



Compliance Processes

What are RFMO Compliance Processes?

The regional fisheries management organizations responsible for highly migratory species (“tuna RFMOs”) each have an annual mechanism to monitor and assess implementation by members, and in some cases cooperating non-members (CNMs), of their obligations under the RFMO convention and in-force conservation and management measures (CMMs), data requirements, and other decisions. Such international cooperation in compliance and enforcement is a fundamental tenet of the 1995 UN Fish Stocks Agreement (Article 20).

Benefits of Compliance Processes

Effective RFMO compliance processes reduce perceptions of unfairness and contribute to public and market confidence in the sustainable management of global tuna fisheries. These processes can address and deter non-compliance; assess the degree to which its measures are being implemented and complied with; reward those that are abiding by the rules; provide assistance to those that need it; penalize those that are undermining the effectiveness of its convention and CMMs; and promote system legitimacy.

How Do They Work?

Compliance processes are broadly composed of three steps:

1. Information gathering;
2. Review and assessment; and
3. Feedback and/or application of corrective remedies, including flag State action and follow up.

RFMOs vary in how they review and assess implementation and compliance; what information is publically available; whether or not the RFMO has tools to address non-compliance and if it uses those tools; and the degree to which the RFMO follows up on identified non-compliance.

For comprehensive review of RFMO **Compliance Processes** and suggested best practices and details of other RFMO compliance procedures please refer to [ISSF Technical Report 2016-06](#).



Assessment of Compliance Processes by RFMO

Recommended Best Practices

The following tables show the level of progress in each tuna RFMO in implementing the recommended best practices.

RFMO	Information used and items assessed*			The assessment process*			Follow-up and outcomes ¹	
	Diversity of sources of information	Verification of national self-reporting	Assessment of data and financial dues requirements	State by State and/or obligation by obligation review	Clarity and fairness in due process	Transparency in the processes, outcomes and follow up	Reporting by members and CNMs on actions taken is required and tracked	The availability and use of tools to respond to identified non-compliance
WCPFC ^{1*}								
	✓	✓	✓ For data ✗ For dues	✓	✓	✓ Final CMS report includes details by nation ✗ CMS working group closed to observers ✗ CMS WG documents or member/CNM responses are not public	✓	✗
IOTC ¹								
	✓	✗ Only a few independent sources appear to be used (e.g., ROP reports)	✓	✓	✓	✓	✗ Failure to report on actions taken is not considered as a serious type of non-compliance	✗

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Color Coding Key

	Element(s) are consistent with the suggested best practices.		Some element(s) are present, but amendments or a change in procedure is needed to be consistent with best practices.		Element (s) are missing or inconsistent with best practices.
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¹ A voting process could be used; but to date decisions have been taken by consensus. Also, IOTC and ICCAT both have an "opt out" procedure that allows members to file an objection to a measure, and thus not be bound by it.

* The only RFMO with a closed compliance process, so the information used, and the process in the CMS working group, are only anecdotal.

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	Diversity of sources of information	Verification of national self-reporting	Assessment of data and financial dues requirements	State by State and/or obligation by obligation review	Clarity and fairness in due process	Transparency in the processes, outcomes and follow up	Reporting by members and CNMs on actions taken is required and tracked	The availability and use of tools to respond to identified non-compliance
IATTC	✓	✗ Only a few independent sources appear to be used for some fleets (e.g., PS ROP reports)	✓	✓	✓	✗ Observers have no access to documents or reports; they may only attend the committee meeting ✗ Final Committee Report has no details by nation	✗	✗
ICCAT ²	✓	✗ Only a few independent sources appear to be used for some fleets & species (e.g., CDS, t/ship ROP, VMS)	✓ For data ✗ For dues	✓	✓	✓	Failure to report on actions taken is not considered as a serious type of non-compliance	✓
CCSBT	✓	✓ Appears to use independent sources (e.g., CDS, t/ship ROP, VMS)	✓ For data ✗ For dues	✓	✓	✓	✓	✓

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