



INFORMATION PAPER

Legal factsheet on small boat safety

Micronesia (Federated States of)

Context

Coastal commercial fishing in the Federated States of Micronesia (FSM) has declined significantly, dropping from 5000 tonnes in 1999 to 1600 tonnes in 2021. Similarly, coastal subsistence fishing has decreased from 5000 tonnes to 3400 tonnes over the same period (Gillett and Fong 2023). Despite this decline, coastal fishing remains an essential activity, providing food for local consumption, sales in domestic markets, and occasional exports to family and friends in Guam, Saipan

and Hawaii. In recent years, total coastal marine fisheries production has averaged around 10,000 tonnes annually, with approximately one-quarter of the catch being sold (FAO 2025). Coastal fisheries employ a diverse range of fishing gear and techniques, reflecting a continuum from subsistence to commercial fishing. While subsistence fishing is widespread, commercial activities are more common near population centres. The most frequently used techniques include spearfishing (both during the day



and at night using lights), trolling from small outboard-powered skiffs (5–6 metres in length), handlining, gillnetting, and cast netting (FAO 2025).

Data on small boats and maritime incidents remain limited. However, sea safety remains a critical concern, particularly for inter-island travel. In 2024, the Joint Rescue Sub-Center (JRSC) Guam conducted a rescue operation, successfully saving six fishers from a “disabled vessel”.¹ This highlights the ongoing risks faced by fishers and the importance of strengthened maritime safety measures in FSM.

Legal framework

Registration and safety inspections

Under the *FSM Code, Title 19 (Admiralty and Maritime) Chapter 3 (Registration of Vessels), Mortgages and Liens*, all vessels 12 metres and over must be registered (section 301). Small craft are defined as “vessels of less than 12 metres in length of any kind or type used or capable of being used as a means of transportation on water, vessels of any length used exclusively for private, non-commercial recreation and pleasure, and traditional canoes of any length”, but not including fishing vessels. A fishing vessel

is defined as “any vessel used commercially for catching fish or other living resources of the sea”, except vessels exclusively used for sport or recreation or for research and training (section 106). Fishing vessels above 12 metres are required to be registered and must have their tonnage certificate before the registration (section 312). In addition, the boat must be clearly marked (section 313). In the absence of marking, a person can be liable to a fine of up to USD 10,000.

Chapter 4 (Requirements for Vessels Within the FSM) of Title 19 establishes requirements for vessels within the FSM, including “non-registered small craft which navigate outside lagoons, or navigate within lagoons in such a way as to affect interstate or international commerce” (section 401). The chapter grants the Secretary the authority to establish regulations for small craft as necessary to ensure their safety and control, including those used for fishing (section 403). However, these Regulations are not yet in place.

Additionally, vessel masters are required to report immediately to the Secretary in the event of: (1) an accident, marine incident, or casualty resulting in vessel, property, or environmental damage, personal injury, or loss of life; (2) damage that may compromise the vessel’s

¹ <https://www.news.uscg.mil/Press-Releases/Article/3878364/us-coast-guard-successfully-rescues-a-disabled-fishing-vessel-crew-near-satawal/>



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safety; (3) situations of great peril; (4) damage to a pipeline, submarine cable, or marine navigational aid; or (5) difficulties requiring the vessel to return to a port within the FSM (section 427).

Sea safety and equipment

Chapter 4 (Requirements for Vessels Within the FSM) of Title 19 mandates that all vessels, including small craft, be equipped with and carry all necessary safety equipment as required by applicable regulations, ensuring they are in good working condition and ready for use (section 412). However, these regulations have yet to be developed. Similarly, *Chapter 12 of Title 19 (Safety of Navigation)* calls for the implementation of regulations to govern navigation safety (section 1201), but these regulations are still pending.

Some attention is given to small boat safety at the state level to make up for the regulatory gap at the national level. *The Pohnpei State Seaport Rules and Regulations 2015*, implementing Pohnpei State Code 32 Chapter 1 (*Port Authority Act 1991*), require small vessels to stay clear of large commercial vessels in navigating channels, while manoeuvring in the turning basin, berthing or departing berth. Noncompliant small vessels are penalised. Small vessels are those that are 19 feet (5.8 metres) in length and under. These rules additionally require small vessels



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to have written permit approval by the Board of Directors when operating within the Pohnpei Port Authority's controlled areas. Additionally, the Yap State Marine Resources Management Plan 1986 makes mention of a "Safety at sea development" plan, which "includes subsidy of safety equipment for small fishing boats". In Kosrae, draft regulations were prepared in 2017 on the registration and safety of small boats, under the Kosrae State Code 19 (Environmental Protection and Management) but are not in force yet.



In a nutshell

FSM's legal framework provides legal basis for developing regulations on vessel registration and maritime safety, but significant gaps remain. While Title 19 of the FSM Code establishes requirements for vessel registration and safety, no national regulations have been implemented to enforce these provisions, leaving small boat safety largely unregulated at the national level.

At the state level, legislative efforts are inconsistent. Pohnpei has the most developed framework, but its regulations primarily focus on port operations rather than broader sea safety measures. Other states, such as Kosrae and Yap, have proposed or outdated plans related to small boat safety, but these remain unimplemented. Given that states have jurisdiction over marine resource management within 12 nautical miles, they might establish registration and safety regulations for small fishing boats. However, in the absence of national guidelines, state-level initiatives remain fragmented, leaving small boat operators and fishers vulnerable to safety risks at sea.

References

- FAO 2025. Fishery and Aquaculture Country Profiles. Micronesia (Federated States of), 2024. Country Profile Fact Sheets. In: Fisheries and Aquaculture. Updated [Cited 6 February 2025]. <https://www.fao.org/fishery/en/facp/fsm?lang=en>
- Gillett R. and Fong M. 2023. Fisheries in the economies of Pacific Island countries and territories (Benefish Study 4). Noumea, New Caledonia: Pacific Community. 704 p. <https://purl.org/spc/digilib/doc/ppizh>

Legislation

- FSM Code, Title 19, Chapter 3 (Registration of Vessels, Mortgages and Liens)
- FSM Code, Title 19, Chapter 4 (Requirements for Vessels Within the FSM)
- FSM Code, Title 19, Chapter 12 (Safety of Navigation)
- Pohnpei State Code 32 (Port Authority Act 1991)
- Pohnpei State Seaport Rules and Regulations 2015
- Kosrae State Code 19 (Environmental Protection and Management)