

PSSA FAQs

What does the Particularly Sensitive Sea Area (PSSA) designation mean?

A PSSA is an area that needs special protection through action by the International Maritime Organization (IMO) because of its significance for recognized ecological, socio-economic, or scientific reasons and which may be vulnerable to damage by international shipping activities. In order for an area to be designated as a PSSA, an associated protective measure to prevent, reduce, or eliminate the threat or identified vulnerability must have been approved or adopted by IMO. A ship reporting system and Areas to be Avoided are the associated protective measures that have been adopted by the IMO to protect the Papahānaumokuākea Marine National Monument PSSA.

Are there other PSSAs?

The Papahānaumokuākea Marine National Monument is the world's 11th PSSA, joining the following PSSAs that have previously been designated by the IMO:

- the Great Barrier Reef, Australia (designated a PSSA in 1990), including an extension to include the Torres Strait (proposed by Australia and Papua New Guinea) (2005)
- the Sabana-Camagüey Archipelago in Cuba (1997)
- Malpelo Island, Colombia (2002)
- the sea around the Florida Keys, United States (2002)
- the Wadden Sea, Denmark, Germany, and Netherlands (2002)
- Paracas National Reserve, Peru (2003)
- Western European Waters (2004)
- Canary Islands, Spain (2005)
- the Galapagos Archipelago, Ecuador (2005)
- the Baltic Sea area, Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden (2005)

Why is the PSSA designation important?

Ship traffic has been identified as one of the primary anthropogenic threats to the vulnerable and valuable natural and cultural resources of the Northwestern Hawaiian Islands. PSSA designation and the associated protective measures of 1) enhanced Areas to be Avoided and 2) a ship reporting system will augment domestic protective measures by alerting international mariners to exercise extreme caution when navigating through the area.

How is this system different than what is already in place?

PSSA designation will augment domestic protective measures by alerting international mariners to exercise extreme caution when navigating through the area. PSSA boundaries will also appear on international navigational charts.

Additionally, PSSA designation carries with it the associated protective measures recognized by the IMO as necessary to prevent damage to the coral reef

ecosystem by international shipping. These protective measures include 1) the amendment and expansion of six existing ATBAs (adopted by the IMO in 1981) in order to increase the ATBAs' applicability to a broader class of vessels and to expand the ATBAs to other areas in the region, including around Kure and Midway atolls; and 2) a new ship reporting system which is applicable to foreign-flagged vessels as well as U.S. vessels.

What is an Area To Be Avoided (ATBA)?

ATBAs are areas within defined limits in which either navigation is particularly hazardous or it is exceptionally important to avoid casualties and which should be avoided by all ships, or by certain classes of ships.

Who is affected by this new designation?

As a condition of entry to a United States port or place, all ships 300 gross tonnage or greater, that are in transit through the reporting area are required to participate in this ship reporting system. Additionally, all US flagged vessels, and all ships involved in a developing emergency that are in transit through the reporting area are required to participate. Participation in the reporting system is recommended for other ships transiting through the reporting area.

How will the reporting system work?

The reporting area begins 10 nautical miles outside of the Monument's boundaries. The objective of the reporting system is to increase awareness of the PSSA and ATBAs and provide critical alerts and other important information to assist mariners in navigating safely through the area. The ship reports will also provide information on vessel traffic in transit through the PSSA which will facilitate response to developing maritime emergencies. The achievement of both of these objectives will result in additional protection of the fragile environment and preservation of cultural resources and areas of cultural importance significant to Native Hawaiians.

How will these new mandates be enforced?

All means will be used to encourage and promote recognition of and full compliance with the associated protective measures and awareness of the PSSA. For those ships required to report to the reporting system, if reports are not submitted and the ship can be positively identified, appropriate action will be taken – including interaction with the flag State – and in accordance with customary international law as reflected in the 1982 United Nations Convention on the Law of the Sea. Warships, naval auxiliaries, and other vessels and aircraft owned or operated for the time being only on non-commercial service enjoy sovereign immunity.

What was the designation process for the Papahānaumokuākea PSSA?

Papahānaumokuākea Marine National Monument was designated "In Principle" as a Particularly Sensitive Sea Area by the International Maritime Organization in July 2007. The U.S. proposal for PSSA designation was submitted in April 2007

for consideration by the IMO's Marine Environment Protection Committee (MEPC) at its July 2007 meeting. The Monument PSSA received final designation by the MEPC on April 3, 2008. Additionally, as part of the PSSA designation process, on October 8, 2007 the IMO's Maritime Safety Committee adopted U.S. proposals for the associated protective measures of: (1) the expansion and amendment of the six existing recommendatory Areas to be Avoided (ATBAs) in the area; and (2) the establishment of a ship reporting system for vessels transiting the Monument.

What are the effective dates of PSSA designation and the associated protective measures?

The PSSA became effective immediately upon final designation by the IMO's Marine Environment Protection Committee on April 3, 2008. The ship reporting system and enhanced Areas to be Avoided will go into effect May 1, 2008.

What is the IMO?

The International Maritime Organization is a specialized agency of the United Nations which is responsible for measures to improve the safety and security of international shipping and to prevent marine pollution from ships. It is also involved in legal matters, including liability and compensation issues and the facilitation of international maritime traffic. It was established by means of a Convention adopted under the auspices of the United Nations in Geneva on 17 March 1948 and met for the first time in January 1959. It currently has 167 Member States. IMO's governing body is the Assembly which is made up of all 167 Member States and meets normally once every two years. It adopts the budget for the next biennium together with technical resolutions and recommendations prepared by subsidiary bodies during the previous two years. The Council acts as governing body in between Assembly sessions. It prepares the budget and work program for the Assembly. The main technical work is carried out by the Maritime Safety, Marine Environment Protection, Legal, Technical Co-operation and Facilitation Committees and a number of sub-committees. The IMO slogan sums up its objectives: *Safe, secure and efficient shipping on clean oceans*. More information can be found at <http://www.imo.org/>