

No. 54133*

Multilateral

Agreement on Port State Measures to prevent, deter and eliminate illegal, unreported and unregulated fishing (with annexes). Rome, 22 November 2009

Entry into force: *5 June 2016, in accordance with article 29*

Authentic texts: *Arabic, Chinese, English, French, Russian and Spanish*

Registration with the Secretariat of the United Nations: *Food and Agriculture Organization of the United Nations, 9 December 2016*

Note: *See also annex A, No. 54133.*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

Multilatéral

Accord relatif aux mesures du ressort de l'État du port visant à prévenir, contrecarrer et éliminer la pêche illicite, non déclarée et non réglementée (avec annexes). Rome, 22 novembre 2009

Entrée en vigueur : *5 juin 2016, conformément à l'article 29*

Textes authentiques : *arabe, chinois, anglais, français, russe et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Organisation des Nations Unies pour l'alimentation et l'agriculture, 9 décembre 2016*

Note : *Voir aussi annexe A, No. 54133.*

**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

Participant	Ratification, Accession (a) and Acceptance (A)		
Australia	20 Jul	2015	
Barbados	2 Feb	2016	a
Chile (with declaration)	28 Aug	2012	
Costa Rica	4 Dec	2015	a
Cuba	25 Mar	2016	a
Dominica	6 May	2016	a
Gabon	15 Nov	2013	A
Guyana	7 Mar	2016	a
Iceland	16 Jun	2015	
Mauritius	31 Aug	2015	a
Mozambique	19 Aug	2014	
Myanmar	22 Nov	2010	a
New Zealand	21 Feb	2014	
Norway	20 Jul	2011	
Oman	1 Aug	2013	A
Palau	30 Nov	2015	a
Republic of Korea	14 Jan	2016	a
Seychelles	19 Jun	2013	a
Somalia	9 Nov	2015	a
South Africa	16 Feb	2016	a
Sri Lanka	20 Jan	2011	a
St. Kitts and Nevis (with declaration)	9 Dec	2015	a
Sudan	12 May	2016	a
Thailand	6 May	2016	a
Tonga	6 May	2016	a
United States of America	26 Feb	2016	
Uruguay	28 Feb	2013	
Vanuatu	6 May	2016	a

Note: The texts of the declarations and reservations are published after the list of Parties -- Les textes des déclarations et réserves sont reproduits après la liste des Parties.

Participant	Ratification, Adhésion (a) et Acceptation (A)		
Afrique du Sud	16 févr	2016	a
Australie	20 juil	2015	
Barbade	2 févr	2016	a
Chili (avec déclaration)	28 août	2012	
Costa Rica	4 déc	2015	a
Cuba	25 mars	2016	a
Dominique	6 mai	2016	a
États-Unis d'Amérique	26 févr	2016	
Gabon	15 nov	2013	A
Guyana	7 mars	2016	a
Islande	16 juin	2015	
Maurice	31 août	2015	a
Mozambique	19 août	2014	
Myanmar	22 nov	2010	a
Norvège	20 juil	2011	
Nouvelle-Zélande	21 févr	2014	
Oman	1er août	2013	A
Palaos	30 nov	2015	a
République de Corée	14 janv	2016	a
Saint-Kitts-et-Nevis (avec déclaration)	9 déc	2015	a
Seychelles	19 juin	2013	a
Somalie	9 nov	2015	a
Soudan	12 mai	2016	a
Sri Lanka	20 janv	2011	a
Thaïlande	6 mai	2016	a
Tonga	6 mai	2016	a
Uruguay	28 févr	2013	
Vanuatu	6 mai	2016	a

Declaration made upon Ratification

CHILE

Déclaration faite lors de la Ratification

CHILI

“The Republic of Chile, pursuant to Article 31 of the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing:

- 1. Reaffirms that, in accordance with Article 1, sub-paragraph e), of the Agreement “illegal, unreported, and unregulated fishing” refers to the activities set out in paragraph 3 of the 2001 FAO International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing.*
- 2. Reaffirms the exercise of its sovereignty over the ports located in its territory in accordance with International Law, including the right to deny entry thereto or to adopt more stringent measures than those provided for in the Agreement and agreed upon, among others, in Articles 4 and 9.*
- 3. In the exercise of this sovereignty, it issued Supreme Decree No. 123 of 3 May 2004 (Diario Oficial of 23 August 2004), which was subsequently amended by Supreme Decree No. 329 of 30 December 2009 (Diario Oficial of 30 January 2010), both from the Ministry of Economy, Development and Reconstruction, which stipulate:*

“Without prejudice to the laws regulating landing, the national policy concerning the regular use of the country’s marine terminals for logistics operations, resupplying and repairs by foreign-flagged fishing vessels that fish in adjacent high seas assumes:

- a) That the flag State of the vessels undertaking fishing activities exercise effective jurisdiction, enabling it to effectively assume its responsibilities with regard to said vessels.*
- b) That the said State cooperate with Chile, as a coastal country, in the conservation of the transzonal and highly migratory stocks of the adjacent high seas, when such species are common or associated with those existing in Chile’s Exclusive Economic Zone.*
- c) That this cooperation be expressed in the negotiation, adoption, and application of conservation measures compatible with those applied to the same resources in the marine areas under national jurisdiction.*
- d) That the vessels undertaking this fishing activity permanently use, within and outside Chile’s Exclusive Economic Zone, a satellite positioner compatible with and connected to the Chilean system, as and when required by the regulations or provisions of the competent national authorities.*
- e) That these vessels be subjected to the same controls and inspections required of national vessels, in accordance with international practice and the recommendations of international conservation and fisheries organisations, maritime security, and marine environmental protection, to which Chile is Party.*

When the fishing vessels indicated in the first paragraph use other vessels to provide them with services such as logistical support, provisioning, or preparation for fishing, including the transport of people, transshipment or transportation of aquatic resources or products thereof, fuel, fishing gear, materials, or any other supplies, access to ports and port services for the vessels providing such services will be granted insofar as the fishing vessels meet the requirements stated previously in paragraphs a), b), c), d), and e).”