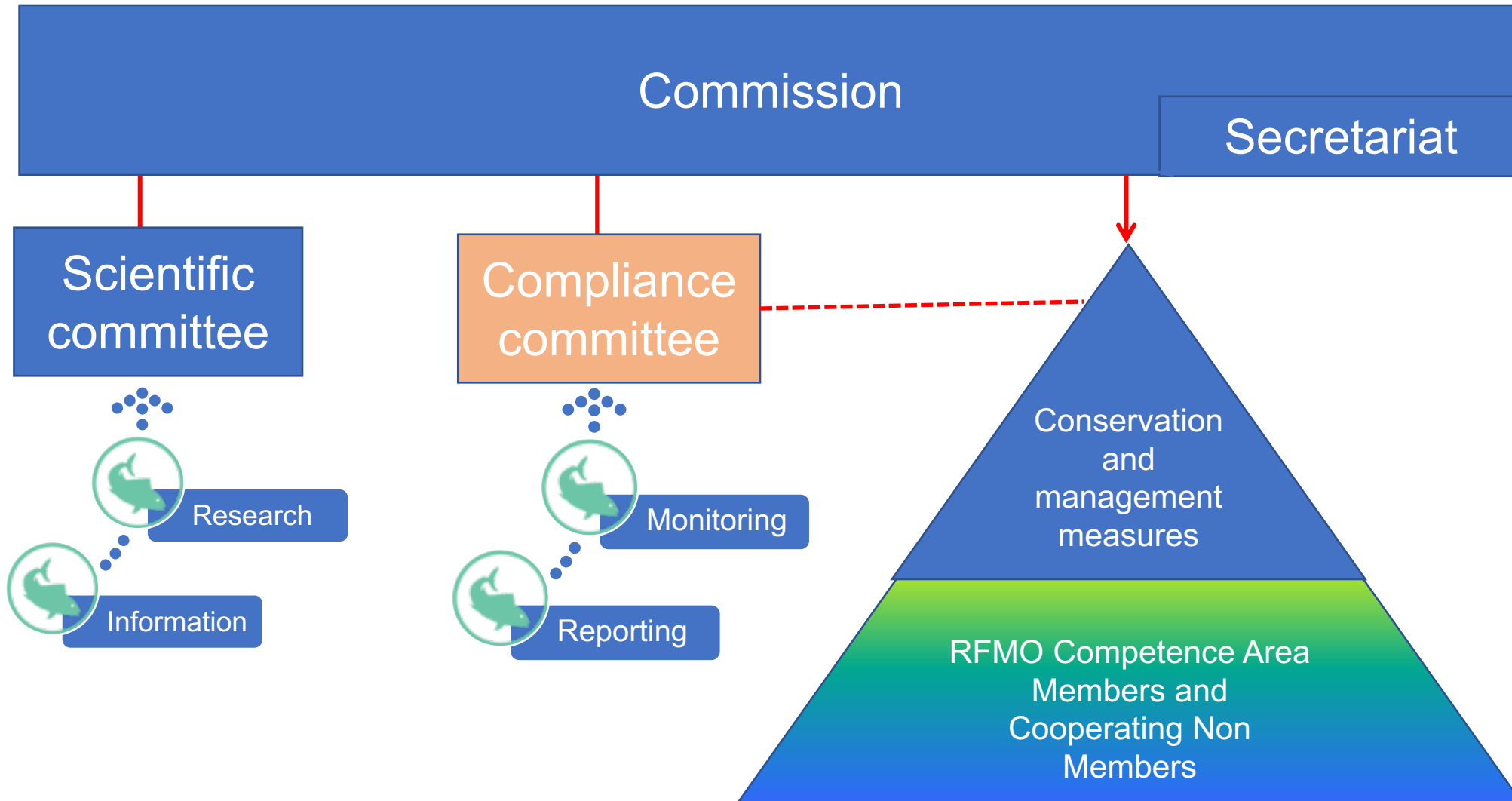
Species Specific RFMOs: tuna RFMOs



RFMO and RFAB membership – SE Asia

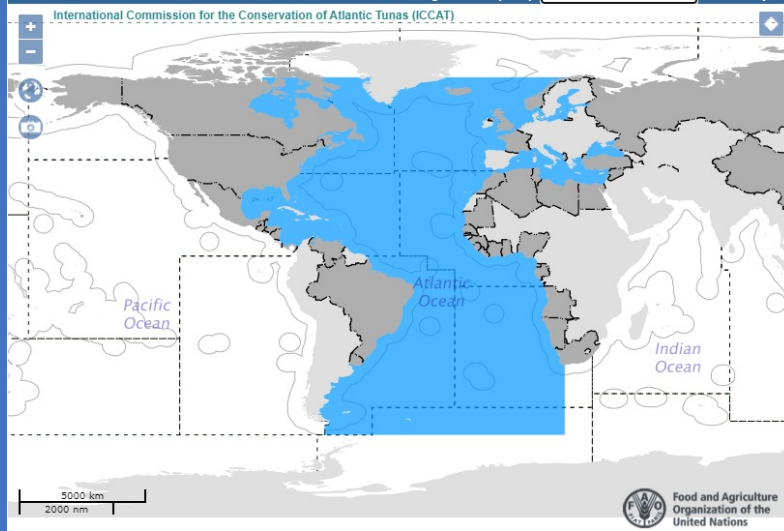


Regional Fisheries Management Organizations (RFMOs)

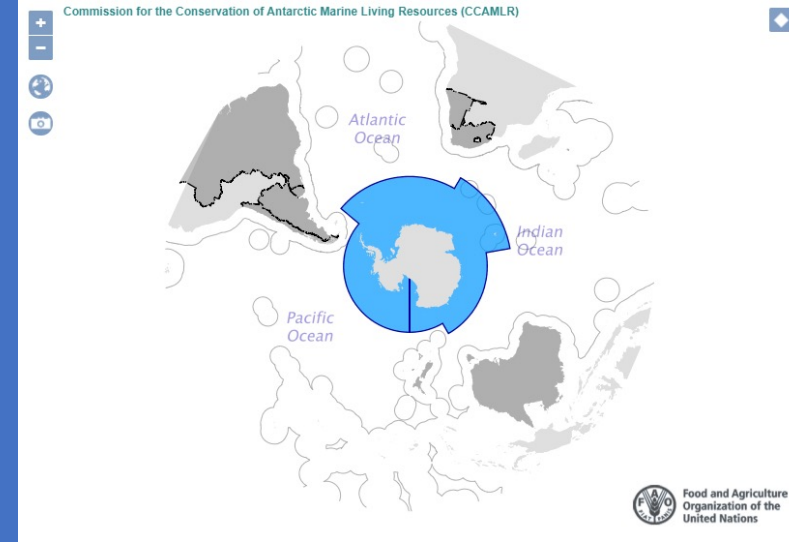


SELECTED RFMOs

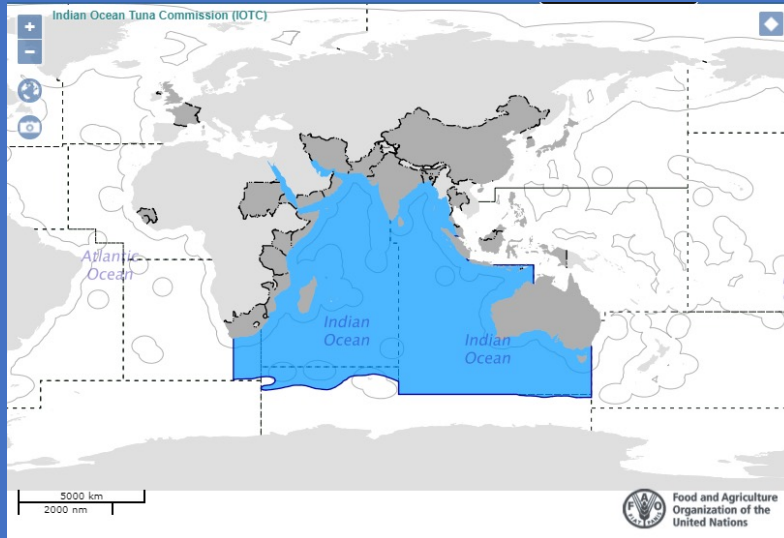
ICCAT



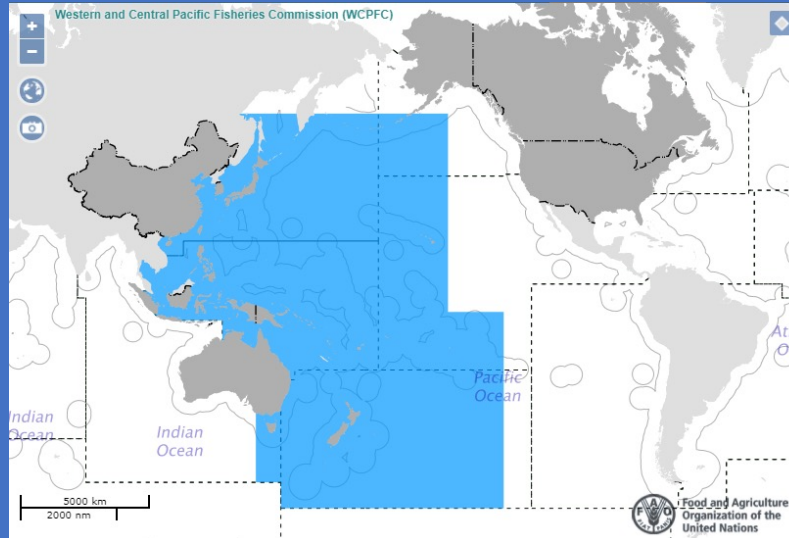
CCAMLR



IOTC



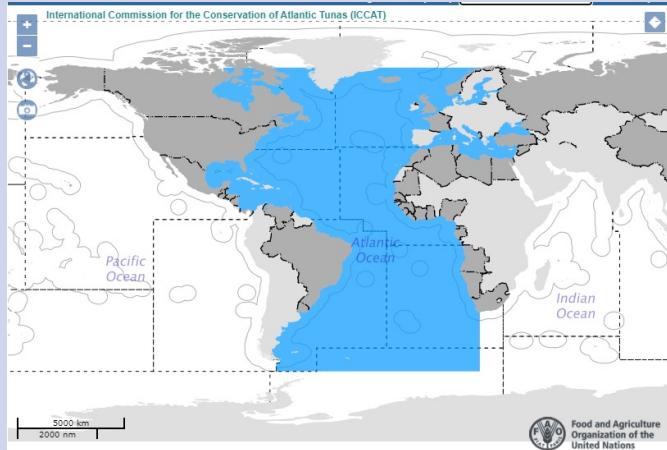
WCPFC



SELECTED RFMOs - ICCAT

Facts and features

ICCAT



- **Record of vessels**

Recommendation 21-14 (LOA 20 meters and above)

- **Monitoring**


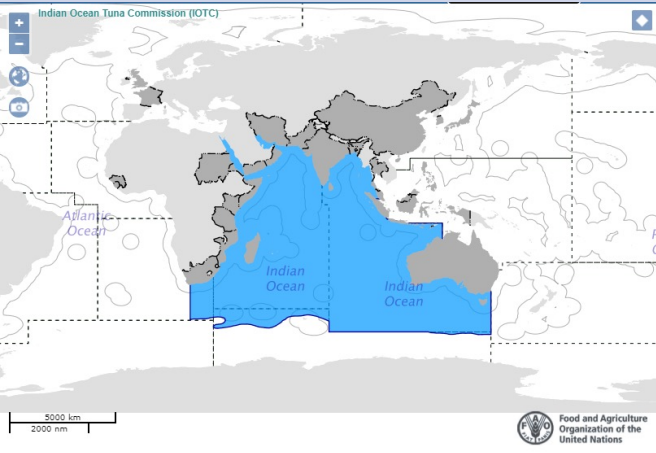
- *Recommendation 03-13*
- *data recording system, electronic logbook (over 24 meter LOA), VMS*

- **Port inspection regime**

- *Recommendation 18-09*

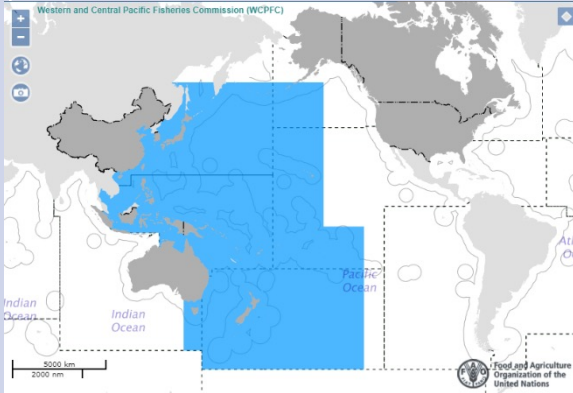
- The International Convention for the Conservation of Atlantic Tunas, signed 14 May 1966, entered into force 21 March 1969
- **Objectives:**
 - cooperate to maintain the population of tunas and tuna-like species at levels that will permit the maximum sustainable catch for food and other purposes
- **Area of competence:** Atlantic Ocean and the adjacent seas
- **Species covered:** Tuna and Tuna-like species
- **Commission Structure**
 - *Commission*
 - *Conservation and Management Measures Compliance Committee*
 - *Standing Committee on Research and Statistics*
- **Interesting features:**
 - Adopted resolution, which requires the **application of an ecosystem-based approach** in its recommendations.
 - Developed multiple research programmes and training workshops to improve data collection and analysis in developing countries.
- **IUU Fishing Vessel List**
 - Has an IUU fishing vessel list - <https://www.iccat.int/en/IUUlist.html>
- **Ecosystem Approach to Fisheries (EAF)** – Has specific resolution on applying the EAF: <https://www.iccat.int/Documents/Recs/compendiopdf-e/2015-11-e.pdf>

SELECTED RFMOs - IOTC

	Facts and features
<p data-bbox="78 248 163 344">IOTC</p>  <p data-bbox="53 505 188 536">iotc ctoi</p>  <ul data-bbox="275 753 764 1425" style="list-style-type: none">• Record of vessels <i>Resolution 19/04 (LOA 24 meters and above, or operate in ABNJ)</i>• Monitoring<ul data-bbox="369 1033 733 1290" style="list-style-type: none">➤ <i>Resolution 15/01 and 15/03</i>➤ <i>data recording system, paper or electronic logbook, VMS</i>• Port State measures <i>Resolution 16/11</i>	<ul data-bbox="907 248 2476 1428" style="list-style-type: none">• Established in 1993 - 105th Session of the Council of the FAO under Article XIV of the FAO constitution. The Agreement for the Establishment of the Indian Ocean Tuna Commission, signed 25 November 1993 - entered into force 27 March 1996.• Objectives:<ul data-bbox="1003 502 2476 639" style="list-style-type: none">• To promote cooperation among its members with a view to ensuring, through appropriate management, the conservation and optimum utilization of stocks covered by the Agreement• Area of competence:<ul data-bbox="1003 702 2435 739" style="list-style-type: none">• The Indian Ocean and adjacent seas, north of the Antarctic Convergence• Species covered:<ul data-bbox="1003 805 2354 942" style="list-style-type: none">• Tuna and tuna like species as listed including narrow-barred Spanish mackerel, Indo-Pacific king mackerel, Indo-Pacific blue marlin, black marlin, striped marlin, Indo-Pacific sailfish and swordfish.• Commission Structure<ul data-bbox="1003 1008 2369 1199" style="list-style-type: none">• Article XIV Body (FAO Constitution)• Commission made up of Representatives of parties• Compliance Committee (COC); Scientific Committee; Working parties• Taiwan Province of China participates as the Fishing Fleet of Taiwan• IUU Fishing Vessel List<ul data-bbox="1003 1265 2476 1428" style="list-style-type: none">• Has an IUU Fishing Vessel List – https://iotc.org/sites/default/files/documents/compliance/vessel_lists/IUU%20lists/IOTC%20IUU%20Vessels%20List_20230525EF.pdf• Ecosystem Approach to Fisheries (EAF) – Adapted resolutions

SELECTED RFMOs - WCPFC

WCPFC
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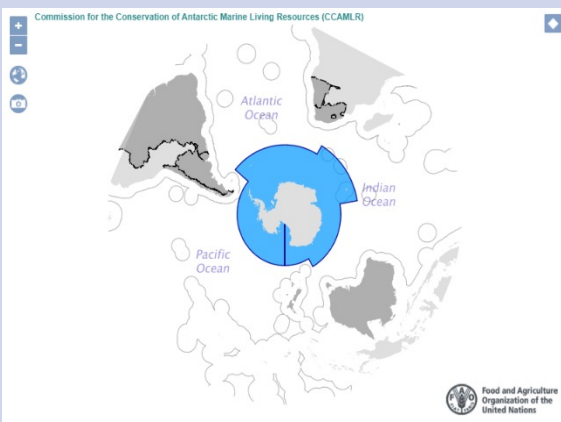
- **Authorization and record of vessels**
 - *CMM 2018-06*
 - *Article 24 (4) of the WCPFC Convention*
- **Monitoring**
 - *CMM 2014-02*
 - *Vessel monitoring system-Commission VMS*
- **Port State Measures**
 - *WCPFC 2017-02*

Facts and features

- Western Central Pacific Fisheries Commission
- **Objectives:**
 - Ensure long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean
- **Area of competence:**
 - (As represented on map)
- **Species covered:**
 - highly migratory fish stocks in the western and central Pacific Ocean
- **Commission Structure**
 - Commission (Representative of Members) and 2 chamber system for voting by Parties if no consensus
 - Scientific Committee
 - Compliance Committee
 - Cooperating non members
- **IUU Fishing Vessel List**
 - IUU Fishing Vessel List:
 - <https://www.wcpfc.int/wcpfc-iuu-vessel-list>
- **Other features**
 - First RFMO established after UNFSA entered into force
 - Majority of developing coastal States and SIDS members
 - First RFMO with a **fishing entity** as a Member

SELECTED RFMOs - CCAMLR

CCAMLR



- **Authorization of vessels**
 - *C10-02 (2016)*
- **Monitoring**
 - *Conservation Measure 10-04 (2018)*
 - *automatic location communicators (ALCs) and forward VMS reports*
- **Port State measures**
 - *Conservation Measure 10-03*

Facts and features

- Convention on the Conservation of Antarctic Marine Living Resources - 1980
- **Objectives:**
 - The conservation of Antarctic marine living resources *including seabirds*
- **Area of competence:**
 - Antarctica south of the Antarctic convergence
- **Species covered:**
 - All living marine resources *including seabirds*
- **Commission Structure**
 - Commission made up of Representatives of parties
 - the Scientific Committee
 - Standing Committee on Implementation and Compliance
 - Standing Committee on Administration and Finance
- **IUU Fishing Vessel List**
 - Introduced the concept of IUU fishing
 - Adopted specific IUU fishing measures including the Party and Non Party IUU fishing vessel list and the control of nationals
 - Has an IUU Fishing Vessel List: **Contracting Party IUU List:** https://www.ccamlr.org/sites/default/files/vessels/Contracting_IUU_Vessel_List.pdf?v=944345939
 - **Non Contracting Part IUU List:** <https://www.ccamlr.org/en/compliance/non-contracting-party-iuu-vessel-list>
- **Ecosystem Approach to Fisheries (EAF)** – recognised as a leading international organisation in developing best-practice in the EAF – EBFM in



RFMOs - Challenges and opportunities outlook

BBNJ - RFMOs are the backbone of cooperation in fisheries – will continue to be relevant even in the BBNJ context. BBNJ process and outcome not to undermine existing mechanisms and agreements

EAF - Balance sustainable utilisation using a biodiversity, environmental and ecosystem approach lens

RFMO Performance Review - Continuous need for improvement in performance

- Broader Mandate – include biodiversity /EAF
- Transparency (participation)
- Implementation and compliance

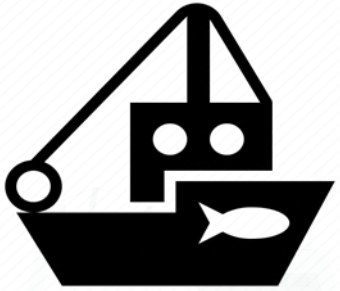
IUU Fishing - RFMOs have a pivotal role to play in the fight against IUU fishing. Promote adherence to and implementation of the **PSMA** and related instruments to combat IUU fishing

SDGs - RFMOs are key institutions in managing international fisheries and thus have the potential to play a significant role in realizing the attainment of SDGs, in particular SDG 14.

Establish chain of custody to combat IUU fishing and how FAO global information systems support as verification systems and tools

Establishing chain of custody to combat IUU fishing

1



VESSEL

-Establish the identity of the fishing vessel

-fishing vessel have all necessary authorizations

2



CATCH

-Establish the identity and quantity of the fish

-timing, location and method of capture is legal

3



TRANS-SHIPMENT

-Establish the identity of the transport vessel receiving the fish

-Confirm the identity of the fish

- Establish the details (who, what, when and where) of the landing event

-Document the transfer event and its compliance with relevant laws

4



LANDING

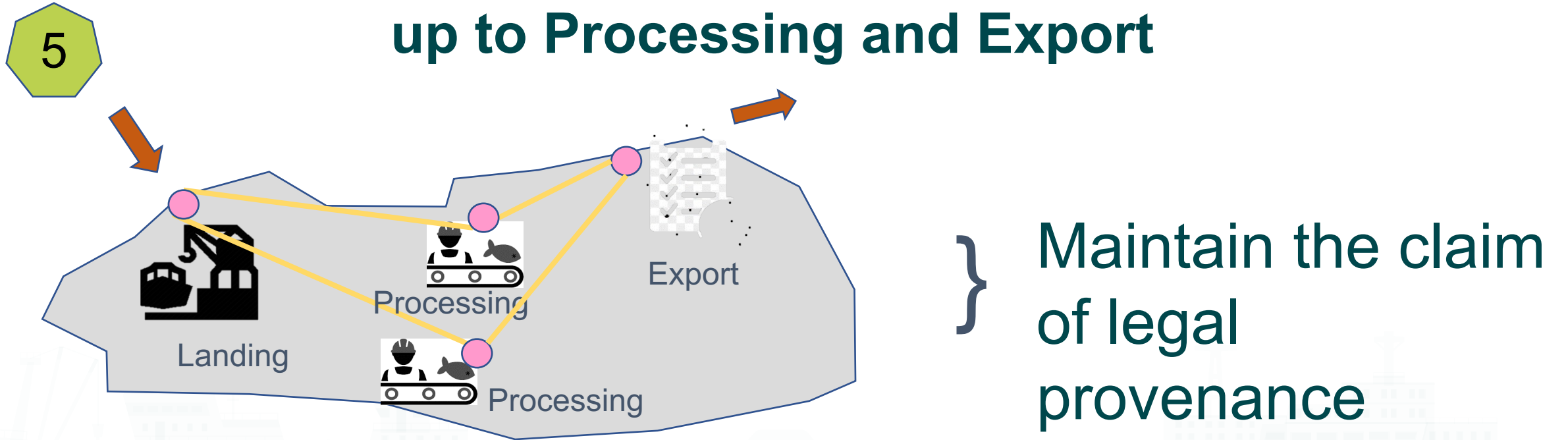


PROCESSING & EXPORT

5



Functional Requirements for Product Tracking up to Processing and Export

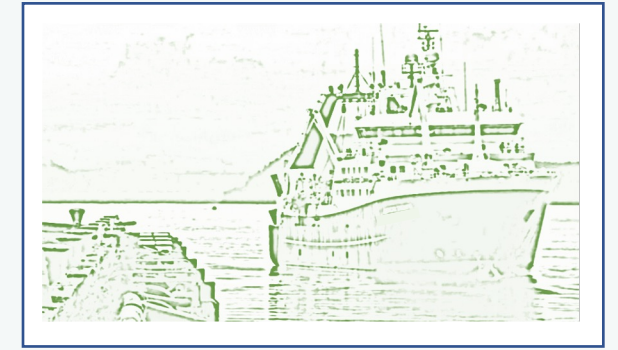
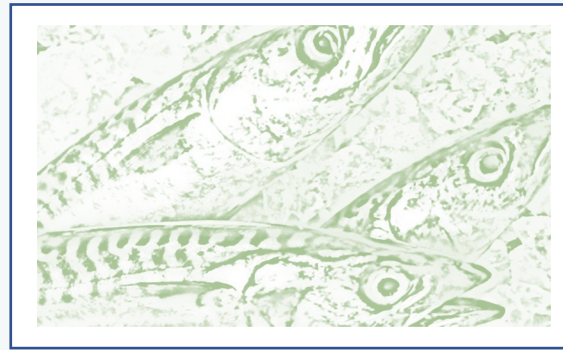


- Prevent overuse of legal certification documents (mass balance/yield checks)
- Prevent substitution/mixing of certified and uncertified material (maintain batch integrity)
- Establish an auditable domestic chain of custody

Data Verification

There will be a higher risk of failing to detect IUU fishing and its products in trade if:

- the tools and systems available for verification are insufficient, or
- these tools and systems are not used (or under-used)



Examples of Verification Tools and Systems

- Vessel records
- Fishing license database
- Logbook reporting
- Observer reports
- VMS
- Transshipment authorization system
- Landing authorization system
- Inspection records
- Licensed fish receiver reports

For each tool or system:

- Does it exist?
- Which key data elements does it inform?
- Access permissions?
- Speed of response?
- Linkages between systems?

FAO Global Information Exchange Systems



PSMA Information Exchange

- **PSMA Apps** to share data on Designated Ports and National Contact Points (article 7 and 16)
- **Global Information Exchange System (GIES)** (article 15 and 16)
 - *Operationalization by end of 2023*

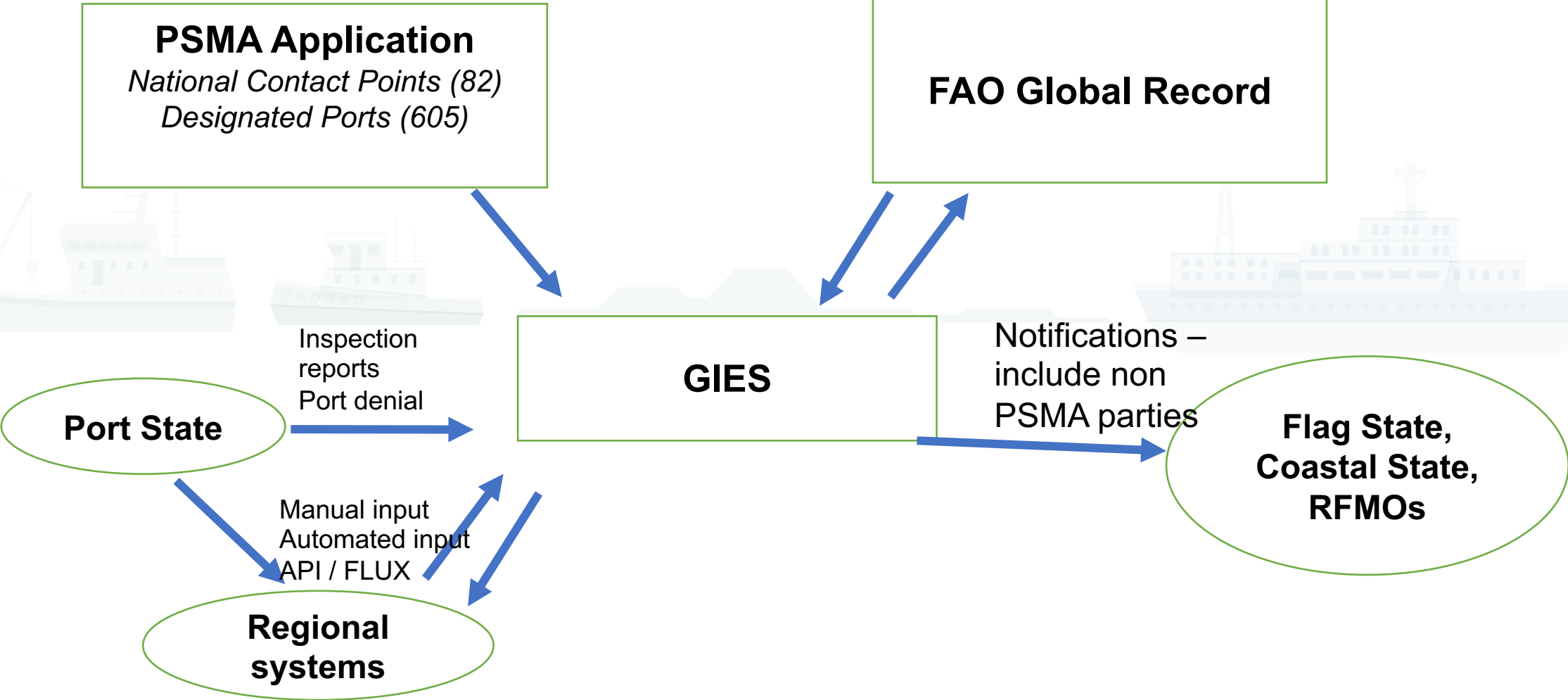


Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels

Supporting the implementation of the PSMA and other instruments to combat IUU fishing:

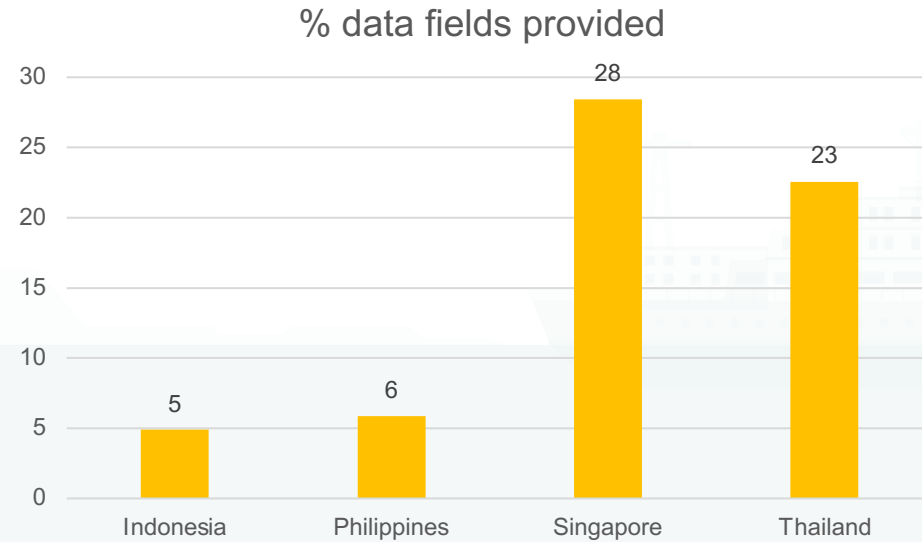
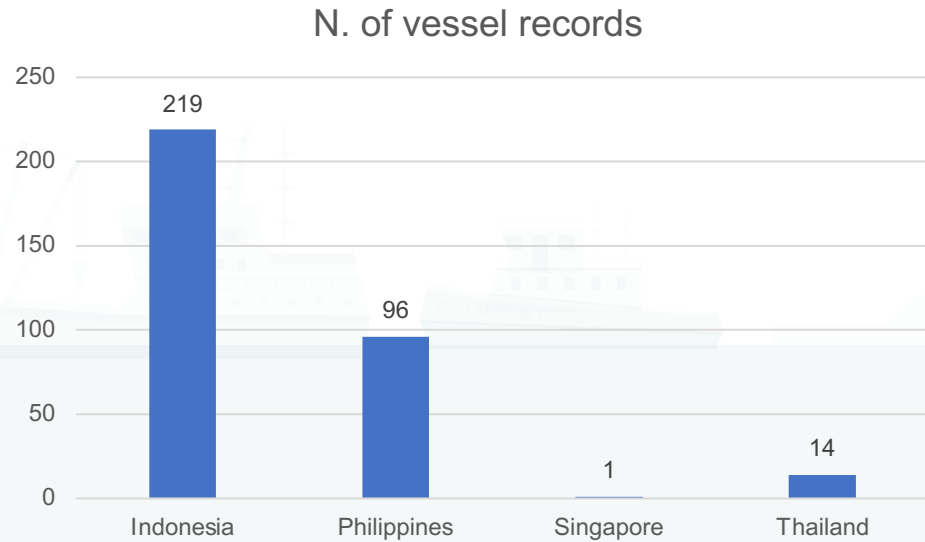
- *Verification of vessel and authorisation information*
- *Risk analysis from historical and compliance information*
- *Linkage between vessel and port State inspection information and results*
- *Parties and non-parties to international instruments*
- *Other surveillance information (Coastal State)*

FAO Global Information Exchange Systems



Global Record: status of participation

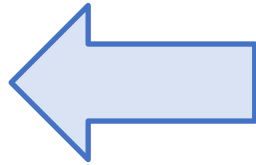
SEAFDEC Members



How FAO supports implementation of international instruments of relevance to fisheries, such as Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in fisheries sector, with a focus on legal perspectives

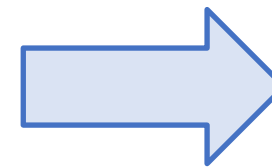
FAO implementation of instruments of relevance to fisheries

Study



Awareness-raising Knowledge-sharing product

- provides an understanding of the actual CITES regime and how it links to the fisheries sector and related issues
- with a view to developing an appreciation of the potential role that **CITES regulatory approaches and tools can play in the fisheries sector** and vice versa



Guide

CITES implementation Practical guidance tool

- support in reviewing relevant legislation and ensuring that key elements of CITES are taken into account or incorporated in legal provisions
- implementing CITES by enhancing national fisheries legal frameworks

Available at

<https://www.fao.org/3/cb1906en/cb1906en.pdf>

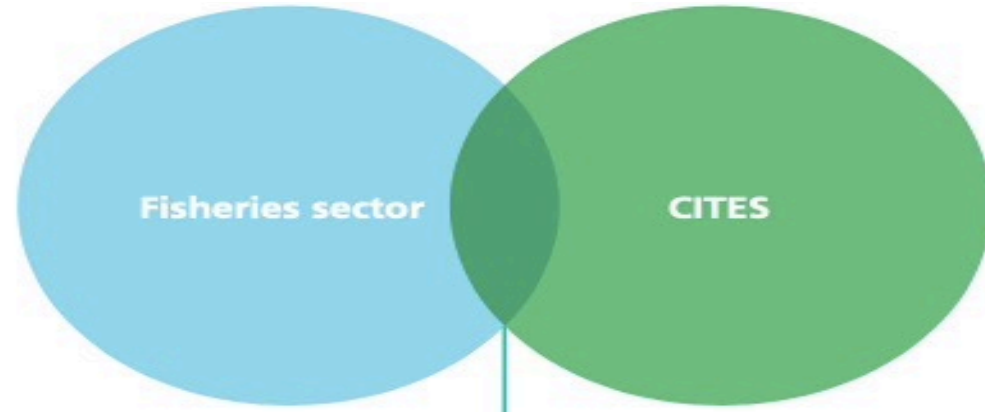
FAO support in implementation of CITES

INTERACTION

CONVERGENCE

Page 13 of the Study

OPPORTUNITIES FOR COLLABORATION



International trade	Purpose	Resource	Fish origin
Inter-States transaction	Commercial	Listed aquatic species	Areas within national jurisdiction
→ Import	→ Food market	→ CITES Appendix II	→ Inland areas and waters, internal waters, archipelagic waters and territorial sea, EEZ or other declared 200 nm maritime zone (e.g. exclusive fishery zone)
→ Export	→ Ornamental	→ CITES Appendix III	→ Seabed and subsoil of the (outer) continental shelf
→ Re-export	Non-commercial		Areas beyond national jurisdiction
One-State transaction	→ Scientific	→ CITES Appendix I	→ High seas: water column > EEZ (where established)
→ Introduction from the sea	→ Educational		→ The "Area": seabed/subsoil seaward of the continental shelf

Table 4
Correlations between outputs of the CITES regime and fisheries management

Outputs	
CITES Regime	Fisheries Management
<ul style="list-style-type: none"> • MA / SA • NDF (SA) • LAF (MA) • Compliance with national legal frameworks that implement CITES • Confiscation of specimens (MA or Enforcement Authority) • Voluntary export quota of CITES-listed species 	<ul style="list-style-type: none"> • FA • Stock assessments (FA or RFB) • CDS, certificate or fishing authorizations e.g. licences, permits or quotas (FA or RFB) • Compliance with national fisheries legal frameworks, including those implementing RFB measures • Confiscation, seizure or forfeiture of aquatic species (FA or Enforcement Authority) • Ban or limit on the catch of certain aquatic species, which may include CITES-listed species

High-level objective:

ensuring responsible, legal, sustainable utilization of resources (species, biodiversity and ecosystems) + SDG14

MUTUAL SUPPORT

Page 29 of the Study

COMPLEMENTARITY

STRENGTHENING EACH OTHER

Primary Considerations

1st Consideration

The CITES-specific legislation of the country is placed in Category 1, 2 or 3 under the CITES NLP



Check online at <https://cites.org/legislation> for details.



If legislation is placed in Category 2 or 3, seek guidance from the CITES MA, SA, or CITES Secretariat, as appropriate, on which requirements are not met.



Check whether there is an ongoing process to address the gap(s).

CITES specific legislation and CITES related legislation

Box National Legislation Project's (NLP) categorization of countries			
Minimum Requirements	Category 1	Category 2	Category 3
1. Designation of at least one MA and one SA	✓	Not all nor none. At least one minimum requirement	X
2. Prohibiting trade in specimens that contravenes CITES	✓		X
3. Penalizing such trade	✓		X
4. Confiscation of specimens illegally traded or possessed	✓		X


[Page 87 and Annex D of the Study](#)




List with selected countries in NLP Category 1 and their respective CITES-specific and CITES-related legislation

2nd Consideration

Identification of the main national CITES-specific legislation

e.g. Malaysia's International Trade in Endangered Species Act No. 686 of 2008. More examples in Annex D of the study.

Identification of relevant national fisheries legislation

e.g. Samoa's Fisheries Management Act of 2016 and Marine Wildlife Protection Regulations of 2009. More examples in Annex E of the study.



Check online at <http://www.fao.org/faolex/en/>; <https://www.ecolex.org> and at any other website of national legislative bodies and authorities.



Check if legislation is in force and valid.



Check both primary legislation (e.g. act, code, law, statute) and secondary legislation (e.g. decree, regulation, ministerial ordinance, order).



[Annexes D and E of the Study](#)



3rd Consideration

Key Fisheries Elements for CITES	The selected CITES -specific legislation:
	1. provides for a clear definition of IFS in accordance with the interpretation given by the parties on Resolution Conf. 14.6 (Rev. CoP16), clarifying that the specific provisions on IFS apply to one-State transactions
	2. provides for a clear definition of NDF and LAF in accordance with CITES, IFS Resolution Conf. 16.7 (Rev. CoP17) and Resolution Conf. 18.7 (Legal Acquisition Findings)
	3. refers to compliance with, and applicability of, other relevant legislation (general terms) or fisheries legislation (specific terms)
	4. designates the FA or other relevant authority responsible for fisheries management, conservation, development and MCS, maritime matters among the CITES SA and/or the MA
	5. clearly outlines the mandates and responsibilities of the FA, the CITES SA and MA, ensuring coherence and includes the duty to cooperate and coordinate with other authorities
	6. promotes or provides mechanisms for effective cooperation and coordination between those authorities as well as with other relevant authorities
	7. protects all the CITES-listed species commercially exploited and managed, including the recent listing of sharks and rays

Key CITES Elements for Fisheries	The selected fisheries legislation:
	1. provides for a clear definition of international trade as comprising import, export, re-export and IFS transactions
	2. refers to relevant definitions in CITES-specific legislation, particularly the meaning of MA, SA, IFS, NDF and LAF
	3. makes cross-reference to compliance with, and applicability of, other relevant legislation (general terms), to CITES, or the relevant CITES-specific legislation (specific terms)
	4. clearly outlines the mandates and responsibilities of: the FA; port authorities; other relevant authorities responsible for fisheries management, conservation, development and MCSE and maritime matters, ensuring coherence and includes the duty to cooperate or collaborate with other relevant authorities
	5. promotes or provides mechanisms for effective cooperation, collaboration, coordination and interaction between the FA and other relevant authorities
	6. protects and/or provides for conservation and management measures of CITES-listed aquatic species commercially-exploited and managed, including the recent listing of sharks and rays



4th Consideration

Seven Key CITES Elements and the extent to which any or all of them are reflected in the CITES-specific legislation are understood in order to inform legal drafters, practitioners, policy-makers and other relevant users of this guide on the approach or action that should follow

Six Key Fisheries Elements and the extent to which any or all of them are reflected in the fisheries legislation are understood in order to inform legal drafters, practitioners, policy-makers and other relevant users of this guide on the approach or action that should follow

Expected outcomes of the preliminary considerations

Identification of potential gaps in the legislation, provisions which require improvements.

Ensuring consistency, coherence and complementarity in both sets of legislation.

Decision to proceed in amending existing fisheries legislation or to enact new legislation

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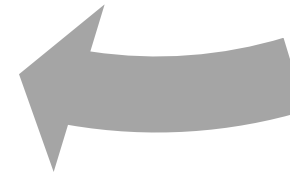
FAO Guide's Legislative Options for implementing CITES in fisheries sector

legislative options are the result of an analysis of current fisheries legal frameworks, both primary and secondary legislation of selected countries, to extract what is considered to be good practice.

for drafting amendments to existing fisheries legislation or drafting new fisheries legislation with a view to strengthen CITES implementation.

any cross-reference to CITES legislation made throughout these legislative options is based on the assumption that adequate CITES legislation is either already in place or is under development.

organized in a structure of a typical primary fisheries legislation.



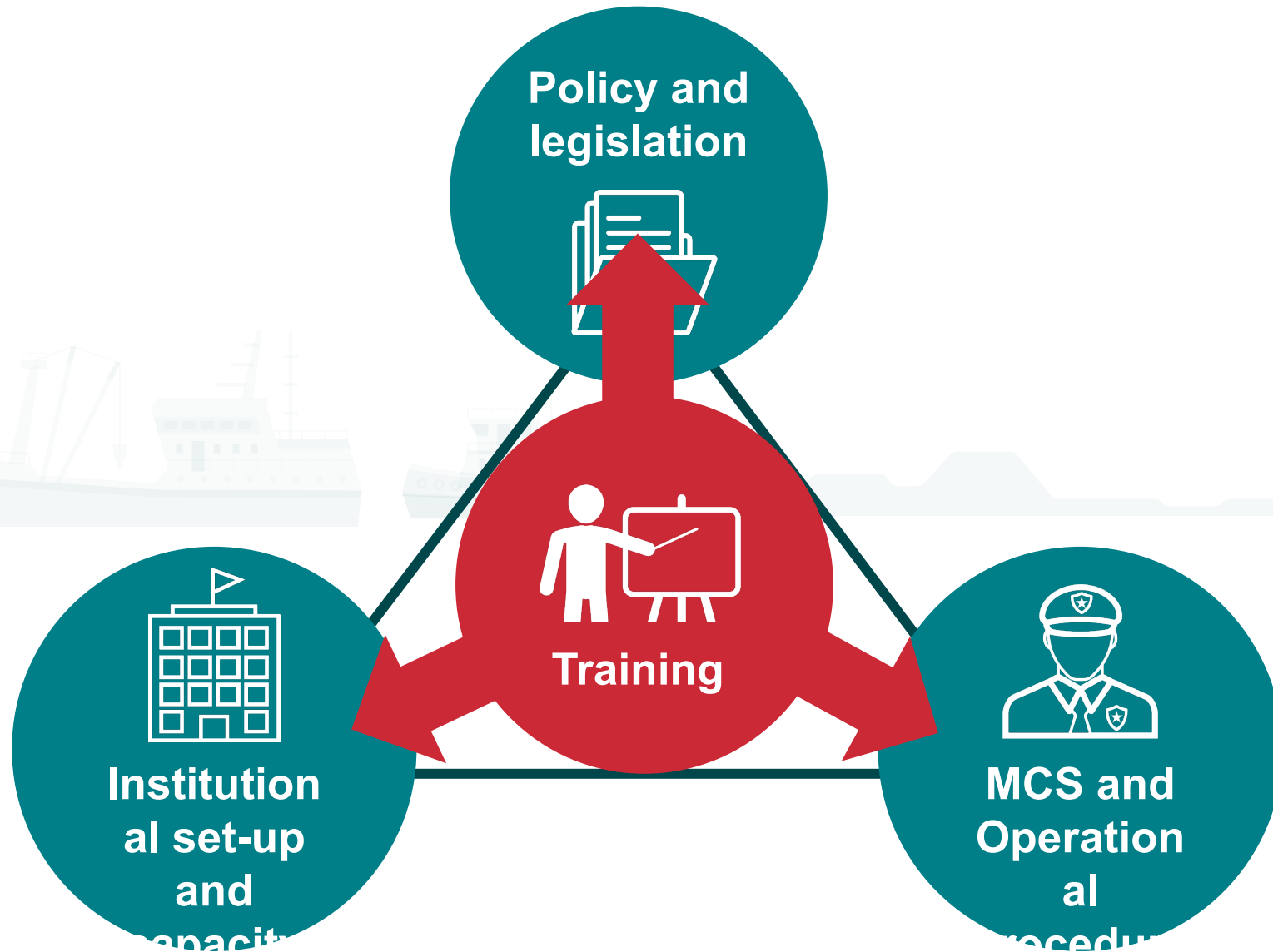
Database of measures on conservation and management of sharks

Navigation bar with a home icon, a "BROWSE" button, a search input field containing "Search...", and four menu buttons: "SPECIES", "INSTITUTIONS", "COUNTRIES", and "INDICATORS".



The [database on measures on conservation and management of sharks](#) provides a collection of instruments for the conservation and management of sharks. These instruments include binding and non-binding Conservation and Management Measures, Plans of Action, and national legislation.

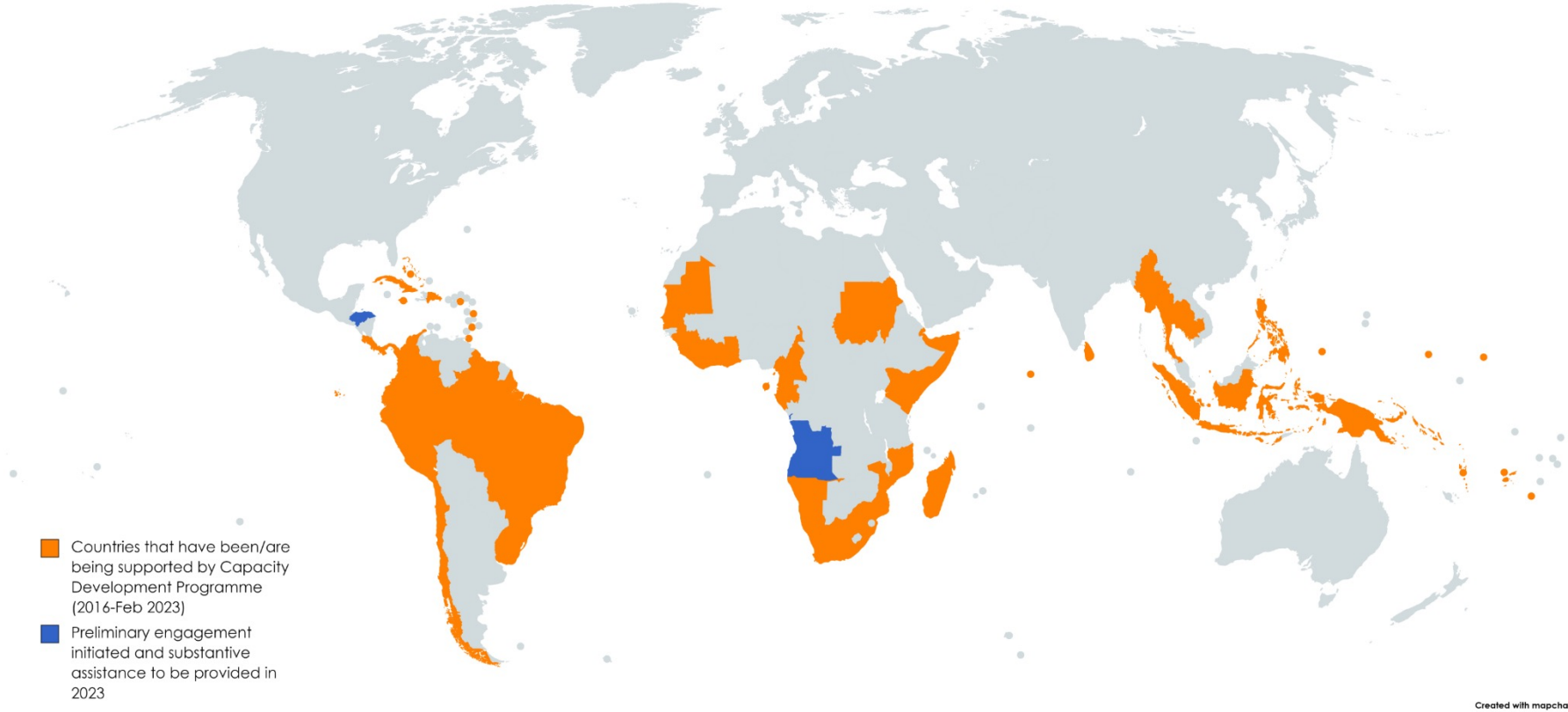
FAO PSMA Global Capacity Development Programme



Countries supported by PSMA Capacity Development Programme

Support to 56 countries (2017- Nov 2023)

Support to implement the PSMA and flag, coastal and market State responsibilities



Disclaimer: *The boundaries and names shown and the designations used on this map do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers and boundaries. Dashed lines on maps represent approximate border lines for which there may not yet be full agreement*

FAO Websites on combatting IUU Fishing

IUU Fishing

Food and Agriculture Organization of the United Nations

Illegal, Unreported and Unregulated (IUU) fishing

Background | International Framework | Regional Mechanisms | Tools & Initiatives | News & Events | Resources

Key points identified to assist Ghana's PSMA implementation after launch of several initiatives

Illegal, unreported, and unregulated (IUU) fishing remains one of the greatest threats to marine ecosystems due to its ability to undermine national and regional efforts to manage fisheries sustainably as well as its impact on marine biodiversity. IUU fishing takes advantage of corrupt administrations and exploits weak management regimes, in particular those of developing countries, leading to the depletion of fish stocks and the loss of marine biodiversity. IUU fishing is found in all types and dimensions of fisheries: it occurs both on the high seas and in areas within national jurisdiction. It concerns all aspects and stages of the capture and utilization of fish, and it may sometimes be associated with organized crime. Fisheries resources available to bona fide fishers are removed by IUU fishing, which can lead to the collapse of local fisheries, with especially fishers in developing countries proving particularly vulnerable. Products derived from IUU fishing can find their way into overseas trade markets thus throttling local food supply. IUU fishing therefore threatens livelihoods, exacerbates poverty, and augments food insecurity.

5 June 2018
International Day for the Fight against Illegal, Unreported and Unregulated (IUU) fishing

Did you know?

- IUU fishing represents up to 26 million tonnes of fish caught annually, valued at USD 10 to USD 23 billion
- IUU fishing occurs on the high seas and in other areas within national jurisdiction, especially affecting coastal rural populations in vulnerable areas.
- IUU fishing may sometimes be associated with other crimes.
- FAO is working closely with IMO, ILO and UNODC to counter IUU fishing and associated illicit activities.

In depth

- PSMA
- Global Record
- Catch Documentation Schemes
- Joint Working Group on IUU Fishing

PSMA

Food and Agriculture Organization of the United Nations

Agreement on Port State Measures (PSMA)

Background | Operational Resources | Meetings | Capacity Development | News and events | Resources

The IMO International Maritime Law Institute hosts the first FAO-IMLI International Fisheries Law Training Course

The Agreement on Port State Measures (PSMA) is the first binding international agreement to specifically target **illegal, unreported and unregulated (IUU) fishing**, its objective is to prevent, deter and eliminate IUU fishing by preventing vessels engaged in IUU fishing from using ports and landing their catches. In this way, the PSMA reduces the incentive of such vessels to continue to operate while it also blocks fishery products derived from IUU fishing from reaching national and international markets. The effective implementation of the PSMA ultimately contributes to the long-term conservation and sustainable use of living marine resources and marine ecosystems. The provisions of the PSMA apply to fishing vessels seeking entry into a designated port of a State which is different to their flag State.

Did you know?

- The PSMA entered into force in June 2016. By the first year and a half, more than a third of world countries were Parties to it.
- The PSMA applies to fishing vessels seeking entry into a port other than those of their own State.
- One in every five fish caught around the world every year is thought to originate from IUU fishing, valued at \$10-\$23 billion annually. Implementing the PSMA is one of the most cost-effective means to curb IUU fishing.

In depth

- PSMA Parties
- Capacity Development

Latest

Agreement on Port State Measures to prevent, deter and eliminate illegal, unreported and unregulated fishing (as at May 2018)
This document, continuously updated by the FAO's Legal Office, provides information about the Status of each Party to the PSMA. The document was last updated in May 2018. Access the document here. [...]

Events

01.07.2018
Thirty-third session of the Committee of Fisheries (COFI)
FAO Headquarters, Rome, Italy

05.07.2018
Second Meeting of the Port State Working Group
FAO Headquarters, Rome, Italy

16.04.2018

Global Record

Organizzazione delle Nazioni Unite per l'Alimentazione e l'Agricoltura

Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels

Background | Information System | Capacity Development | News & Events | Resources | Partners

Latin America is closing the net on IUU fishing

Welcome to the Global Record

The Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record) is a phased and collaborative global initiative to make available, in a rapid way, certified data from State authorities about vessels and vessel-related activities. The programme aims towards providing a single access point for information on vessels used for fishing and fishing-related activities with the primary objective being to combat **illegal, unreported and unregulated (IUU) fishing** by enhancing transparency and traceability. The programme's long-term goals are to strengthen the fisheries sector in terms of management and its sustainability, to enhance food security and the livelihoods of populations depending on fisheries including rural coastal populations.

Did you know?

- Annually, the worth of fish caught by IUU fishing methods is estimated at US\$ 10 – US\$ 23 billion.
- Fishing vessels around the world have reached 4.6 million.
- IMO Numbers, which serve as Global Record UINs, have now been allocated to more than 23 000 fishing vessels worldwide.

In depth

- Who is it for
- IUU Fishing
- Unique Vessel Identifier

Latest

15.07.2018
Meeting of the Global Record Working Group

Related Links

- Fisheries and Aquaculture
- Port State Measures Agreement
- Voluntary Guidelines on Flag State Performance
- Sustainable Development Goal 14

Contact us
fr@globalrecord@fao.org

Regional Training Course on UNCLOS 1982 Fisheries Perspective

FAO and Regional Fisheries Management

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