

**FFA****Sixteenth Special PIP Meeting (SPIP16)****22 October 2025
Honiara. Solomon Islands**

Agenda Item:	2
Paper Number:	SPIP16 WP1
Title	Proposed Amendments to the Internal Agreement of the Pacific Island Parties on the Implementation and Administration of the Treaty on Fisheries with the United States
<p>Summary:</p> <p>The paper seeks to amend Schedule 1 of the <i>Agreement Among Pacific Island States Concerning the implementation of the Treaty on Fisheries between the Government of Certain Pacific Island States and the Government of the United States of America</i> (“the Agreement”).</p> <p>The proposed amendments are based on the decision of FFCMIN22 held on 5 September 2023 in Kokopo, Papua New Guinea and the SPIP11 held virtually on 14 November 2023. These decisions were related to the new funding under the extended Economic Assistance Agreement (EAA) that provides an annual payment of US\$60 million by the United States Government to the FFA Secretariat in support of the implementation of the Treaty on Fisheries with the United States.</p> <p>Recommendations:</p> <p>The Pacific Island Parties are invited to:</p> <ul style="list-style-type: none">(i) Consider the proposed amendments to Schedule 1 of the Agreement as provided in Attachment 1, and agree, as appropriate;(ii) Urge the Pacific Island Parties [that have yet to do so], to ratify the amendments to Schedule 1 of the Agreement as early as possible; and(iii) Further consider, as an administrative requirement, that each Pacific Island Party completes its ratification of the adopted amendments to the Agreement, as well as the 2024 and 2016 amendment to the Treaty, before that Party’s further share from the Treaty funds can be transmitted; and(iv) Note the distribution of the 2024 payment under the EAA and the progress on the 2025 payment which will be made soon.	

Proposed Amendments to the Internal Agreement of the Pacific Island Parties to the Treaty on Fisheries with the United States

Purpose

The purpose of this paper is to amend Schedule 1 of the Internal Agreement of the Pacific Island Parties¹ in accordance with the decisions of the FFC and the Pacific Island Parties.

Background

At FFCMIN22 held on 5 September 2023 in Kokopo, Papua New Guinea, Ministers agreed on a revised approach for the distribution of the United States Government payment under the extended Economic Assistance Agreement (EAA) of the Treaty on Fisheries with the United States. The extended EAA provides for \$60 million annual payment by the United States as an economic assistance to the Pacific Island Parties under the Treaty for a 10-year period from June 2023 – June 2033.

Further, at FFCMIN22, Australia and PNG agreed to have their Equal shares from the \$60 million redistributed equally to the Exploratory Pool members, as part of the deal to reach agreement on the revised approach for the distribution of the new funds under the Treaty (refer to meeting record [HERE](#)).

In addition, at SPIP11 meeting held virtually on 14 November 2023, the Pacific Island Parties agreed on the following (refer to meeting record [HERE](#)):

- From the combined allocation of funds for the Equal share and PDF share of \$27 million, each Pacific Island Party will decide how much its PDF share will be allocated and the balance after the deduction will constitute the Equal share;
- From the allocation of funds for the ‘Top-up and activity payment’ of \$31.735 million, a sum of \$1.5 million will be set aside for the ‘activity payment’ and the balance after the deduction will constitute the ‘top-up payment’; and
- Fiji will advise the Secretariat the details of its offer of its Equal share to assist the other Exploratory Pool members.

Subsequently, the Secretariat has consulted with Fiji on the amount required to top-up the shares of the Exploratory pool members to reach the agreed payment level.

At FFC138 in May 2025 in Niue, the Secretariat provided a paper (US Treaty Update) which included the proposal to revise Schedule 1. However, the proposal was not considered due to insufficient time for notification in accordance with the requirement for amending the Agreement but more importantly to give more time to the Pacific Island Parties to consider the proposed amendments.

Proposed Amendments to Schedule 1

The current Schedule 1 of the Internal Agreement provides for the distribution of \$21 million which was the annual payment by the United States in the last 10 years of the Treaty, which ended in June 2023.

¹ Agreement Among Pacific Island States Concerning the Implementation and Administration of the Treaty on Fisheries between the Government of Certain Pacific Island States and the Government of the United States of America.

In accordance with the agreements explained above, the Secretariat has provided a draft Agreement to amend Schedule 1 for consideration. This is provided in **Attachment 1**.

Attachment 2 provides an illustration of the Pacific Island Parties' shares from the \$60 million annual payment for the next 5 years (15 June 2023 – 14 June 2028), noting the agreement of the Pacific Island Parties to review this distribution approach before June 2028.

Next Step

The next task is for the Pacific Island Parties to ratify the amendments to Schedule 1 of the Agreement.

Like the 2024 amendments and 2016 amendments to the Treaty, the amendments to Schedule 1 of the Agreement also need to be ratified in accordance with the individual national laws and procedures of the Parties.

As is experienced with past amendments to be ratified, this particular task involves long delays to the extent that past adopted amendments have been implemented in good faith but without firm legal footing because of the inability of all the Parties to ratify such amendments.

In this regard, the Pacific Island Parties may wish to consider an administrative requirement for each Party to complete the required ratification task (both for the Agreement and the Treaty) before that Party's shares of the funds from the Treaty can be transmitted.

The current status of ratification of the 2024 amendments and 2016 amendments to the Treaty is provided in **Attachment 3**.

Other Matters

(a) Distribution of \$60 million (2024 payment)

The first payment of \$60 million from the United States was received in mid-August 2025. Due to pressure for the distribution to be made as early as possible, the funds have been distributed in accordance with the revised approach for the distribution, as agreed by FFCMIN22 and SPIP11. However, redistribution of PNG's Equal share to the Exploratory Pool members and Fiji's top-up payment to the other Exploratory Pool members will be made after the pledges have been formalised.

Notwithstanding the distribution, the Secretariat wishes to remind of the need for the Parties to adhere to existing procedures and requirements for formally accepting and ratifying adopted amendments, including the current amendments to the Agreement, to maintain the integrity of the Agreement and that its implementation is based on a firm legal footing.

(b) Status of \$60 million (2025 payment)

Forum Leaders, in their 2025 Communiqué issued on 12 September 2025 in Honiara,

"...acknowledged the U.S. Tuna Treaty annual Economic Assistance Agreement payment of US\$60 million for 2024 to the Forum Fisheries Agency and supported renewed and continuous engagement with the U.S. to facilitate the annual payment for 2025."

On 22 September 2025, US Deputy Secretary Chris Landau announced to Forum Leaders attending the UNGA in New York, of the US commitment that,

“...the United States, working with Congress, will soon provide the second \$60 million payment to [the] FFA Secretariat as part of the 10-year Economic Assistance Agreement associated with the Treaty.”

This is a significant achievement and positive development on the future of the Treaty. The Secretariat is seeking more information from the US about the payment, in particular, the timing of the payment which is anticipated to be made before the end of 2025.

AGREEMENT TO AMEND SCHEDULE 1 OF THE AGREEMENT AMONG PACIFIC ISLAND STATES CONCERNING THE IMPLEMENTATION AND ADMINISTRATION OF THE TREATY ON FISHERIES BETWEEN THE GOVERNMENTS OF CERTAIN PACIFIC ISLAND STATES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

RECALLING the first Agreement of the Pacific Island Parties on the distribution of the payments from the Government of the United States of America made on the 2nd April 1987 in Port Moresby, Papua New Guinea;

FURTHER RECALLING the subsequent agreements of the Pacific Island Parties on the revised distribution of the payments made over the years of operation of the Treaty, including the revised distribution that was agreed at the Pacific Island Parties Meeting held on 12 April 2018 in Nadi, Fiji;

FURTHER RECALLING the decision of the 22nd FFC Ministerial Meeting (FFCMIN22) held on 5 September 2023 in Kokopo, Papua New Guinea, on the revised agreed approach to the distribution of the Treaty funds; and

FURTHER RECALLING the decision of the 11th Special Pacific Island Parties Meeting (SPIP11) held virtually on 14 November 2023 on the distribution of the amount set aside for the ‘Activity related payment’ component and the confirmation of the redistribution of the ‘Equal shares’ of certain Parties to the Exploratory pool members; and

IN FURTHERANCE of the decision of the 22nd FFC Ministerial Meeting and the 11th Special PIP Meeting, the Pacific Island Parties have agreed to amend Schedule 1 to the Agreement Among Pacific Islands States Concerning the Implementation and Administration of the Treaty of Fisheries between the Government of Certain Pacific Islands States and the Government of the United States of America (the “Internal Agreement”) on 14 November 2023 as specified in Schedule 1 to this Agreement;

IT IS AGREED that Schedule 1 to this Agreement supersedes Schedule 1 to the Internal Agreement.

DISTRIBUTION OF PAYMENTS

The Administrator shall distribute any amounts received pursuant to the Principal Agreement as follows:

1. From the total of US\$60 million payment or such other amount as may be paid by the United States Government pursuant to the Economic Assistance Agreement (EAA) between the Government of the United States of America and FFA, the Administrator shall deduct administrative and management costs in accordance with Article 6.1 and 6.2. and the balance remaining shall be distributed as follows:

Allocation	Amount	Approximate %
Administration & Management fee	1,265,000.00	2.1%
Equal share and PDF	27,000,000.00	45%
Top-up and activity related payment	31,735,000.00	52.9%
Total	60,000,000.00	100%

2. The allocated amount for Equal share shall be \$27 million which shall include a fund referred to as the “Project Development Fund” (PDF).

(a) This amount shall be distributed equally to the Pacific Island Parties after the deduction of the PDF.

(b) Each Pacific Island Party shall nominate a PDF amount to be deducted from its Equal share which shall be held and administered by the FFA Secretariat in accordance with the FFA financial regulations and procedures agreed between the Pacific Island Parties.

3. The allocated amount for the Top-up payment shall be \$31.735 million which shall include the payment for related activities.

(a) The Top-up amount shall be \$30.325 million which shall be calculated by multiplying the number of Upfront Days provided for the Parties named in Paragraph 7(a), 7(b) and 7(c) of Annex II of the Principal Agreement with the price of \$8,469 for each upfront day, or such other agreed price.

(b) The amount for activity related payment shall be \$1.5 million which shall be distributed based on the proportional distribution of efforts of vessels fishing for that licensing period.

4. For the Pacific Island Parties named in paragraph 7(d) of Annex II of the Principal Agreement, the payment of \$250,000 shall be made from Australia’s Equal share in accordance with the agreement of Australia and shall be distributed in the proportion advised by these Parties. Any additional payment of \$6,000 per day from the Industry shall be paid to that Party in whose waters the fish was caught.

5. Any interest accrued on the United States Government payment shall be distributed equally amongst the Pacific Island Parties.

6. Any payments made by the Industry pursuant to Paragraph 8 of Annex II of the Principal Agreement shall be distributed in accordance with the agreement of the Pacific Island Parties and any interest accrued shall be distributed in the same proportion as the fund that it accrues from.

Done at Honiara, Solomon Islands on the XXth October, 2025.

(Note: Pages for Parties’ signature will be added)

Attachment 2

PIPs Shares from UST Annual Payment of US\$60m (after redistribution of Australia and PNG Equal Shares to Exploratory Members)

Pacific Island Parties	Equal share + PDF ¹	Activity related payment ²	Top up for upfront days	TOTAL
Australia	156,250	0	0	156,250
Cook Islands	1,687,500	123,644	2,964,216	4,775,360
Kiribati	1,687,500	1,308,026	4,234,594	7,230,120
<i>VDS (ex-KI) members</i>				
FSM	1,687,500	0	2,879,524	4,567,024
Marshall Islands	1,687,500	0	2,879,524	4,567,024
Nauru	1,687,500	0	2,879,524	4,567,024
Palau	1,687,500	0	2,879,524	4,567,024
PNG	156,250	0	2,879,524	3,035,774
Solomon Islands	1,687,500	0	2,879,524	4,567,024
Tokelau (inc NZ PDF & equal share)	1,687,500	42,300	2,879,524	4,609,324
Tuvalu	1,687,500	26,030	2,879,524	4,593,054
<i>Exploratory Pool members</i>				
Fiji	2,300,000	0	0	2,300,000
Niue	2,300,000	0	0	2,300,000
Samoa	2,300,000	0	0	2,300,000
Tonga	2,300,000	0	0	2,300,000
Vanuatu	2,300,000	0	0	2,300,000
TOTAL	27,000,000	1,500,000	30,235,000	58,735,000
FFA - Admin and Management	0			1,265,000
GRAND TOTAL	27,000,000	1,500,000	30,235,000	60,000,000

Notes:

1. It is assumed that Australia's and PNG's PDF remains at \$156,250 and Australia continues to reallocate their PDF to the FFA Secretariat and PNG continues to use it as PDF funds. The remaining funds due to Australia and PNG (\$1,531,250 each) are distributed equally among the Exploratory Pool members with each receiving an additional \$612,500. Fiji's pledge to the Exploratory Pool members has not been factored, including the adjustment to Samoa's proportional share from the \$250,000 payment sourced from Australia's Equal share. Thus, the figures for the Exploratory Pool members do not necessarily represent the final outcome.

2. Based on the effort distribution of the 2024 period. The next distribution of the activity related payment will be based on the effort distribution of the 2025 period, and so on.

Attachment 3
(as at 16 Sep 2025)

**Status of Signing of MOU to Provisionally Apply the 2024 Amendments and
Ratification of the 2024 Amendments and 2016 Amendments**

Party	MOU to provisionally apply 2024 Amendments Signed	2024 Amendments Ratified	2016 Amendments Ratified
Australia	03-Dec-2024		
Cook Island	16-Dec-2024	7-Feb-2025	21-Jan-2022
FSM	02-Dec-2024		18-Apr-2018
Fiji			
Marshall Is	29-Nov-2024	6-Feb-2025	6-Feb-2025
Kiribati			28-Sep-2020
Nauru	02-Dec-2024		8-Mar-2018
New Zealand	02-Dec-2024	25-Apr-2025	16-Apr-2018
Niue	02-Dec-2024		4-May-2018
Palau	29-Nov-2024		
PNG	27-Dec-2024		
Samoa	02-Dec-2024		12-Apr-2018
Solomon Is	02-Dec-2024		7-Mar-2019
Tonga	02-Dec-2024		4-Dec-2018
Tuvalu	03-Dec-2024	12-Feb-2025	27-Oct-2021
Vanuatu	02-Dec-2024		
United States	02-Dec-2024		19-Jan-2017