

### **033 [Port] State measures regarding illegal, unreported and unregulated fishing**

MINDFUL of Article 119 of the United Nations Convention on the Law of the Sea, which mandates that States enact conservation measures for living resources in the high seas to restore or maintain populations of harvested species;

[alt. MINDFUL of Article 118 of the United Nations Convention on the Law of the Sea, which requires that all States cooperate with each other in the conservation and management of living resources in the areas of the high seas;]

NOTING that UN Sustainable Development Goal (SDG) 14 'life under water' addresses illegal, unreported and unregulated (IUU) fishing and fisheries subsidies;

NOTING FURTHER IUCN Resolution 7.107 *Reducing the impact of fisheries on marine biodiversity* (Marseille, 2020) and the relevant work of the IUCN 107-task force, which should be taken into account;

AWARE that the Food and Agriculture Organization of the United Nations (FAO) advises that IUU fishing is one of the greatest threats to marine ecosystems, due to its tendency to undermine efforts to manage fisheries sustainably;

RECOGNISING that IUU fishing is increasingly acknowledged as a transnational environmental crime, often associated with other illicit activities, such as human trafficking, forced labour, tax evasion, and corruption, as highlighted by the United Nations Office on Drugs and Crime (UNODC);

ACKNOWLEDGING the profound social and economic consequences of IUU fishing, particularly on coastal communities in developing countries, where it exacerbates food insecurity, threatens the food and livelihood security of artisanal and Indigenous fishers, and fosters conditions conducive to organised crime and social instability;

AWARE of the harmful impacts of IUU fishing on marine protected areas (MPAs) including World Heritage sites;

RECALLING that IUCN Resolution 6.021 *Monitoring and management of unselective, unsustainable and unmonitored (UUU) fisheries* (Hawai'i, 2016) highlighted the need to urgently address problems of food insecurity, fleet overcapacity, overfishing, unsustainable and damaging fishing in areas within and outside of national jurisdiction;

ACKNOWLEDGING the outsized role that ports of convenience play in facilitating IUU fishing and undermining the efforts of PSMA State parties around the world;

ALSO RECALLING that IUCN Resolution 4.117 *Flag State responsibility regarding Illegal, Unreported and Unregulated (IUU) fishing* (Barcelona, 2008) urged States to develop and adopt effective port measures directed at vessels operating under flags of convenience, including by banning access to markets for fishing products caught and transported by these vessels;

RECALLING UN General Assembly Resolution 79/145 on sustainable fisheries, which emphasises the need for coordinated measures to combat IUU fishing, including the implementation of port State measures;

RECOGNISING FURTHER the significance of the Agreement on Port State Measures (PSMA) as the first binding international agreement to target IUU fishing by mandating State parties to prevent IUU fishing vessels from using certain ports and landing their catch and recognising the important role of IMO;

ACKNOWLEDGING the role of the FAO's International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) in providing comprehensive measures for states to combat IUU fishing activities ;

NOTING ALSO the contributions of the United Nations Fish Stocks Agreement (UNFSA) by establishing a framework for flag State and port State responsibilities, including enhanced regional cooperation, which complements port State measures;

AWARE of the efforts by Regional Fisheries Management Organizations (RFMOs) to implement port State measures and to share information on IUU fishing activities, enhancing regional cooperation and enforcement;

NOTING that, at the Fourth Meeting of the Parties to the PSMA in 2023, some member States expressed their concern over the failure of flag States to take action against vessels operating under their flag, and the entities and individuals over whom they have jurisdiction, that were found to be engaged in IUU fishing;

ADVOCATING for the continuation of enforcement and implementation of port State measures to combat IUU fishing and render it less profitable;

ALSO NOTING the role that whistleblower protections and incentives can play in combating IUU fishing; and

FURTHER AWARE of the effort of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) on port States measures;

**The IUCN World Conservation Congress 2025, at its session in Abu Dhabi, United Arab Emirates:**

[1. RECOMMENDS that the Director General and the World Commission on Environmental Law assemble a committee to explore options for [mandating party States to detain vessels found] [taking stronger action against vessels found to be] engaging in IUU fishing, unless a satisfactory response is received from the responsible flag State [while recognising the responsibilities of flag States;]]

[1.alt RECOMMENDS that IUCN explore, through its relevant commissions and in consultation with member States, options to strengthen legal frameworks addressing IUU fishing, including the role of port States and flag State accountability;]

[2. REQUESTS that the Fisheries Expert Group of the IUCN Commission on Ecosystem Management organise meetings on the prevalence of IUU fishing and roles of port States, and produce a policy brief discussing this issue;]

[2 alt. REQUESTS the IUCN Council to explore the establishment of a task force, including IUCN members, CEM, WCEL, CEESP, WCPA and SSC, to develop an integrated IUCN strategy to address IUU fishing impacts on marine biodiversity, human rights, Indigenous communities, and food security;]

3. [INVITES all [port] States to consider becoming party to the FAO PSMA as a matter of urgency;]

[3.alt. ENCOURAGES all port States, particularly those not yet party to the FAO PSMA, to consider acceding to or aligning with its provisions, as appropriate and in line with national legal frameworks;]

4. URGES State parties to the PSMA to consider adopting and implementing stronger port State measures to prevent further establishment of ports of convenience, and to deter vessels engaged in IUU fishing from seeking to dock at said ports, as well as traceability and electronic catch documentation schemes, if available to exclude IUU products from supply chains, and CALLS ON the IUCN Director General to engage with international bodies such as IMO, FAO and WTO to advocate for coordinated policy reforms that remove subsidies contributing to IUU fishing and to support capacity building for port enforcement;

5. REQUESTS parties to the PSMA to explore additional measures to encourage flag States [that are PSMA parties] to be more responsive to port State notifications informing them of vessels operating under their flag that are suspected of engaging in IUU fishing, as appropriate;

6. CALLS on Regional Fisheries Management Organisations to [consider expanding] [improve] data collection [analysis and sharing, such as] through the Global Information Exchange System on [port arrivals and] the prevalence of IUU fishing within [their] ports, [to include the results of mandatory vessel inspections] and [revise and/or] [adopting] [adopt consistent] port inspection schemes and equivalent; and

7. SUPPORTS international cooperation to build technical, legal and institutional capacity in developing countries to effectively implement port State controls and traceability systems in line with PSMA principles.