National Oceanic Resource Management Authority

FSM NATIONAL PLAN OF ACTION TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED (IUU) FISHING

2026–2031



Prepared by NORMA

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Acronyms and abbreviations

1982 UN Convention	United Nations Convention on the Law of the Sea of 10 December 1982
1993 FAO Compliance Agreement	Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas
1995 UN Fish Stocks Agreement	Agreement for the Implementation of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks
ALC	Automatic Location Communicator
APR	NORMA Administrative Penalties Regulations
CA	Competent Authority
CC	Catch Certificate
CCM	Contracting Member, Cooperating Non-Member
CCRF	Code of Conduct for Responsible Fisheries
CDS	Catch Documentation Scheme
CITES	Convention on International Trade in Endangered Species
CMM	Conservation and Management Measure
CNM	Cooperating Non-Member
COFI	FAO Committee on Fisheries
EEZ	Exclusive Economic Zone
EM / ER	Electronic Monitoring / Electronic Reporting
EU	European Union
FAD	Fish Aggregation Device
FAO	Food and Agriculture Organization of the United Nations
FFA	Pacific Islands Forum Fisheries Agency
FIMS	Fisheries Information Management System
FSM	Federated States of Micronesia
FSMA	FSM Arrangement for Regional Fisheries Access
GDP	Gross Domestic Product
HMTCs	FFA Harmonised Minimum Terms and Conditions for Access by Fishing Vessels
IPOA-IUU	International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
IUU	Illegal, Unreported and Unregulated (fishing)
MCS	Monitoring, Control and Surveillance
MRA	Marine Resources Act of 2002 (Title 24 of the FSM Code, as amended)
MSO	Marine Surveillance Officer
NFC	National Fisheries Corporation

Niue Treaty	1992 Regional Treaty on Cooperation in Fisheries Surveillance and Law Enforcement
NOFIP	FSM National Oceanic Fisheries Investment Policy 2024–2029
NORMA	National Oceanic Resource Management Authority
NPOA-IUU	National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
NTSA	Niue Treaty Subsidiary Agreement
OFA	Offshore Fisheries Adviser
PNA	Parties to the Nauru Agreement
PSMA	FAO Agreement on Port State Measures
RFMO	Regional Fisheries Management Organization
RMI	Republic of the Marshall Islands
ROP	WCPFC Regional Observer Programme
RoV	Record of Vessels
SIDS	Small Island Developing State
SPC	Pacific Community
TCC	WCPFC Technical and Compliance Committee
TC&I	FSM Department of Transportation, Communications and Infrastructure
TUBS	TUFMAN Observer Module
TUFMAN 2	SPC Tuna Fisheries Database Management System
UN	United Nations
USP	University of the South Pacific
UST	US Tuna Treaty
VDS	Vessel Day Scheme
VMS	Vessel Monitoring System
VOGS	FFA Vessels of Good Standing
VOI	Vessel of Interest
WCPFC	Western and Central Pacific Fisheries Commission
WCPO	Western and Central Pacific Ocean

Executive summary

The Federated States of Micronesia's National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (NPOA-IUU) has been developed in line with the International Plan of Action to Prevent, Deter and Eliminate IUU Fishing (IPOA-IUU), adopted in 2001 by the Committee on Fisheries of the Food and Agriculture Organization of the United Nations (FAO).

The IPOA-IUU is a voluntary instrument and one of four IPOAs within the framework of the FAO Code of Conduct for Responsible Fisheries, adopted by COFI in 1995. It sets out broadly accepted principles and measures to prevent and counter IUU fishing at the level of states, regional economic integration organisations and regional fisheries management organisations (RFMOs).

The present NPOA-IUU is in four parts:

- Part 1 provides background information and definitions.
- Part 2 gives a brief overview of the fisheries sector.
- Part 3 compares fisheries conservation and management legislation, policy and practice.
- Part 4 describes how FSM adheres to the provisions of the IPOA-IUU and identifies further actions needed to ensure full implementation.

The information in Part 4 is presented in the IPOA-IUU format for easy reference. Implementation of the actions specified in the NPOA-IUU is supported in the Implementation Table shown at Attachment A.

This is the 2nd NPOA-IUU adopted by the Federated States of Micronesia. To date, the objectives of the IPOA-IUU have been pursued in FSM through the statutory framework of Title 24 of the FSM Code (the Marine Resources Act of 2002, as amended, most recently by Public Law 19-169 of 2017), the NORMA Administrative Penalties Regulations, and national policy, including the FSM National Oceanic Fisheries Investment Policy (NOFIP) 2024–2029. This Plan consolidates those elements into a single, internationally legible statement of FSM's anti-IUU framework and sets the direction for 2026–2031, including FSM's intended accession to the FAO Agreement on Port State Measures (PSMA) and the enactment of a dedicated port-State measures regime.

The NPOA-IUU aligns with the principles of transparency, cooperation, integration, and the sharing of information and assets within the FSM National Government and with the four State Governments. It also recognises and relies on a high level of cooperation with regional and global partners, including the Pacific Islands Forum Fisheries Agency (FFA), the Pacific Community (SPC), FAO, the Western and Central Pacific Fisheries Commission (WCPFC) — whose headquarters FSM hosts in Pohnpei — the Parties to the Nauru Agreement (PNA), market states, and industry.

FSM will continue to work with regional and international partners to ensure the conservation and long-term sustainable use of highly migratory and straddling stocks, as well as the protection of the environment.

Purpose and scope

Purpose

The purpose of this NPOA-IUU is to guide FSM in preventing, deterring and eliminating illegal, unreported and unregulated (IUU) fishing in its waters, by its fleet, and through regional organisations such as PNA, FFA and WCPFC.

It was developed in line with the International Plan of Action to prevent, deter and eliminate IUU fishing (IPOA-IUU), adopted in 2001 as a voluntary instrument by FAO's Committee on Fisheries.

Scope

The Plan primarily concerns highly migratory and straddling stocks that are subject to management cooperation under the WCPFC.

The FSM NPOA-IUU follows the IPOA-IUU's structure and outlines measures that specifically address FSM's roles as a flag, coastal, port and processing state. It also refers to market-related procedures, measures to support the special requirements of developing countries, and actions to be taken by FSM through the WCPFC.

Some of the NPOA-IUU provisions reflect obligations that many states have accepted as binding, either through global instruments, RFMOs, or national legislation.

This NPOA-IUU does not cover domestic fisheries for inshore and coastal species, which fall within 12 nautical miles of the baselines of the four FSM States (Yap, Chuuk, Pohnpei and Kosrae) and are managed under State law and fishery-specific plans and regulations.

Definition of IUU fishing

This NPOA-IUU defines illegal, unreported and unregulated (IUU) fishing as follows:

Illegal fishing refers to activities:

- conducted by national or foreign vessels in waters under the jurisdiction of a state, without the permission of that state, or in contravention of its laws and regulations;
- conducted by vessels flying the flag of states that are parties to a relevant RFMO but operate in contravention of the conservation and management measures adopted by that organisation and by which the states are bound, or relevant provisions of the applicable international law; or
- in violation of national laws or international obligations, including those undertaken by cooperating states to a relevant RFMO.

Unregulated fishing refers to fishing activities:

- in the area of application of a relevant RFMO, conducted by vessels without nationality, by vessels flying the flag of a state not party to that organisation, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organisation; or
- in areas or for fish stocks to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with state responsibilities for the conservation of living marine resources under international law.

Unreported fishing refers to fishing activities:

- which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations; or
- undertaken in the area of competence of a relevant RFMO that have not been reported or have been misreported, in contravention of that organisation's reporting procedures.

These definitions are consistent with those used by the FAO IPOA-IUU.

NPOA Principles and Strategies

The NPOA-IUU incorporates the following principles and strategies consistent with those articulated by the FAO IPOA-IUU:

- Participation and coordination: To be fully effective, the NPOA-IUU will be implemented by FSM either directly, in cooperation with other states, indirectly through WCPFC, or via FFA, PNA or other appropriate international organisations. Full participation by stakeholders, including the State Governments, industry, fishing communities, and non-governmental organisations, has been encouraged.
- Phased implementation: Measures to prevent, deter and eliminate IUU fishing will involve the earliest possible implementation of the NPOA-IUU, alongside regional and global actions. Since not all actions can be completed immediately, a phased approach will be followed.
- Comprehensive and integrated approach: FSM will adopt measures that build on its responsibilities as a flag state and will use a range of mechanisms compliant with international law, including port state measures, coastal state measures, market-related measures, and measures to ensure that FSM nationals do not support or engage in IUU fishing. This will require the participation of various government agencies and other stakeholders.
- Conservation: FSM's measures to prevent, deter and eliminate IUU fishing are designed to be consistent with the conservation and long-term sustainable use of fish stocks and with the protection of the environment.
- Transparency: The NPOA-IUU will be implemented in accordance with Article 6.13 of the FAO Code of Conduct for Responsible Fisheries (CCRF).
- Non-discrimination: The NPOA-IUU will be applied without discrimination, in form or in fact, to any state or its fishing vessels.

FSM's Oceanic Fisheries

The Federated States of Micronesia (FSM) comprises 607 islands grouped into four States — Yap, Chuuk, Pohnpei and Kosrae — spanning almost 3,000 km of the western and central Pacific Ocean just north of the Equator. It has an exclusive economic zone (EEZ) of approximately 2.98 million km² — one of the largest in the Pacific — and a combined land area of about 702 km².

The FSM EEZ adjoins the zones of Palau, the United States (Guam and the Northern Mariana Islands), the Republic of the Marshall Islands, Kiribati, Nauru and Papua New Guinea, as well as several high-seas areas, making it both a major tuna fishing ground and a key transit corridor for vessels moving between fishing grounds and Asian ports. FSM maritime limits are presented in Figure 1.

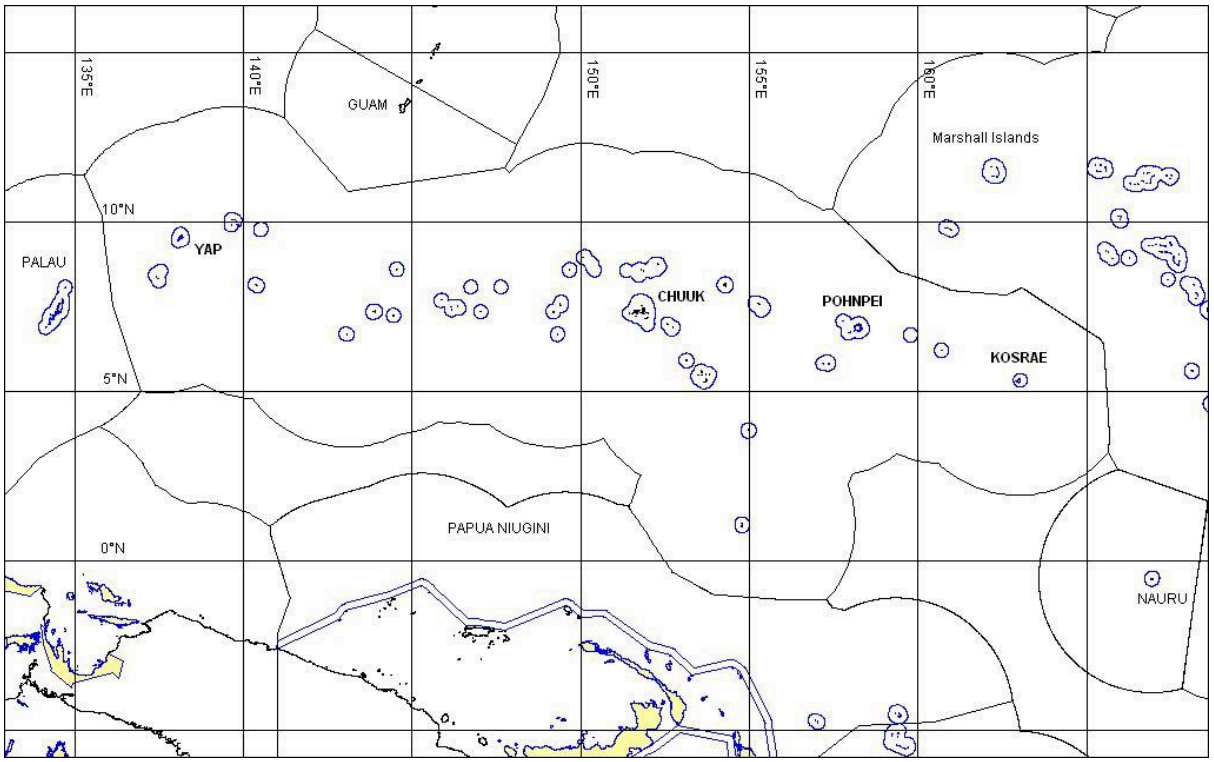


Figure 1: Maritime limits of FSM

The national development and management of the marine resources of the FSM EEZ beyond State waters fall under the jurisdiction of the National Oceanic Resource Management Authority (NORMA).

NORMA operates under Title 24 of the FSM Code — the Marine Resources Act of 2002 ("MRA", enacted by Public Law 12-34), as amended, most recently and substantially by Public Law 19-169 of 2017 — which establishes a comprehensive framework for the conservation, management and sustainable development of the living marine resources of the EEZ.

The Act establishes NORMA (chapter 2), governs permits and reporting (chapter 1, ss.103–117), high-seas fishing by FSM vessels (chapter 3, s.303), access agreements and transhipment (chapter 4, ss.404 and 407), management and development measures (chapter 5, s.502), observers and enforcement (chapter 6), administrative penalties and jurisdiction (chapter 7), and violations and penalties (chapter 9).

NORMA is also guided by the NORMA Administrative Penalties Regulations ("APR"), the VMS Regulations, the Tuna Management Plan, and the FSM National Oceanic Fisheries Investment Policy (NOFIP) 2024–2029.

Under Title 24, the powers and functions of NORMA are vested in and exercised by a Board of Directors, with day-to-day administration carried out by the Executive Director (s.205(3)). NORMA acts as the Competent Authority for the purpose of implementing the international fisheries and related obligations of the FSM (s.205(13)). Fisheries policy is primarily driven by NORMA, subject to Board approval, and, where legislative change is involved, to the FSM Congress.

Marine resources are among FSM's vital resources. With the introduction of the PNA Vessel Day Scheme (VDS) in 2010, revenues from the offshore tuna fishery became one of the most significant sources of income for the FSM National Government. For this reason, NORMA must maintain an NPOA-IUU that clearly outlines what the Authority does and intends to do regarding Monitoring, Control and Surveillance (MCS), including Port State Measures (PSM).

The main species by volume in FSM's oceanic fisheries are skipjack tuna, yellowfin tuna, and bigeye tuna, although other species are also caught. The primary industrial fishing method is purse seining, followed by longline fishing.

From 2020 to 2026, the total catch of the target tuna species in the FSM EEZ was approximately **1,150,555** metric tons, of which around **88%** was taken by purse seiners and **12%** by longliners. Skipjack was the predominant species, accounting for about **84.4%** of the catch, followed by yellowfin at **12.7%**, bigeye at **2.8%** and albacore at under **1%.**

FSM has 25 nationally flagged purse-seine vessels and 9 nationally flagged longline vessels operating in the WCPO.

The FSM-flagged and domestically based Purse Seine fleet operates through the National Fisheries Corporation (NFC), the Caroline Fisheries Corporation, and private operators such as Da Yang in Kosrae, as well as the locally based foreign longline fleet operating from Pohnpei.

Approximately **270**[1] foreign vessels are licensed to fish in the FSM EEZ in any given year across the purse seine, longline, under bilateral access agreements, the FSM Arrangement, the US Tuna Treaty and PNA arrangements.

FSM-flagged and domestic vessels also fish in the zones of other Parties under the FSM Arrangement (FSMA), the sub-regional access arrangement for which FSM is the depositary and namesake, which allows eligible domestic vessels of the Parties access to the zones of all Parties on agreed terms.

Pohnpei is the base of the locally based foreign longline fleet, a regional longline transhipment and provisioning hub, and the seat of the WCPFC headquarters. Port calls, landings and in-port transhipments also occur in Kosrae and, to a lesser extent, Chuuk and Yap. Under s.407 of Title 24, transhipment may occur only at the time and port authorised by NORMA, with 72 hours' notice.

In 2025, there were 239 purse seiner-based in-port transhipment and landing events in FSM ports, principally Pohnpei, as well as 46 longline landings in Pohnpei and Kosrae.

Shore-based development includes cold storage, provisioning, and stevedoring services in Pohnpei and Kosrae, and the NOFIP 2024–2029 sets out the National Government's policy to increase onshore value-adding, employment, and the domestication of the fishery.

[1] *Bilateral 170, FSMA 84, US Treaty 16 , Source: NORMA licensing System, FFA RIMF*

Fisheries Governance and Management

Statutory enforcement and management organisations

NORMA receives its mandate to operate as the national authority managing the oceanic fisheries resources of the Federated States of Micronesia from Title 24 of the FSM Code (the Marine Resources Act of 2002, as amended). The States of Yap, Chuuk, Pohnpei and Kosrae exercise jurisdiction over fisheries within 12 nautical miles of their baselines; NORMA exercises exclusive national jurisdiction over the living resources of the EEZ beyond State waters.

Under Title 24, NORMA's powers and functions include, in summary:

- conserving, managing and sustainably developing the living resources of the exclusive economic zone, applying the best scientific evidence available, maximum sustainable yield as qualified by relevant environmental and economic factors, and the precautionary approach (s.502(1)–(3));
- adopting management measures, and denying any permit application that is inconsistent with an applicable management measure (ss.502, 109(4)(c));
- issuing fishing permits and authorisations as the exclusive national licensing authority, through the Executive Director (ss.103, 107–113, 205);
- negotiating and concluding access agreements containing the statutory minimum terms, including a resident agent or FSM-registered company able to receive legal process (s.404);
- authorising and maintaining a record of FSM vessels fishing on the high seas, accessible on request to interested foreign states (s.303);
- regulating transhipment, which may occur only in port (or as otherwise authorised) at the time and place approved by NORMA, on 72 hours' notice (s.407);
- prescribing regulations or permit conditions necessary to give effect to international conservation and management measures and the decisions of RFMOs to which FSM is a party (s.106(3)), including regulations prohibiting port entry and the use of port services by vessels that have engaged in fishing or related activities undermining such measures (s.204(1)(j));
- acting as the Competent Authority for the purpose of implementing the international fisheries and related obligations of the FSM (s.205(13));
- appointing authorised officers, observers and port samplers, and coordinating fisheries monitoring, control and surveillance and, in consultation with the Secretary of the Department of Justice, the enforcement of Title 24 (ss.602–606); and
- regulating related activities, including the on-shore storing, buying and processing of fish from first landing (ss.102, 117, 204(1)(b)).

Both NORMA and the FSM National Police Maritime Wing (Department of Justice) undertake fisheries enforcement duties. NORMA Marine Surveillance Officers and other authorised officers exercise boarding, inspection, seizure and detention powers within and, in respect of FSM vessels and hot pursuit, beyond the fishery waters (ss.602–603). The Maritime Wing conducts at-sea boardings and surface surveillance.

The Maritime Wing operates two Guardian-class patrol boats provided under Australia's Pacific Maritime Security Program: FSS Tosiwo Nakayama (delivered 2022) and FSS Bethwel Henry (delivered 2023), which replaced the Pacific-class patrol boat FSS Palikir after 33 years of service.

Periodic EEZ patrols are conducted using information on fishing vessel activity from NORMA and VMS data. These patrols are coordinated with aerial patrols by the US Coast Guard, Quadrilateral partners

and FFA-contracted aircraft when operational in FSM, and with US Coast Guard cutters under the FSM–US ship rider arrangement.

Additional asset support is provided through joint FFA-coordinated exercises, including the regional Joint Deployment Programme operations (e.g. Operation Island Chief, Operation Kurukuru, Operation Rai Balang and Operation 365). Each is supported by hard assets and technical know-how from Australia, New Zealand, France and the USA, as well as from the cooperating Pacific island countries.

Port operations are aligned with the FFA Regional PSM Framework and WCPFC CMM 2017-02 (Minimum Standards for Port State Measures). In port, NORMA duties include inspecting fishing vessels on landing and transhipment, drawing on the 24-hour port entry and departure reporting requirement (s.115(1)(b)) and the 72-hour transhipment notice (s.407(1)(b)). PSM activities and the path to PSMA accession are described in more detail in section 5.5.

All FSM-permitted vessels must install, maintain, and continuously operate a registered automatic location communicator (transponder) in all waters at all times (s. 611). The VMS used is the FFA VMS (Trackwell), supplemented by the PNA Fisheries Information Management System (FIMS) and the FFA Regional Surveillance Picture, with vessels of interest flagged via the FFA compliance index.

NORMA operates a pool of boarding and inspection officials, with licensing officers co-opted as additional resources when required, and has access to full-time legal counsel who work with the FSM Department of Justice to conduct civil penalty proceedings before the FSM Supreme Court.

As a condition of licence to fish in FSM and in line with PNA measures, all purse-seine vessels have 100% observer coverage while in FSM and PNA waters. Observer coverage for longliners is consistent with the WCPFC's 7.5% ROP benchmark and may increase further if required, including through electronic monitoring. FSM's national observer programme is an authorised observer provider under the WCPFC's Regional Observer Programme (ROP).

All Pacific Island observers are required to complete comprehensive training modules developed by SPC and FFA to the PIRFO competency standards and are subject to training, debriefing and performance review procedures. Observers debrief on disembarkation, and the data are entered into the SPC TUFMAN2 Observer Module (TUBS).

Performance against the implementation of the WCPFC measures is assessed annually by the WCPFC Technical and Compliance Committee (TCC) in accordance with the Compliance Monitoring Scheme (CMM 2023-04). It is noteworthy that FSM was assessed as compliant with all applicable CMMs in 2025.

Management Measures

The governance and fisheries management organisations for tuna and related species in the Western and Central Pacific Ocean (WCPO), and the tuna purse-seine fisheries in particular, include the national governments, the Parties to the Nauru Agreement (PNA) and the Western and Central Pacific Fisheries Commission (WCPFC).

The regional organisations that provide management services to the Pacific Island countries are the PNA Office (PNAO), which monitors Party members' VDS uptake and advises the parties on sub-regional management measures; the Forum Fisheries Agency (FFA), based in the Solomon Islands, which provides operational and technical support in terms of compliance and management and policy advice in the overall tuna fisheries; and the Pacific Community (SPC), based in New Caledonia, which provides data management and stock assessment support.

FSM implements both WCPFC management measures and PNA Implementation Arrangements. These measures are applied through statute, regulation and the terms and conditions of each permit,

and apply to all vessels fishing within the EEZ, as well as to FSM vessels when fishing throughout PNA waters and the WCPF Convention Area.

National

Title 24 establishes national control over the living resources of the EEZ and provides for the conservation, management and development of these resources. The Act also requires cooperation with other States on shared and straddling fish stocks. Amendments to legislation are drafted by the Department of Justice, supported by NORMA, reviewed by the President and Cabinet and submitted to the FSM Congress for enactment.

The following management measures apply under Title 24 of the FSM Code and its subsidiary regulations:

- No domestic, commercial pilot, foreign or prescribed fishing or related activity is allowed in the EEZ except under a valid and applicable permit or a licence issued under a multilateral access agreement (ss.103, 105, 117). Fishing without a valid permit attracts a civil penalty of US$100,000–US$1,000,000 (s.907).
- NORMA issues fishing permits for all vessels authorised to operate in the FSM EEZ. Types of permits include Foreign, Locally Based Foreign, and Domestic for the main gear types — purse seine, longline and pole-and-line — as well as for support vessels such as bunkers and carriers.
- Foreign vessels must be in good standing on the FFA Regional Register of Foreign Fishing Vessels as a precondition of any permit (s.109(4)(a)), and permits must be denied where issuance would be inconsistent with management measures or not in the best interests of the FSM (s.109(3)–(4)).
- Access agreements must contain the statutory minimum terms and conditions set out in s.404, harmonised with the FFA HMTCs, including flag-state responsibility provisions, reporting, observers, VMS and the appointment of a resident agent.
- Fees, royalties and the allocation and pricing of purse-seine vessel days are administered in accordance with the PNA Vessel Day Scheme; licence fees and associated costs are separate from those charged for fishing days under the VDS.
- Transhipment at sea is prohibited except as expressly authorised; transhipment may occur only at the time and port authorised by NORMA, with 72 hours' advance notice of identity, position and catch (s.407).
- All permitted vessels must operate ALC transponders in all waters at all times (s.611), maintain and submit catch logs and reports (s.115), and carry observers as directed (s.606).
- High-seas fishing by FSM vessels requires authorisation and entry on the national high-seas record (s.303), and Public Law 19-169 applies high-seas FAD closures and full catch-retention requirements to the purse seine fleet.
- Gear restrictions: drift net fishing activities are prohibited in the national waters, and FSM-flagged vessels are prohibited from drift net fishing anywhere (s.908); fishing within one mile of a submerged reef or within two miles of an authorised FAD is prohibited for foreign vessels (s.912).

WCPFC

FSM implements both WCPFC management measures and PNA Implementation Arrangements. The core purse-seine management measures implemented include the purse-seine VDS, 100% observer coverage, seasonal prohibitions on the use of Fish Aggregation Devices (FADs), high-seas FAD closures and catch-retention requirements, and limits on high-seas purse-seine effort.

A summary of the main WCPFC measures is provided in Table 1 below:

CMM	Title	Effective Date	Specifics
CMM 2004-03	Specifications for the Marking and Identification of Fishing Vessels	08 Feb 2005	Specifications for the marking and identification of fishing vessels operating in the WCPFC Convention Area.
CMM 2004-04	Resolution on Conservation and Management Measures	08 Feb 2005	Resolution setting out the framework for Conservation and Management Measures adopted by the Commission.
CMM 2006-04	Conservation and Management Measure for Striped Marlin in the Southwest Pacific	13 Feb 2007	Conservation and management provisions for striped marlin in the Southwest Pacific Ocean.
CMM 2006-07	Establishment of Regional Observer Programme	13 Feb 2007	Establishes the WCPFC Regional Observer Programme (ROP) framework and governance structure.
CMM 2008-04	Prohibition of Large Scale Driftnets on the High Seas	10 Feb 2009	Prohibits the use of large scale driftnets on the high seas of the WCPFC Convention Area.
CMM 2009-03	Conservation and Management for Swordfish	09 Feb 2010	Conservation and management measures for swordfish in the WCPFC Convention Area. Supersedes CMM 2008-05.
CMM 2009-05	Prohibiting Fishing on Data Buoys	09 Feb 2010	Prohibits fishing on data buoys within the WCPFC Convention Area to protect oceanographic and meteorological monitoring equipment.
CMM 2009-06	Regulation of Transhipment	09 Feb 2010	Notification of designated ports and ports of transhipment; reporting on high seas transhipments; carriage of observers and definition of monitoring duties; transhipping authorisations for longliners if applicable.
CMM 2009-09	Conservation and Management Measure for Vessels Without Nationality	09 Feb 2010	Sets out measures applying to stateless vessels (vessels without nationality) operating in the WCPFC Convention Area.
CMM 2009-10	Monitoring Landings of Purse Seine Vessels at Ports to Ensure Reliable Catch Data by Species	09 Feb 2010	Requires monitoring of purse seine vessel landings at ports to ensure reliable species-specific catch data, including provisions for cannery data submission.
CMM 2012-03	Implementing the ROP by Vessels Fishing North of 20°N	04 Feb 2013	Conservation and management measure for implementing the Regional Observer Programme (ROP) specifically by vessels fishing north of 20 degrees North.
CMM 2013-04	WCPFC Implementation of a Unique Vessel Identifier (UVI)	04 Feb 2014	Establishes the use of a Unique Vessel Identifier (UVI) for fishing vessels operating in the WCPFC Convention Area to improve vessel tracking and compliance.
CMM 2013-06	Criteria for the Consideration of Conservation and Management Proposals	04 Feb 2014	Sets out the criteria and process for considering new or amended conservation and management measure proposals submitted to the Commission.
CMM 2013-07	Special Requirements of Small Island Developing States and Territories	04 Feb 2014	Recognises and provides for the special requirements of Small Island Developing States (SIDS) and territories in WCPFC fisheries management and decision-making.
CMM 2014-02	Conservation and Management Measure for the Commission VMS	03 Feb 2015	Application of the Commission Vessel Monitoring System (VMS) across the Convention Area; applicable to all vessels over 24m; sets VMS Standards, Specifications and Procedures (SSPs). Supersedes CMM 2011-02.
CMM 2015-02	Conservation and Management Measure for South Pacific Albacore	06 Feb 2016	Conservation and management provisions for South Pacific albacore tuna, including catch limits and effort controls for the longline fishery. Supersedes CMM 2010-05.
CMM 2016-02	Conservation Management Measure for the Eastern High	07 Feb 2017	Establishes management arrangements for the Eastern High Seas Special Management Area

	Seas Special Management Area		(EHSSMA) to protect tuna stocks. Supersedes CMM 2010-02.
CMM 2017-02	Minimum Standards for Port State Measures	05 Feb 2018	Establishes minimum standards for Port State Measures (PSM) to prevent, deter and eliminate IUU fishing, including port entry procedures, inspections and denial of port services.
CMM 2017-03	Protection of WCPFC Regional Observer Programme Observers	05 Feb 2018	Measures for the safety and protection of observers deployed under the WCPFC Regional Observer Programme. Supersedes CMM 2016-03.
CMM 2017-04	Conservation and Management Measure on Marine Pollution	01 Jan 2019	Addresses marine pollution in the WCPFC Convention Area, including requirements for vessels to properly manage and dispose of waste and pollutants.
CMM 2018-05	Conservation and Management Measure for the Regional Observer Programme	12 Feb 2019	Functions of Regional observers; obligations of CCMs; role of the coastal state; guiding principles for the operation of the ROP. Supersedes CMM 2007-01.
CMM 2018-06	Record of Fishing Vessels and Authorization to Fish	12 Feb 2019	Authorisation to fish in the Convention Area; requirements for Members' records of fishing vessels; the WCPFC Record of Fishing Vessels. Supersedes CMM 2017-05.
CMM 2018-04	Conservation and Management of Sea Turtles	01 Jan 2020	Implements FAO sea turtle guidelines; requires resuscitation of comatose turtles; proper handling and release techniques; purse seine operators to follow specific procedures to avoid and release turtles; mandatory reporting of all interactions. Supersedes CMM 2008-03.
CMM 2019-01	Conservation and Management Measure on Cooperating Non-Members	09 Feb 2020	Sets out the conditions and criteria for Cooperating Non-Member (CNM) status in the WCPFC. Supersedes CMM 2009-11.
CMM 2019-03	Conservation and Management Measure for North Pacific Albacore	09 Feb 2020	Conservation and management provisions for North Pacific albacore tuna, including catch limits and effort controls. Supersedes CMM 2005-03.
CMM 2019-07	Conservation Management Measure for the Establishment of a List of IUU Vessels	09 Feb 2020	Establishes and maintains the WCPFC IUU Vessel List, including criteria for listing and de-listing of vessels engaged in illegal, unreported and unregulated fishing. Supersedes CMM 2010-06.
CMM 2019-05	Conservation and Management Measure on Mobulid Rays	01 Jan 2021	Conservation and management provisions for mobulid rays (manta rays and devil rays) caught in association with fisheries in the WCPFC Convention Area, including handling and release requirements.
CMM 2022-03	Establishing a Harvest Strategy for Key Fisheries and Stocks in the WCPO	01 Feb 2023	Conservation and management measure establishing a harvest strategy framework for key fisheries and stocks in the Western and Central Pacific Ocean. Supersedes CMM 2014-06.
CMM 2022-05	Standards, Specifications and Procedures for the WCPFC Record of Fishing Vessels	04 Jun 2023	Sets out the standards, specifications and procedures for the WCPFC Record of Fishing Vessels (RFV), including registration requirements and data fields. Supersedes CMM 2014-03.
CMM 2022-06	Daily Catch and Effort Reporting	01 Jan 2024	Conservation and management measure on daily catch and effort reporting requirements for fishing vessels in the Convention Area. Supersedes CMM 2013-05.
CMM 2023-03	Conservation and Management Measure for North Pacific Swordfish	06 Feb 2024	Conservation and management provisions for North Pacific swordfish, including catch limits and reporting requirements. Supersedes CMM 2022-02.
CMM 2023-04	Conservation and Management Measure for the Compliance Monitoring Scheme	06 Feb 2024	Establishes the WCPFC Compliance Monitoring Scheme (CMS), including monitoring and reporting systems for catch and effort limits, spatial and temporal closures, observer and VMS requirements, and scientific data provision. Supersedes CMM 2021-03.

CMM 2024-01	Conservation and Management Measure for Pacific Bluefin Tuna	01 Feb 2025	Conservation and management provisions for Pacific Bluefin tuna, including catch limits and effort controls. Supersedes CMM 2023-02.
CMM 2024-02	Monitoring, Controlling and Surveillance of Pacific Bluefin Tuna	01 Feb 2025	Specific monitoring, control and surveillance requirements for the Pacific Bluefin tuna fishery, complementing CMM 2024-01.
CMM 2024-03	Conservation and Management Measure for the Charter Notification Scheme	01 Feb 2025	Sets out the requirements for the WCPFC Charter Notification Scheme (CNS), including notification procedures for vessels operating under charter arrangements. Supersedes CMM 2021-04.
CMM 2024-06	Conservation and Management Measure for the North Pacific Striped Marlin	01 Feb 2025	Conservation and management provisions for North Pacific Striped Marlin, including catch limits and reporting requirements. Supersedes CMM 2010-01.
CMM 2024-07	Protection of Cetaceans from Purse Seine and Longline Fishing Operations	01 Jul 2025	Conservation and management measure for the protection of cetaceans (whales and dolphins) from interactions with purse seine and longline fishing operations in the Convention Area. Supersedes CMM 2011-03.
CMM 2025-03	Conservation and Management Measure on a Management Procedure for WCPO Skipjack Tuna	03 Feb 2026	Establishes a management procedure for WCPO skipjack tuna based on harvest strategy principles, setting out decision rules and reference points. Supersedes CMM 2022-01.
CMM 2025-04	Conservation and Management Measure on the Application of High Seas FAD Closures and Catch Retention	03 Feb 2026	Governs the application of high seas FAD closure periods and catch retention requirements for purse seine vessels; 100% catch retention/no discards for tuna species; 100% observer coverage. Supersedes CMM 2009-02.
CMM 2025-05	Conservation and Management Measure to Mitigate the Impact of Fishing on Seabirds	03 Feb 2026	Requires the use of seabird mitigation measures by longline fishing vessels in designated areas of the Convention Area, including line-weighting, tori lines and night-setting. Supersedes CMM 2018-03.
CMM 2025-06	Conservation and Management Measure for Sharks	03 Feb 2026	Single comprehensive shark CMM covering all sharks including species-specific requirements; requires full utilisation and retention of carcass; fins and carcasses to be offloaded together; prohibits retention, transhipment or trading of fins caught in contravention; encourages live release of non-target sharks. Supersedes CMM 2024-05.
CMM 2025-07	WCPFC Boarding and Inspection Procedures (HSBI)	03 Feb 2026	Sets out the Western and Central Pacific Fisheries Commission High Seas Boarding and Inspection (HSBI) procedures, including strengthened port State measures and tools for high seas boarding and inspection. Supersedes CMM 2006-08.
CMM 2025-01	Conservation and Management Measure on a Management Procedure for South Pacific Albacore	16 Feb 2026	Establishes a management procedure for South Pacific albacore tuna, setting out harvest strategy-based decision rules and reference points for the longline fishery.
CMM 2025-02	Conservation and Management Measure for Bigeye, Yellowfin and Skipjack Tuna in the WCPO	16 Feb 2026	Primary conservation and management measure for tropical tunas (bigeye, yellowfin and skipjack) in the WCPO; limits high seas purse seine effort; operating provisions for the Vessel Day Scheme (VDS); closure of high seas pockets; effort and catch controls. Supersedes CMM 2023-01.
Note: *CMM 2024-04 (Crew Labour Standards) is not included above as it is not yet in force (effective 1 January 2028).*			

Table 1: WCPFC measures relevant to the FSM

FSM performance in implementing the WCPFC measures is assessed annually by the WCPFC Technical and Compliance Committee (TCC). It is noteworthy that FSM was judged to be compliant with all CMMs in 2025.

In response to specific perceived weaknesses in WCPFC measures, the PNA adopted additional purse seine management measures, including an extension of closures to all high seas areas adjacent to PNA EEZs (high seas areas between 10˚N and 20˚S and 170˚E and 150˚W); an increase in the minimum mesh size for purse seine nets to 90 mm (3.5 inches), measured from knot to knot in the bunt, and 240 mm (9 inches) in at least 70% of the body of each purse seine net; and a ban on setting on whale sharks (PNA, 2010).

Institutional Arrangements

NORMA is responsible for enforcing FSM's national fisheries legislation, which incorporates regional and sub-regional regulations and measures. It also aligns with other member countries through multilateral and bilateral MCS treaties and agreements, including the Niue Treaty and its Subsidiary Agreement, FFA regional operations, and bilateral surveillance cooperation.

National MCS capabilities have improved with emerging technology, alongside an increasingly open information-sharing network in the region. Day-to-day MCS operations include intelligence analysis of vessel arrivals at Pohnpei and the other ports of entry to ensure that fishers comply with legal fishing practices before and during port use, monitoring of in-port transhipment for catch verification, and continuous VMS watchkeeping over the EEZ using FFA and PNA FIMS tools, including effort allocations and limits under the VDS.

Vessel Registry

Registration of FSM-flagged vessels, including fishing vessels, is administered by the FSM national maritime administration under the Department of Transportation, Communications and Infrastructure (TC&I), under Title 19 of the FSM Code. NORMA is responsible for authorising fishing vessels on its Record of Fishing Vessels, for maintaining the national record of FSM vessels authorised to fish on the high seas (s.303(2)), and for submitting details of those vessels to the WCPFC Record of Fishing Vessels.

Permit applications capture the vessel name, call sign, country and number of registration, regional register number, operator, master and vessel characteristics (s.107), enabling cross-checks between flag registration and fishing authorisation. The formalisation of the registration–licensing linkage in an inter-institutional MoU between NORMA and TC&I, including pre-registration IUU history checks, is an action point of this Plan (Action Point 3).

Department of Justice

The FSM Department of Justice is the responsible national agency for the enforcement of laws, regulations and conservation and management measures. Civil penalty proceedings under Title 24 are brought before the FSM Supreme Court in the name of the Secretary, while administrative penalties are assessed by citation under the APR (see section 5.2.3). The Department's National Police Maritime Wing conducts at-sea enforcement in coordination with NORMA.

Port authorities

Pilotage, anchorage and berthing at FSM ports are managed by the respective State port authorities (e.g. the Pohnpei Port Authority). The port authorities have no fisheries enforcement role but are informed, if required, of any detentions and require notification from NORMA and the Department of Justice that vessels have been released.

Others

Other relevant FSM institutions involved in fisheries include the Department of Foreign Affairs, which is active in the international aspects of fisheries policy, including work on the WCPFC Convention and other regional and international fisheries matters; the Department of Resources and Development,

in relation to onshore investment and trade; FSM Customs and Tax Administration, in relation to port clearance and export verification; and the FSM and State environmental protection agencies in relation to discharges and sanitation on board fishing vessels.

Implementation of the IPOA-IUU

Scope

The following sections describe how FSM complies with the provisions of the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, and, where necessary, any further specific actions FSM may need to take to improve its implementation. Information is presented in accordance with the format and structure of the IPOA-IUU.

All state and coastal state responsibilities

International instruments

IPOA-IUU Articles 10 to 15 *encourage states to give full effect to appropriate norms of international law. This includes the ratification of UNCLOS, the FAO Compliance Agreement, and the conservation and management measures of competent RFMOs.*

FSM is a party to the following international legal instruments relating to fisheries conservation, management and development:

Instrument	Status
WCPF Convention	Ratified; the Convention entered into force in 2004. FSM hosts the WCPFC headquarters in Pohnpei.
1982 UN Convention on the Law of the Sea	Acceded in 1991
1995 UN Fish Stocks Agreement	Signed 1995; ratified in 1997
Driftnet (Wellington) Convention	Ratified; implemented through s.908 of Title 24
CITES	FSM is not a Party to CITES. Endangered, associated and dependent species are protected through s.502(4) of Title 24, WCPFC measures, and the APR (which penalises failure to release live turtles and other protected species).
FAO Port State Measures Agreement	FSM is not yet a Party. Accession, and the enactment of a port-State regime under s.204(1)(j), are action points of this NPOA (Action Point 14).
1993 FAO Compliance Agreement	Not a Party; high-seas control of FSM vessels is exercised through s.303 of Title 24 and the WCPF Convention.
FAO Code of Conduct	Accepted and implemented through Title 24 and the Tuna Management Plan
IPOA-IUU	Implemented through this NPOA-IUU
Niue Treaty on Cooperation in Fisheries Surveillance and Law Enforcement	Party
Nauru Agreement, Palau Arrangement and FSM Arrangement	Party; FSM is the depositary of the FSM Arrangement
US Tuna Treaty	Party

Table 2: Summary of ratification of primary international fisheries instruments by FSM

Ratified agreements are given effect through Title 24 of the FSM Code and its subsidiary regulations. PNA Implementation Arrangements and WCPFC management measures are introduced through regulations and permit conditions under s.106(3), and changes to Pacific Island treaties are subject to the FSM's constitutional treaty processes.

NPOA Action Point 1: NORMA to maintain implementation, through supporting compliance actions, of WCPFC CMMs, FFA HMTCs and PNA IAs as and when these are amended.

National legislation

IPOA-IUU Articles 16 and 17 *encourage states to develop legislation which covers, in an effective manner, all aspects linked to IUU fishing, notably the application of licensing conditions.*

The main legislation governing oceanic fisheries management in the FSM is Title 24 of the FSM Code — the Marine Resources Act of 2002, as amended by Public Law 19-169 of 2017 — together with the NORMA Administrative Penalties Regulations and the VMS Regulations. The four FSM States legislate for fisheries within 12 nautical miles.

Title 24 includes, among others, the following statutory elements relevant to IUU fishing:

- a permit requirement for all fishing and related activities in the EEZ, with prescribed application content, review, conditions, fees and appeal processes (ss.103–113, 117);
- reporting obligations, including catch and effort logs, 24-hour port entry and departure reports and zone entry/exit reports (s.115);
- the high-seas authorisation and record regime for FSM vessels (s.303), including the high-seas closures and catch-retention rules introduced by PL 19-169;
- statutory minimum terms and conditions for access agreements (s.404) and the in-port transhipment regime (s.407);
- management measures based on the best scientific evidence, MSY and the precautionary approach, and protection of endangered, associated and dependent species (s.502);
- authorised officers' boarding, inspection, hot pursuit, seizure and detention powers, including beyond the fishery waters in prescribed circumstances (ss.602–603), and observers and port samplers (s.606);
- the mandatory transponder (ALC/VMS) requirement operating in all waters at all times (s.611);
- jurisdiction over FSM vessels, citizens and residents for conduct beyond the fishery waters (s.701), administrative penalties (ss.703–704) and robust evidentiary presumptions (s.706); and
- a comprehensive schedule of prohibited acts and penalties, including enumerated serious violations (chapter 9; see section 5.2.3).

NPOA Action Point 2: NORMA to maintain the effective application of Title 24 of the FSM Code and the Administrative Penalties Regulations.

Control over nationals

IPOA-IUU Articles 18 and 19 *encourage states to exercise control over their nationals to ensure that nationals subject to their jurisdiction do not support or engage in IUU fishing. They also encourage states to cooperate with other states to identify such nationals involved in IUU fishing and to discourage nationals from registering vessels under the jurisdiction of states not meeting their flag state responsibilities.*

An FSM fishing vessel means any fishing vessel registered in the FSM or whose operations are based in the FSM, including vessels that are wholly or partly owned by FSM beneficiaries or that contribute to domestic value-adding through fish processing.

It is a violation of Title 24 for the operator of an FSM-flagged vessel to fish in waters under the national jurisdiction of a foreign state unless duly authorised by that state's competent authorities. Such a violation attracts a civil penalty of up to US$1 million[2]. FSM-flagged vessels are likewise

[2] Title 24 of the Code of the Federated States of Micronesia (Marine Resources Act of 2002), section 909.

prohibited from engaging in drift net fishing activities anywhere (s.908(2)), and the FSM Supreme Court has jurisdiction over any FSM vessel, citizen or resident that contravenes Title 24 beyond the fishery waters (s.701).

FSM is bound by WCPFC CMM 2018-06 to ensure that flag vessels are authorised to fish in the WCPFC Convention Area, including waters beyond fishery waters, and that they are on the Commission's Record of Fishing Vessels.

No FSM vessel may fish on the high seas without authorisation and entry on the national high-seas record (s.303), and PL 19-169 applies high-seas FAD closures and full catch retention to the FSM purse seine fleet. When fishing in the national waters of the PNA countries, FSM vessels comply with the FSM Arrangement and the HMTCs.

Monitoring is undertaken using VMS (operating in all waters at all times under s.611) and a series of reporting requirements, including catch logsheets and zone entry/exit reports (s.115).

When reissuing permits or high-seas authorisations, NORMA conducts a compliance check for each vessel against activities from the previous period. A track record of systematic non-compliance will result in the vessel being removed from the FFA Vessels of Good Standing. FSM, as an FFA member, has, on many occasions, supported the collective withdrawal or suspension of vessels from the FFA Regional Register, the consequence of which is that the 17 FFA members would deny licences to the vessel concerned. The IUU deterrence value of this action is regularly relied upon to ensure compliance, particularly with VMS provisions.

NPOA Action Point 3: NORMA and TC&I to maintain the existing linkage between vessel registration and fishing authorisation, including pre-registration checks of IUU history against RFMO IUU lists, the FFA Register and previous flag administrations.
NPOA Action Point 4: NORMA to maintain the high-seas record under s.303 and the standardised monitoring of all FSM-flagged vessels when fishing within the EEZ, in the waters of other PNA Parties and on the high seas, with the assistance of FFA.

Vessels without nationality

IPOA-IUU Article 20 *invites states to take measures to eliminate the IUU fishing activities of fishing vessels without nationality on the high seas.*

Vessels without a nationality are not currently perceived as a major cause for concern or a source of IUU fishing activity. Should FSM detect any fishing activities by a vessel without nationality on the high seas, this would be presumed to undermine the conservation and management measures of the respective RFMO — a serious violation, for which FSM would instigate or support IUU listing and sanctioning procedures consistent with WCPFC CMM 2009-09. Title 24's evidentiary presumptions (s.706) support such proceedings.

In maintaining its vessel registry, FSM supports and has in place mechanisms to prevent vessels from becoming stateless during a transfer to a new flag.

The creation of the Record of Fishing Vessels held by WCPFC and the FFA Vessels of Good Standing (VOGS) has substantially helped fisheries surveillance agencies throughout the region identify industrial fishing vessels that are not authorised to operate within the WCPFC region. Before registration, vessel owners are required to submit details to FFA, including ownership and vessel characteristics, and FFA undertakes a check of the vessel's history.

All vessels seeking to enter FSM ports are required to give advance notification via an agent (24 hours for port entry under s.115(1)(b); 72 hours for transhipment under s.407(1)(b)), enabling the

pre-arrival identification and, where necessary, denial of services to any unauthorised fishing vessel calling at port.

Any information received about vessels without nationality operating in the region will be shared with neighbouring countries and WCPFC as appropriate.

Penalties

> ***IPOA-IUU Article 21*** *encourages states to ensure that sanctions for IUU fishing be of sufficient severity to effectively eliminate IUU fishing and deprive offenders of the benefits derived from such activities.*

FSM operates a dual enforcement system. Civil penalties are imposed by the FSM Supreme Court in a civil proceeding brought in the name of the Secretary after a finding of liability for a Title 24 violation; administrative penalties are assessed by citation issued by a Marine Surveillance Officer (or other authorised officer) under the NORMA Administrative Penalties Regulations. The two tracks are independent, and the citation process is not a precondition to a civil action (FSM v. Koshin 31).

Title 24, chapter 9, sets out the schedule of prohibited acts and the corresponding civil penalty ranges. Each day of a continuing violation constitutes a separate offence (s.901(2)). In setting the penalty, the Supreme Court must take into account the nature, circumstances, extent and gravity of the act, the violator's degree of culpability, any history of prior offences, and whether multiple violations together constitute a serious disregard of conservation and management measures (s.901(3)) — a statutory steer towards benefit-stripping deterrence. A person may additionally be found liable in restitution for loss or damage (s.903), the acts of crew are deemed those of the operator (s.904), and company officers are personally liable subject to a due-diligence defence (s.905). Criminal prosecution is also available, with imprisonment of up to ten years where a dangerous weapon, bodily injury or threats against an authorised officer or observer are involved (s.902).

A summary schedule of the principal civil penalties is provided in Table 3 below:

Prohibited act (Title 24)	Civil penalty
Fishing without a valid permit (s.907)	US$100,000 to US$1,000,000
Enumerated serious violations — serious misreporting of catch; fishing in a closed area; fishing after attaining quota; directed fishing for a prohibited stock; using prohibited gear; falsifying or concealing vessel markings, identity or registration (s.906(2))	US$100,000 to US$500,000
Engaging in drift net activities (s.908)	US$100,000 to US$1,000,000
Unauthorised fishing in waters of a foreign state by an FSM vessel (s.909)	not less than $50,000 or less than $1,000,000
Improper stowage of fishing gear (s.910)	US$50,000 to US$500,000
Violation of marine space (s.911)	US$50,000 to US$500,000
Fishing on or near submerged reefs or FADs (s.912)	US$50,000 to US$250,000
Possession, handling and sale of fish unlawfully taken (s.913)	US$50,000 to US$250,000
Destruction of evidence (s.914)	US$100,000 to US$500,000
Refusal to give fish samples (s.915)	US$15,000 to US$50,000
Obstruction of justice (s.916)	US$40,000 to US$100,000
Resisting arrest (s.917)	US$20,000 to US$50,000
Contamination of the exclusive economic zone (s.918)	US$50,000 to US$500,000
Damage to fishing vessel or gear belonging to another (s.919)	US$40,000 to US$100,000
Any other violation of the subtitle not otherwise specified (s.920)	US$40,000 to US$100,000

Table 3: Schedule of principal FSM fisheries offences and civil penalties (Title 24, chapter 9)

Half of the proceeds of civil penalties and criminal fines is distributed to any FSM State affected by the situation that gave rise to the action (ss.901(5), 902(5)). Under the APR, a cited vessel may not engage in any fishing or related activity until the administrative penalty is paid or a bond is lodged (s.704), and unpaid citations are referred to the Secretary for recovery proceedings under s.920.

While the civil penalty ranges are substantial and benefit-stripping in design, the first-instance administrative penalties available under the APR are comparatively modest. NORMA will keep the adequacy of penalty levels under review to ensure that, individually and cumulatively, sanctions remain sufficient to deprive offenders of the benefits of IUU fishing, and will pursue serious matters through the civil penalty track before the Supreme Court.

Furthermore, FSM's Marine Resources Management Act 2002 (Title 24) establishes the Fisheries Management and Surveillance Working Group (FMS-WG) to formulate and implement a national fisheries management and surveillance strategy and to make recommendations consistent with the objectives and general principles of the conservation, management, and sustainable use of FSM's fisheries resources. Consistent with Title 24, the FMS-WG comprises representatives from the National Oceanic Resource Management Authority (NORMA) and the Department of Justice (DoJ).

NPOA Action Point 5: NORMA to maintain the use of the administrative and civil penalty provisions of Title 24 and the APR to ensure that IUU activities are effectively sanctioned, and to review penalty adequacy and benefit-stripping during the life of this Plan.

NPOA Action Point 6: NORMA to coordinate and host an annual effectiveness review trough the FMS-WG and forward planning meeting with representatives of key national agencies involved in IUU mitigation, including Customs and the State port authorities.

Non-cooperating states

IPOA-IUU Article 22 *encourages States to prevent, deter and eliminate the activities of non-cooperating States to a relevant regional fisheries management organisation which engage in IUU fishing.*

The relevant RFMO in the FSM context is the WCPFC, whose headquarters FSM hosts in Pohnpei. FSM is a member of the WCPFC and works to translate WCPFC resolutions into action at the national level. Countries that are not members participate as Cooperating Non-Members (CNMs) and are required to comply with WCPFC management measures.

The WCPFC positive list mechanism provides that vessels from other countries are barred from being granted licences to fish in WCPFC member-State waters, and the WCPFC IUU Vessel List (CMM 2019-07) supports coordinated action against vessels engaged in IUU fishing.

Economic Incentives

IPOA-IUU Article 23 *states should, to the extent possible in their national law, avoid conferring economic support, including subsidies, to companies, vessels or persons that are involved in IUU fishing.*

Direct economic incentives and subsidy schemes are not conferred on vessels or operators involved in IUU fishing. National investment policy under the NOFIP 2024–2029 is directed at lawful domestic development, and access to fishing days, permits and onshore support is conditioned on compliance and good standing on the FFA Register.

Monitoring, Control and Surveillance

IPOA-IUU Article 24 *states should undertake comprehensive and effective fisheries monitoring, control and surveillance (MCS) arrangements, notably by giving due thought to: a) regulated access to waters and resources; b) records of vessels and owners; c) vessel monitoring systems (VMS); d) observer programmes; e) training for MCS personnel; f) planning and funding MCS activities; g) promoting industry awareness; h) promoting understanding of MCS issues within the national judicial system; i) systems for the acquisition, storage and dissemination of MCS data; and j) effective implementation of national and internationally agreed boarding and inspection regimes.*

FSM's MCS framework rests on the statutory tools of Title 24 — regulated permit-based access (ss.103–117), the records of vessels and owners (ss.107, 303), the mandatory ALC/VMS transponder operating in all waters at all times (s.611), the observer and port-sampler programme (s.606), and authorised officers' boarding and inspection powers (ss.602–603) — operated within the FFA regional MCS architecture.

MCS and IUU issues have recently been addressed by two assessments of MCS capacity and performance in Pacific Ocean Fisheries: the FFA Regional Monitoring, Control and Surveillance Strategy (RMCSS) 2024-2029[3] and the 2016 FFA report on the quantification of IUU, along with its 2021 update[4]. The recommendations from both documents have been used to improve resourcing, operational strategies, and the more effective and efficient use of the MCS tools at hand, and to strengthen the amendments to the current legal framework.

The RMCSS identifies weaknesses including limited resources for monitoring vast EEZs, persistent IUU fishing risks, especially misreporting in the high seas longline sector, gaps in independent verification of catch, insufficient high seas MCS compatibility, capacity and skills gaps among members, challenges in regional cooperation and information sharing, and the need for sustainable funding and better integration of emerging technologies. At the same time, the IUU quantification report found that the risks relate largely to underreporting and misreporting and are clearly differentiated by the type of vessel gear.

FSM is progressively expanding electronic reporting (ER) and electronic monitoring (EM) to address these risks.

FSM's MCS and compliance team is responsible for collecting and analysing licensing, VMS, observer and inspection data through the PNA FIMS and SPC TUFMAN2 (TUBS), enabling compliance to be monitored across all fleets covering VMS, fishing days, catch, observer reporting, transhipment and reporting obligations, and analysed in real time where required. This information is shared with the FFA Regional Fisheries Surveillance Centre.

This information is added to the FFA Regional Fisheries Surveillance Centre's (RFSC) electronic tracking system.

PSM operational aspects are outlined in the Port State Measures Standard Operating Procedures, which aim to strengthen fisheries compliance and enforcement. This MCS support document sets out guidelines for handling requests for port entry, inward clearance, inspection results, monitoring, and outward clearance of vessels, as well as the basic requirements for the catch documentation scheme and applicable certifications.

A biannual self-evaluation MCS needs assessment is conducted to inform decision-making on the topic, external evaluations and the Inspection manual.

[3] https://www.ffa.int/download/ffa-regional-monitoring-control-and-surveillance-strategy-rmcss-2024-2029/

[4] https://www.ffa.int/download/the-quantification-of-illegal-unreported-and-unregulated-iuu-fishing-in-the-pacific-islands-region

NPOA Action Point 7: NORMA to institute and to maintain the practice of biannual self-evaluation and MCS needs assessment to inform revision and updating of operational documents if required

National Plans of Action

IPOA-IUU Articles 25 to 27 *encourage states to develop their NPOA-IUU in close consultation with interested stakeholders, including RFMOs, industry and NGOs, to assess its implementation on a regular basis, and to ensure internal and national coherence and coordination of efforts.*

This is the first NPOA-IUU adopted by the FSM. It has been developed through appropriate consultation processes — including with the State Governments, industry and regional partners — and gives effect to the IPOA-IUU in the FSM.

The NPOA-IUU will be reviewed and amended periodically, at intervals of no more than six years, to ensure that regulatory and management changes are fully reflected.

NPOA Action Point 8: NORMA to revise this NPOA-IUU periodically, and no less than every six years.

Cooperation Between States

IPOA-IUU Articles 28 to 31 *encourage states to cooperate under the following headings: a) exchange of information on records of vessels authorised to fish; b) acquisition, management and verification of fishing data and information; c) allowing respective MCS personnel to cooperate in the investigation of IUU fishing; and d) cooperation on technology transfer and the harmonising of policies and MCS. States are also encouraged to inform FAO and RFMOs about vessels deleted from their records, to designate and publish formal contact points for IUU fishing matters, and to cooperate directly with other states for the enforcement of flag state measures.*

FSM has reciprocal information-sharing arrangements with most of the FFA membership, including VMS, vessel compliance details on the FFA Register, and inspection data. Through FFA, FSM shares data to target the aerial and maritime surveillance activities of the Quadrilateral surveillance providers (Australia, France, New Zealand and the USA).

FSM is a Party to the Niue Treaty on Cooperation in Fisheries Surveillance and Law Enforcement and its Multilateral Subsidiary Agreement, which provide for cooperation in enforcement activities, including the exchange of information and cross-jurisdictional surveillance and enforcement operations.

FSM is the depositary and namesake of the FSM Arrangement, the sub-regional reciprocal-access arrangement among the PNA Parties, and an active participant in the WCPFC, the PNA and the US Tuna Treaty, which together provide for the public disclosure of vessel information and international cooperation against IUU fishing.

FSM will pursue and maintain bilateral arrangements with states whose vessels are active in the FSM EEZ, and with tuna-processing states, to strengthen data sharing, surveillance, enforcement and traceability, with particular attention to observer reporting, joint operations, intelligence sharing and the integration of IT systems. FSM will designate and keep current its formal contact point for IUU fishing matters.

NPOA Action Point 9: NORMA to maintain and expand its regional and bilateral cooperation and information-sharing arrangements, and to maintain a published formal contact point for IUU matters.

Publicity of IUU events detected, and fines implemented

IPOA-IUU Article 32 *encourages states to publicise widely full details of IUU fishing and actions taken to eliminate it.*

To ensure that the rules are clear and that the consequences of illegal fishing are known, NORMA will publish details of significant infringements detected, prosecutions and settlements, through its website and in domestic and international media, consistent with the requirements of the FSM Supreme Court process.

NPOA Action Point 10: NORMA to establish and maintain the regular publication of IUU cases, penalties and prevention activities.

Capacity and technical resources

IPOA-IUU Article 33 *encourages states to make available the necessary technical capacity and resources needed to implement the NPOA-IUU, noting that this might include the establishment of appropriate financial mechanisms at national, regional or international levels.*

FSM fishery officers involved in MCS activities undertake relevant training, typically through MCS workshops and short courses delivered by regional organisations and overseas universities. National Police Maritime Wing personnel are trained in core maritime functions through the Pacific Maritime Security Program, and specific enforcement and surveillance training is organised for maritime and fisheries officers. FSM observers and debriefers are required to meet the regional PIRFO competency standards developed by SPC and FFA.

FSM participates in the regional MCS Competency-Based Foundation Course and supports its officers through the FFA-delivered Certificate IV in Fisheries Enforcement and Compliance, accredited by USP.

The development of effective PSM and a catch documentation scheme will increase the need for industry knowledge, forensic accounting, data analysis and intelligence analysis skills — areas that are a focus of the NZ MFAT-supported OFA attached to NORMA.

The NORMA annual budget, funded largely from access-fee and VDS revenues, provides the basic funding required to implement the NPOA-IUU, supplemented from time to time by grants from regional organisations, RFMOs, bilateral development partners and industry cost-recovery.

NPOA Action Point 11: NORMA to maintain support for its officers through the FFA Certificate IV in Fisheries Enforcement and Compliance and equivalent regional training.

Flag state responsibilities

Vessel registration / Record of Fishing Vessels

IPOA-IUU Articles 34 to 43 *encourage flag states to exert necessary control over vessels flying their flag to minimise possible IUU fishing activities, to avoid flagging vessels with an established IUU fishing record, to prevent flag-hopping for purposes of non-compliance, to firmly link vessel registration and the issuing of fisheries licences, and to keep a register of vessels authorised to fly its flag, for vessels fishing within and beyond national jurisdiction.*

Registration of FSM-flagged vessels is administered by the national maritime administration (TC&I) under Title 19, while NORMA authorises fishing vessels on its Record of Fishing Vessels, maintains the high-seas record (s.303), and submits FSM vessels to the WCPFC Record of Fishing Vessels.

The permit application process (s.107) captures the information needed to link registration and authorisation, and a permit must be denied where issuance would be inconsistent with management measures or not in the best interests of the FSM (s.109).

The linkage between NORMA and TC&I, including pre-registration IUU history checks against the RFMO IUU lists, the FFA Register and previous flag administrations, and checks on beneficial ownership and master history, is addressed under Action Point 3.

If a registered vessel subsequently demonstrates a pattern of systematic non-compliance, it will be removed from the NORMA Record of Fishing Vessels and the FFA Vessels of Good Standing, and records will be retained to inform other competent authorities.

Authorisation to fish

IPOA-IUU Articles 44 to 50 *encourage flag States to ensure that each fishing vessel entitled to fly its flag, and fishing in waters beyond national jurisdiction, is duly authorised by the flag State.*

NORMA is the authority responsible for authorising FSM vessels to fish in FSM waters and, through the high-seas record under s.303, in areas beyond national jurisdiction. As a condition of authorisation, FSM fishing vessels are required to record, maintain and provide catch statistics and other required data to NORMA, and to meet the reporting requirements of the WCPFC, PNA and the national governments of any countries in whose waters they fish.

FSM vessels must report via VMS (operating in all waters at all times under s.611) to the FFA/FSM national monitoring centre and comply with any applicable WCPFC or third-country VMS requirements. FSM vessels operating in areas beyond national jurisdiction must comply with FFA's Harmonised Minimum Terms and Conditions for Access. FSM requires 100% observer coverage of its purse seine fleet and progressively requires longliners to carry observers or electronic monitoring systems as a prerequisite for fishing.

Coastal State Measures

IPOA-IUU Article 51 *encourages coastal states to implement measures to prevent, deter and eliminate IUU fishing in the exclusive economic zone, through effective MCS, licensing and authorisation, data collection and information exchange with other states.*

Title 24 and its subsidiary regulations set out the legal framework for the management of FSM's EEZ fisheries.

Vessels operating under FSM's coastal-State jurisdiction must be permitted and must comply with the responsibilities of permit holders and operators under FSM law and the WCPFC CMMs.

The FFA Regional Register recognises that most fishing vessel operators wish to operate in the waters of more than one FFA member. FFA members undertake to ensure that any access agreements they negotiate include the requirements set out in the HMTCs, which are reflected in the statutory minimum terms of s.404 and in permit conditions, including:

- no foreign vessel will fish in the EEZ unless a standard licence is issued;
- purse seine transhipments at sea are prohibited and are permitted only in designated ports; longline transhipments may occur only as authorised by NORMA (s.407);
- vessel operators must release logbooks and catch records to authorised officers and submit catch logs within prescribed periods;
- vessel operators must carry observers and provide them with access to the relevant parts of the vessel;

- vessel operators must maintain a local agent and a resident agent or FSM-registered company able to receive legal process (s.404);
- fishing gear must be stowed while transiting the EEZ (s.910);
- operators must comply with the orders of authorised officers, mark their vessels in accordance with the FAO Standard Specifications, and operate registered ALC/VMS transponders (s.611); and
- operators must comply with the minimum crew labour requirements set in the HMTCs.

Information-exchange arrangements are in place between FSM and other FFA members through the Niue Treaty and its Subsidiary Agreement.

Port state measures

IPOA-IUU Articles 52 to 64 *encourage port states to put necessary controls in place, including: a) advance notice and permission to enter port; b) refusal of landing or transhipment authorisation to vessels established as having engaged in IUU fishing; c) publicising ports to which foreign vessels may be permitted access and ensuring on-site inspection capacity; d) communicating inspection data to interested parties, including RFMOs and the flag state; e) reporting detected infractions to the flag state; f) publicising the national strategy and procedures and training officers; g) cooperating bilaterally or regionally on compatible port state controls; h) treating vessels of non-members or non-cooperating states of a relevant RFMO as having engaged in IUU fishing and requiring the master to establish the legality of catch on board; and i) enhancing information flows among relevant RFMOs.*

Pohnpei is a significant transhipment and provisioning hub, and port-State controls are an important element of FSM's anti-IUU framework.

FSM currently applies port-State controls through the reporting and transhipment provisions of Title 24 (the 24-hour port entry and departure report under s.115(1)(b) and the 72-hour in-port transhipment regime under s.407), inspections by authorised officers and observers (ss.602–603, 606), and the FFA Regional PSM Framework utilises the FFA ePSM system, in line with PSMA and WCPFC CMM 2017-02.

FSM as a future PSMA Party. FSM is not yet a Party to the FAO Agreement on Port State Measures. Section 204(1)(j) of Title 24 expressly empowers NORMA to make regulations prohibiting port entry and the use of port services by vessels that have engaged in fishing or related activities undermining conservation and management measures; this is the existing legal basis on which a dedicated, PSMA-compliant port-State regime will be enacted.

Accession to the PSMA, the designation and publication of designated ports, the establishment of an Annex A pre-entry process and inspection benchmarks, and notification of the FSM contact point and designated ports to FAO are the principal forward actions of this Plan in the port-State area.

Pending accession, NORMA will progressively formalise its procedures — building towards inspections of all purse-seine and carrier vessels and a defined proportion of longliners calling at FSM ports to land or tranship — and will publish its port-State controls and principles on the NORMA website.

NPOA Action Point 12: NORMA to formalise and publish its port-State procedures, and make its PSM controls and principles available on the NORMA website.

Market-related measures

IPOA-IUU Articles 65 to 76 *encourage states to apply trade- and market-related measures, consistent with international law, to deter and eliminate IUU fishing, including preventing fish caught by IUU vessels from being traded or imported, adopting multilaterally agreed and WTO-consistent trade-related measures, and establishing catch documentation schemes to enhance traceability.*

NORMA regulates the on-shore storing, buying, processing and export of fish from first landing as "related activities" under Title 24 (ss.102, 117, 204(1)(b)), and acts as the Competent Authority for FSM's international fisheries and related obligations, including catch verification and certification (s.205(13)). FSM participates in the FFA regional Catch Documentation Scheme (CDS), which is under development, and signs the transhipment-in-port section of catch certificates for foreign vessels transshipping at FSM ports.

FSM does not presently hold the EU sanitary authorisation or the EU IUU catch-certification "competent authority" status required for direct export of fishery products to the EU market. Developing the sanitary and traceability framework needed to pursue EU market access and consolidating the procedures for responding to catch-certification enquiries are objectives of this Plan.

NPOA Action Point 13: NORMA to develop its traceability and catch-documentation framework, participate in the FFA regional CDS, and pursue the sanitary and catch-certification arrangements necessary for expanded market access.

NPOA Action Point 14: NORMA, with the Department of Justice and the Department of Foreign Affairs, to progress FSM's accession to the FAO Agreement on Port State Measures and to enact the enabling port-State regulations under s.204(1)(j), including designated ports, pre-entry procedures and inspection benchmarks.

Research

IPOA-IUU Article 77 *encourages states to engage in scientific research to derive methods permitting the identification of fish species from samples of processed products, notably through work on genetic markers and protein profiling.*

NORMA supports the research functions of the Pacific Community (SPC) by providing port-sampling information, observer data, and electronic reporting and monitoring data, and participates in the development and testing of new technologies to improve the accuracy of catch and transhipment data.

NORMA and SPC have scaled up tuna genetic sampling using Close-Kin Mark-Recapture (CKMR) methods. These tissue biopsies replace traditional physical tags, allowing scientists to identify parent-offspring kin-pairs and accurately estimate absolute adult tuna abundance.

Regional Fisheries Management Organisations

IPOA-IUU Articles 78 to 84 *encourage states to respect and enforce the anti-IUU policies and measures of RFMOs, to adopt suggested management measures even where they are not members, to support the establishment of RFMOs where they do not exist, and to take measures against states failing to control their nationals and vessels.*

FSM is an active member of the WCPFC, which it hosts in Pohnpei, and implements its resolutions. The application of the WCPFC CMMs is monitored annually under the Compliance Monitoring Scheme. As a member of the FFA and the PNA, FSM has been instrumental in developing many WCPFC CMM proposals through the FFA chamber of the Commission.

While the principle of broadening participation in the WCPFC is supported, FSM's policy, aligned with that of other Pacific Islands Forum members, is that management of the WCPO tuna fishery is the responsibility and right of the coastal states in the region. Fishing by FSM-flagged vessels or nationals in waters and for species subject to the jurisdiction of RFMOs to which FSM is neither a party nor a cooperating non-member is prohibited without explicit authorisation.

Special Requirements of Developing Countries

IPOA-IUU Articles 85 and 86 *call for support to developing countries, notably in developing and implementing their NPOA-IUUs and giving effect to international obligations, duties and responsibilities as coastal, flag and port states.*

As a small island developing state (SIDS), FSM regularly seeks, and sometimes receives, financial and technical assistance from bilateral development partners, regional organisations and others to support its anti-IUU efforts.

This NPOA-IUU was developed with technical assistance from an Offshore Fisheries Adviser supported by the New Zealand Ministry of Foreign Affairs and Trade (NZ MFAT).

FSM will widely disseminate its NPOA-IUU to signal its willingness to collaborate with partner nations and organisations and to communicate the measures it is taking to deter IUU fishing, and the Plan will serve as a basis for discussing and agreeing on partnerships for assisted implementation, in particular for PSMA accession and CDS development.

Reporting

IPOA-IUU Article 87 *recommends that states and regional fisheries management organisations report to FAO on progress with the elaboration and implementation of their plans to prevent, deter and eliminate IUU fishing, as part of their biennial reporting to FAO on the Code of Conduct.*

FSM will endeavour to provide the required information to FAO when feasible or if specifically requested, as part of its reporting on the Code of Conduct, and will report regionally through the FFA and WCPFC processes.

Implementing the NPOA-IUU

This NPOA-IUU will be reviewed periodically and, if necessary, revised at intervals of no more than six years, in line with Action Point 8. The Implementation Table at Attachment A sets out how FSM will implement the actions specified in this Plan. Primary responsibility lies with NORMA, but several actions require a multi-agency approach involving the Department of Justice, the National Police Maritime Wing, TC&I, Customs, the Department of Foreign Affairs and the State port authorities.

NPOA Action Point 15: NORMA to pursue, to the best of its capabilities, the action points identified in this NPOA.

Attachment A: Implementation Table

#	Action	Responsibility	Timeframe
1	NORMA to maintain implementation, through supporting compliance actions, of WCPFC CMMs, FFA HMTCs and PNA IAs as and when these are amended.	NORMA	Ongoing
2	Maintain the effective application of Title 24 of the FSM Code and the Administrative Penalties Regulations.	NORMA	Ongoing
3	NORMA and TC&I to maintain the existing linkage between vessel registration and fishing authorisation, including pre-registration checks of IUU history against RFMO IUU lists, the FFA Register and previous flag administrations.	NORMA / TC&I	Ongoing
4	Maintain the s.303 high-seas record and standardised monitoring of all FSM-flagged vessels in the EEZ, in PNA waters and on the high seas, with FFA assistance.	NORMA	Ongoing
5	Maintain the use of the administrative and civil penalty provisions, and review penalty adequacy and benefit-stripping.	NORMA / Dept of Justice	Ongoing / review by 2028
6	NORMA to coordinate and host an annual effectiveness review trough the FMS-WG and forward planning meeting with representatives of key national agencies involved in IUU mitigation, including Customs and the State port authorities.	NORMA / Dept of Justice	Annually
7	Institute an biannual self-evaluation and MCS needs assessment to inform revision of operational documents.	NORMA	Annually
8	Revise this NPOA-IUU periodically, and no less than every six years.	NORMA	As required
9	Maintain and expand regional and bilateral cooperation and information-sharing, and a published IUU contact point.	NORMA	Ongoing
10	Establish and maintain the regular publication of IUU cases, penalties and prevention activities.	NORMA	Ongoing
11	Maintain support for officers through the FFA Certificate IV in Fisheries Enforcement and Compliance and equivalent training.	NORMA / partner agencies	Ongoing
12	Formalise and publish port-State inspection procedures on the NORMA website.	NORMA	By 2027, then ongoing
13	Develop the traceability and catch-documentation framework, participate in the FFA CDS, and pursue market-access (sanitary and catch-certification) arrangements.	NORMA	Ongoing
14	Progress accession to the FAO PSMA and enact enabling port-State regulations under s.204(1)(j).	NORMA / Dept of Justice / Foreign Affairs	2026–2029
15	Pursue, to the best of its capabilities, the action points identified in this NPOA.	NORMA	Ongoing