



## NOAA FISHERIES SERVICE

# Illegal Fishing: Not in Our Ports

## Port State Measures Agreement and Implementing Legislation

Illegal, unreported or unregulated fishing, commonly referred to as “pirate fishing,” is a global problem that threatens healthy ocean ecosystems and sustainable fisheries. One way to combat this problem is to close the world’s ports to IUU vessels and keep their illegal catch from entering the market.

### What is IUU fishing?

Illegal, unreported or unregulated fishing, commonly referred to as IUU or pirate fishing, is a global problem that threatens healthy ocean ecosystems and sustainable fisheries. IUU fishing:

- Undermines the sustainable practices of legitimate fishing operations, including those in the United States and presents unfair market competition to sustainable seafood;
- Can devastate local fish stocks and destroy sensitive, productive marine habitats through the use of harmful fishing gear and practices;
- Threatens food security and socio-economic stability in many parts of the world by reducing the productivity of legitimate fisheries, including artisanal fisheries in coastal areas;
- Results in economic losses with a global value estimated at \$10 to \$23 billion annually; and
- Produces between 11 and 26 million tons of seafood annually, representing as much as 40 percent of the total catch in some fisheries.

### Why is this important to the U.S.?

Congressional approval of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

(Agreement), and passage of its implementing legislation, will benefit U.S. fishermen, seafood buyers, and consumers by preventing vessels carrying illegally harvested fish from entering our ports and diluting the market with illegal product. By staying at the forefront of this effort, the United States will demonstrate strong leadership in the global battle against IUU fishing and will be well-positioned to encourage broad ratification of the Agreement by other countries, with the effect of closing the world’s ports to IUU vessels and keeping their illegal catch from entering the stream of commerce. As a global leader in sustainable fishing practices, and the third largest importer of seafood in the world, the United States has a responsibility to ensure the fish we import is caught legally. The United States also has a responsibility to protect our domestic fishermen from unfair competition and ensure consumer confidence in the seafood supply by keeping illegal product out of the market.



Illegal, unreported or unregulated fishing vessels enter our ports and dilute the market with illegal products.

### The Extent of Illegal Fishing

Experts estimate total value of economic losses from IUU fishing range from \$10 billion to \$23.5 billion annually, representing between 11 and 26 million tons.



Since all fish must be landed in order to enter into trade, preventing illegal vessels from accessing ports around the world is an effective way to prevent, deter and eliminate IUU fishing.



The Port State Measures Agreement will enter into force when it has been ratified by 25 countries. The implementing legislation has broad support from the seafood industry and the environmental community.



The U.S. State Department continues to demonstrate strong leadership in the global battle against IUU fishing and, with the help of NOAA Fisheries, will be well-positioned to encourage broad ratification of the Agreement by other countries.

U.S. ratification will encourage broad ratification by other countries, bringing about timely entry into force of the Port State Measures Agreement. This will have significant benefits for U.S. fishermen and sustainable seafood by reducing the amount of IUU fish entering the stream of commerce globally.

### Port state measures: where are we now?

The United States was a primary participant in the negotiation of the Agreement and was one of the first countries to sign it, expressing intent to ratify. The European Union, Norway, Sri Lanka and Myanmar have already ratified the Agreement. The treaty package is now before the United States Congress for action and the Administration will submit implementing legislation soon.

### The Port State Measures implementing legislation and the International Fisheries Stewardship and Enforcement Act

The Port State Measures implementing legislation is a separate but companion piece to Senate bill 52, the International Fisheries Stewardship and Enforcement Act (IFSEA). These complementary bills both target IUU fishing, with IFSEA primarily targeting illegal product that enters the United States and the people who traffic it, and the Port State Measures Act primarily targeting vessels engaged in or supporting IUU fishing. Together, these bills will go a long way toward ending IUU fishing, by eliminating ports of convenience, making it far more difficult and costly for IUU vessels to operate and far more difficult for illegal product to enter the stream of commerce.

### How would the Port State Measures Agreement and implementing legislation help combat IUU fishing?

Since all fish must come to port to enter into trade, preventing vessels carrying illegally harvested fish from accessing ports around the world is an effective way to prevent, deter and eliminate IUU fishing. Denying port entry and access to port services, and consequently preventing illegal seafood from entering trade, increases the costs associated with IUU fishing operations and removes the financial incentives for engaging in IUU fishing. Broad ratification of the Port State Measures Agreement by countries around the world will help eliminate “ports of convenience” that allow IUU fish to enter the stream of seafood commerce, after which it becomes increasingly difficult to identify as illegal product as it moves further from its original point of landing.

### How would the Port State Measures Agreement affect the United States?

Countries that ratify the Port State Measures Agreement have four primary obligations:

- Designate which ports foreign-flagged vessels may seek to enter;
- Restrict port entry and access to port services (including for the landing, transshipment, processing and packaging of fish) by vessels that have been engaged in IUU fishing or vessels supporting these activities, particularly those on the IUU vessel list of a regional fishery management organization (RFMO);
- Conduct dockside vessel inspections in the designated ports and meet minimum standards for inspections, inspection reports and inspector training; and
- Share information, including inspection results, when evidence of IUU fishing is found during the course of an inspection.

Since the Agreement adopts many of the standards and procedures for vessel inspections already in place in the United States, broad ratification by other countries would export these “best practices” worldwide. With the exception of ports in American Samoa, Guam, and other U.S. territories, foreign-flagged fishing vessels are generally prohibited from landing their catch in U.S. ports. However, the Agreement and implementing legislation apply to transport vessels and other support vessels, which may be included on an RFMO’s IUU vessel list and which may be carrying illegally-harvested fish transferred to them at sea. The only IUU-listed vessels that have entered U.S. ports have been these types of support vessels. U.S. ratification of the Agreement and passage of the implementing legislation could prevent this from happening again.

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