



**2020  
REPORT**

# **VIRTUAL EXPERT WORKSHOP ON BEST PRACTICES IN COMPLIANCE IN RFMOS**

AN INITIATIVE OF THE PEW CHARITABLE TRUSTS &  
INTERNATIONAL SEAFOOD SUSTAINABILITY FOUNDATION (ISSF)

## Table of Contents

- I. Executive summary
- II. Workshop report
  1. Introduction
  2. Workshop's agenda and organization
  3. Workshop materials
  4. Workshop proceedings
  5. Conclusions and recommendations
- III. Appendices
  - Appendix 1. List of participants
  - Appendix 2. Workshop agendas
  - Appendix 3. RFMO profiles
  - Appendix 4. Conclusions from pre-Workshop survey

### I. Executive summary

The performance of regional fisheries management organizations (RFMOs) can be compromised if members do not comply effectively with the conservation and management measures (CMMs) they have created for themselves. Important steps have been taken in recent times to improve compliance by RFMO members with applicable measures. However, further work is necessary to ensure good RFMO performance in this area.

Building on ongoing work to analyze and support improved RFMO compliance mechanisms, The Pew Charitable Trusts, in collaboration with the International Seafood Sustainability Foundation (ISSF) and other stakeholders, convened an *Expert Workshop on Best Practices in Compliance in RFMOs* to help identify challenges in RFMO compliance review mechanisms and suggest solutions for addressing these challenges.

The Workshop took place virtually, from 7 to 11 September 2020, because of the COVID-19 pandemic. The Workshop united nearly 30 experts in compliance from RFMO Secretariats, RFMO compliance committees, international organizations, academia and civil society, and was conducted under Chatham House rules. The full list of expert participants who attended in their personal capacity is available in Appendix 1.

Given the Workshop's virtual nature, the agenda was narrowed to focus on three main issues for improved compliance in RFMOs: information management and reporting; compliance review and assessment procedures; and outcomes of compliance review and assessment procedures. A special focus was placed in this first Workshop on tuna RFMOs, although experts with experience in non-tuna RFMOs also participated. Therefore, the results from the Workshop are of relevance to the work of all RFMOs.

This report presents key takeaways from the meeting, both on challenges in RFMO compliance review mechanisms and on options for addressing these challenges. This report covers the range of ideas presented at the Workshop but does not necessarily represent a consensus on all issues.

The identified challenges included:

- **Measures.** A lack of clarity in the design and drafting of RFMO conservation measures can make obligations ambiguous and reporting requirements conflicting or duplicative.

- **Volumes of information.** Compliance committees are required to review large amounts of data and information related to numerous and complex measures and requirements in a limited amount of time. This places disparate burdens on members with small administrations and on RFMO Secretariats.
- **Data sources and quality.** Sources of data to independently verify national reporting and/or data from monitoring, control and surveillance (MCS) tools, such as observer coverage, are not often available for compliance assessments. In addition, data that are available are of inconsistent quality, often due to a lack of non-standardized reporting requirements or formats and timely and full reporting from members. Data are also not consistently shared among RFMOs. A lack of clarity on how data are or can be used (for compliance purposes versus only scientific purposes) is another challenge.
- **Capacity building.** Capacity building has not kept pace with the needs of both members and Secretariats and has not been used to its potential—by either members or RFMOs—to effectively address issues or build capabilities that would promote greater compliance.
- **Transparency.** There is a lack of transparency in compliance processes, both in documentation and access, as well as with regard to reporting and follow-up on member actions.
- **Political considerations.** Dynamics among members can complicate assessments and compromise transparency.

Suggested solutions include:

- **Measures.** Drafting measures with audit points or other mechanisms to promote clarity in the obligations to be assessed and the data that are to be reported. Consider building in provisions that set clear consequences for non-compliance.
- **Volumes of information:**
  - Prioritizing the measures to be reviewed annually or automating aspects of the reviews.
  - Streamlining reporting requirements.
  - Establishing regular intersessional reviews of information so that compliance committee meetings can provide focused systematic reviews (“health checks”) with a focus on critical issues rather than missed deadlines.
  - Presenting data and information strategically to aid reviews, such as through summaries and/or aggregate tables.
- **Data sources and quality:**
  - Incorporating new data sources and building capacities within the Secretariats to process/analyze these data.
  - Developing standardized reporting formats and fields.
  - Establishing data sharing memoranda of understanding (MOUs) between RFMOs.

- **Capacity building.** Focused capacity building, including in-country missions. Designing compliance assessments that are built more around capacity building/improvement than punitive labels.
- **Political considerations.** Seek to change the narrative on compliance away from stigma and penalties and towards RFMO “health” assessments and improving the performance of RFMOs as a collective responsibility.

## II. Workshop report

### 1. Introduction

Many global fish stocks that are managed by RFMOs remain overexploited and the sustainability of such stocks, and their associated marine ecosystems, compromised. Addressing this global issue also involves better compliance by RFMO members with existing obligations. In the past decade, independent performance reviews of a number of RFMOs have provided targeted recommendations to improve actions to ensure compliance, including following up on infringements or infractions and the functioning of RFMO compliance committees and assessment processes. In May 2019, the consultative meeting of States Parties to the U.N. Fish Stocks Agreement (UNFSA) held [consultations](#) on the topic of “Performance reviews of regional fisheries management organizations and arrangements,” which underscored that the full and effective implementation of the provisions of UNFSA depends on the effectiveness of RFMO/A performance in fulfilling the functions set out in that agreement. Other initiatives have explored, particularly at RFMO level, ways to assess and support better compliance with conservation measures.

In this context, The Pew Charitable Trusts, the ISSF and other stakeholders identified the importance of strengthening compliance in order to further enhance the performance of RFMOs. With this objective, Pew, in collaboration with ISSF, convened an *Expert Workshop on Best Practices in Compliance* in RFMOs from 7 to 11 September 2020. The Workshop was virtual because of the COVID-19 pandemic.

The Workshop brought together nearly 30 experts in compliance from RFMO Secretariats, RFMO compliance committees, international organizations, academia and civil society. The Workshop was conducted under Chatham House rules, and the full list of participants who attended in their personal capacity is available in Appendix 1.

As a virtual meeting, the agenda was narrowed to focus on three main issues for improved compliance in RFMOs:

- Information management and reporting. Identification of key factors that contribute to, or hamper, better or more complete reporting by RFMO members and tools or innovations to strengthen information management, integration, verification and sharing.
- Compliance review and assessment procedures. Identification of fair, well-designed and efficient mechanisms to review and assess compliance with applicable RFMO CMMs and obligations.
- Outcomes of compliance review and assessment procedures. Identification of most effective responses by RFMOs and their members to situations of persistent or serious non-compliance and effective processes to monitor and incentivize improved compliance.

A special focus was placed in this first Workshop on activity and procedures of the tuna RFMOs. However, outcomes from the Workshop discussions are relevant to the work of all RFMOs.

The Workshop and writing of this report was organized under the guidance of its steering committee: Gerry Leape, principal officer at The Pew Charitable Trusts; Adriana Fabra, special adviser to Pew; Holly Koehler, vice president for policy and outreach at ISSF; Lara Manarangi-Trott, compliance manager at Western Central Pacific Fisheries Commission (WCPFC); Osvaldo Urrutia, senior fisheries advisor, Government of Chile; and Mark Young, executive director of the International MCS Network.

Conclusions and materials from the Workshop are available for use by all stakeholders with an interest in RFMO compliance review mechanisms. The outcomes and initial key learnings provide the basis for the organization by The Pew Charitable Trusts of a Second Expert Workshop on Best Practices in Compliance in RFMOs in 2021.

## 2. Workshop’s agenda and organization

The Workshop focused on the identification of challenges and possible solutions for enhanced compliance review mechanisms on the three selected topics (information management and reporting; compliance review and assessment procedures; and outcomes of compliance review and assessment procedures). Workshop discussions were structured in three working groups, corresponding to three different geographical areas. Regional sessions were held in parallel, but all participants met for a final joint session where the key learnings from each working group were presented. The experts participated in their personal capacities and the Workshop was held under Chatham House rules.

Each of the three Workshop regional groups was allocated two of the three Workshop topics. Each group had between 9 and 12 participants. Final organization of the Workshop sessions was as follows:

**WORKSHOP ORGANIZATION: REGIONAL GROUPS**

Based on participants' locations, the Workshop is organized in three main discussion groups. Each group will focus on two of the three selected priority issues for this Workshop. Please see below the overview of the Workshop Groups and the allocation of participants to each of the Groups (based on current information available on the participants' location). This information will be updated as necessary.

GROUP 1: NORTH/SOUTH AMERICAS	GROUP 2: EUROPE/AFRICA/N.ATLANTIC	GROUP 3: INDO-PACIFIC/ASIA
8 SEPTEMBER   10AM-1PM EST (UTC-4)	7 SEPTEMBER   1-4PM UK (UTC+1)	8 SEPTEMBER   10AM-1PM AEST (UTC+10)
INTRODUCTION + BACKGROUND	INTRODUCTION + BACKGROUND	INTRODUCTION + BACKGROUND
COMPLIANCE REVIEW AND ASSESSMENT PROCEDURES	INFORMATION MANAGEMENT AND REPORTING	OUTCOMES OF COMPLIANCE REVIEW AND ASSESSMENT PROCEDURES
9 SEPTEMBER   10AM-1PM EST (UTC-4)	8 SEPTEMBER   1-4PM UK (UTC+1)	9 SEPTEMBER   10AM-1PM AEST (UTC+10)
REPORTING FROM PREVIOUS DAY	REPORTING FROM PREVIOUS DAY	REPORTING FROM PREVIOUS DAY
INFORMATION MANAGEMENT AND REPORTING	OUTCOMES OF COMPLIANCE REVIEW AND ASSESSMENT PROCEDURES	COMPLIANCE REVIEW AND ASSESSMENT PROCEDURES
10/11 SEPTEMBER   4PM EST/9PM UK/6AM AEST		
CONCLUSIONS + NEXT STEPS		

VIRTUAL EXPERT WORKSHOP ON BEST PRACTICES IN COMPLIANCE IN RFMOs | SEPTEMBER 2020

Each group covered its own individual agenda, with the guidance of a group facilitator and support by notetakers and members of the steering committee. Group 1 was facilitated by Holly Koehler, vice president for policy and outreach at ISSF; Group 2 was facilitated by Peter Horn, project director, ending illegal fishing, at The Pew Charitable Trusts; and Group 3 was facilitated by Osvaldo Urrutia, chair of SPRFMO. Detailed Workshop agendas are available in Appendix 2. Group facilitators summarized the key points from each session, which were shared immediately with other group facilitators for their

consideration in their own group's discussions when discussing the same topic. The conclusions from each group provided the basis for drawing the key learnings on each of the three Workshop topics, which were presented in the final plenary session.

### 3. Workshop materials

All materials for the Workshop were made available on the *Basecamp* online platform, which also offered dedicated space for communication among participants. The Workshop Basecamp hosted a "Compliance Library," which included a collection of research and RFMO materials relevant to compliance review mechanisms. Workshop participants were invited to send their contributions to this Library. All materials included in the Compliance Library will continue to stay available on Basecamp for Workshop participants and other interested parties.

In addition, specially created "RFMO profiles," describing the main features of a select set of tuna and non-tuna RFMO compliance systems, were put together as background information for participants. Profiles were developed by Holly Koehler, with the support of the steering committee and in collaboration with officers responsible for compliance and chairs of compliance committees of participating RFMOs. Appendix 3 provides the individual RFMO profiles and a comparative table that combines all profiles.

As part of the Workshop preparations, more than half of the participants responded to two pre-event surveys, which helped gather information on the experts' background and on their views on RFMO compliance review mechanisms, particularly with regard to the Workshop's three main topics. Conclusions from this survey, available in Appendix 4, were very useful to frame the three group discussions.

### 4. Workshop proceedings

#### 1. General considerations and common themes.

Each of the three Workshop topics was addressed by two different groups. Preliminary conclusions shared by each group facilitator showed that, independently of the topic of discussion, there was a high level of agreement among the different groups on some of the key challenges and potential solutions.

Overall, responses to the pre-Workshop surveys expressed confidence in the potential of RFMO compliance review mechanisms, even if recognizing that their utility and impact are hampered by some factors, and that there was an opportunity to strengthen RFMO compliance processes through new arrangements or tools. Participants identified in the preliminary survey and during the Workshop the following issues as being particularly important drivers of compliance:

- The **clarity of obligations** and reporting requirements in conservation measures.
- The **volume of data/information** that must be collected and analyzed annually.
- The **quality and type of information** provided for compliance reviews, particularly for verifying self-reported data-
- The effectiveness of the outcomes of compliance review mechanisms, such as **following up on member actions and tools to incentivize compliance or sanction serious non-compliance**.
- **Political** balance, **fairness** and trust among RFMO members, particularly between coastal states and distant water fishing nations.
- **Cooperation** and **data sharing** among RFMOs.
- **Capacity building**.
- **Transparency**.

In addition, they also highlighted the role of technology (both existing and emerging) and of efficient assessment mechanisms as instrumental to improved compliance.

The section below outlines specific challenges and potential solutions as identified by participants within the three discussion groups on (1) information management and reporting, (2) assessment mechanisms and (3) outcomes of assessment processes.

## 2. Information management and reporting

### **Complexity of measures**

#### Challenges

- Conservation and management measures (CMMs) are frequently difficult to implement. They are at times ambiguous, too general or in contradiction with other existing CMMs. Some measures can be duplicative or overlapping but instead generate separate reporting requirements.
- The number of measures and reporting obligations can be daunting, particularly for members with less capacity to follow and fulfill requirements. There is regular turnover of staff in member delegations, which creates an additional burden as new capacity needs to be created every time there is a change. Disparity between developed and developing nations, both through the understanding of the processes and an ability to fulfill requirements, can lead to tensions at RFMO meetings.

#### Potential solutions

- Members ensure continuity of some of their staff over extended periods of time, so as to ensure consistency and efficiency of a member's involvement in RFMO meetings and processes.
- CMMs are revised, consolidated or coordinated so as to avoid contradictions, duplications and overlaps, and reporting is kept within one single reporting period, if possible, for all RFMOs.
- Secretariats assist members with reporting calendars, questionnaires, guidelines and implementation handbooks. Also, they can send reminders and facilitate online data submissions.
- Secretariats increase automation for providing and collecting information.
- RFMO Secretariats share knowledge on reporting obligations and reporting fields, and standardize data fields and information and data to be reported so as to simplify tasks of members.

### **Data quality**

#### Challenges

- Data provided by members are often difficult to compare and analyze as a result of lack of clarity in CMMs, which can lead to different interpretations of requirements, and also due to lack of automation in data reporting, standardization of data to be reported and data fields, and implementation of common data sets. Secretariats need to follow up with members directly to resolve data ambiguities, which adds to the Secretariats' burden. There is often limited interoperability between RFMO databases.
- Most information is provided directly by members and there is limited opportunity to validate this information with external sources, including information by NGOs and other stakeholders. Some RFMOs allow observers to provide information that can be used in compliance assessment discussions, but overall there are sensitivities around these sources of information.

- Technology (both existing and emerging) is not being fully harnessed at every stage of the compliance procedure.

#### Potential solutions

- Incorporate new data sources (such as those usually used in other disciplines or for maritime domain awareness) and build capacities in the Secretariat and members to process and cross-reference these data with existing data sets to uncover anomalous data.
- Clarify issues related to data ownership and use (such as for compliance and/or scientific purposes), so as to facilitate the use of data provided by members and the RFMO.
- Agree to standardized data fields among RFMOs and encourage RFMOs to share knowledge and data with each other and use it to cross-verify information. To this end, sign MOUs for information-sharing, particularly when convention areas overlap.
- Cross refer to different databases/data sources (i.e., cross check compliance reports with statistical data) and carry out third-party validation when feasible. Ensure that integration of new data sources is helpful and not just more on top of current data.
- Incorporate new or emerging technological solutions. They can facilitate data search and interoperability at international and domestic levels. They can provide access to unredacted data, which can be electronically processed and analyzed. Technology can also build for adaptability and predictive capacities into RFMOs.
- Facilitate participation of NGOs/stakeholders/civil society. They can add value to compliance processes, provided trust is built. However, information from civil society needs to meet high standards and allow verification. It should also be balanced with increasing workloads for Secretariats.

### **Reporting from Secretariats**

#### Challenges

- Some reports are too comprehensive to review, which hampers the ability of members to evaluate compliance. Often only issues that are highlighted get reviewed, and this could make assessments uneven across members.
- Secretariats are often understaffed and overcommitted and need continued capacity development.

#### Potential solutions

- Secretariats should be empowered to provide a more strategic presentation of information to aid reviews, such as summaries, aggregate tables and synthesis of all data and information available. They should bring in new skill sets, including information technology, communications and modeling. Adequate resourcing of Secretariats (staff, time and budget) is also important.

### **Capacity building**

#### Challenges

- Important efforts to develop capacity of members are already in place. However, additional and more targeted and effective capacity building can be done. Capacity is also related to the level of commitment.



#### Potential solutions

- Ensure capacity-building efforts adapt to changes in members' personnel, increasing the frequency as necessary.
- Ensure that capacity building for members is also carried out in-country and includes one-on-one programs in addition to workshops. Ensure that capacity building also assists members to understand the RFMO's mandate and requirements.
- Improve coordination of capacity-building efforts, also by country, and periodically assess their effectiveness. Consider allocating funds to targeted projects and solutions (i.e., training of observers and infrastructure).
- Empower Secretariats so they can assist members more effectively and ensure the continuity of the compliance review process when there is frequent turnover of members' personnel.

#### **Governance and transparency**

##### Challenges

- The relationship among RFMO members and general political dynamics can create difficulties in providing all the necessary information for an adequate assessment of compliance, particularly if there is a perception that countries are not treated equally. This can limit the transparency of the system and result in insufficient reporting by members. Specific dynamics among members can lead to more or less openness and ability to adopt new technologies, and in exchanging information in an integrated manner (as opposed to general cooperation).
- Lack of transparency does not help to convince civil society that RFMOs are doing their job.

##### Potential solutions

- Ensure adequate and targeted capacity-building efforts, including by designing programs that meet the needs of members and will be ultimately utilized.
- Empower compliance committee chairs so they are committed to driving the process and promoting improvements when needed.
- Have compliance committee chairs increase transparency and fairness of compliance review mechanisms.

### 3. Compliance review and assessment procedures

#### **Information for assessment**

##### Challenges

- As described above, there are gaps in the information necessary to assess compliance and in the quality of information, which is not sufficiently verified with external sources.
- Information for assessments should link the work of science with monitoring, control and surveillance (MCS) and enforcement tools (i.e., genetic analysis, temporal measures derived from VMS positions).
- There is not a clear correlation between the impact of conservation measures and actual conservation of resources.

##### Potential solutions

- There should be an annual cross-check of compliance versus scientific data on stock status.
- Secretariats need to be empowered to take advantage of new data sources and opportunities to identify and bring to the compliance committee's attention areas of potential non-compliance.

### **Prioritization of information**

#### Challenges

- Time for compliance committees is limited and does not allow for comprehensive reviews. This can lead to taking simplified approaches and use of blunt tools such as IUU lists and market measures.
- The sheer volume of information that is reviewed in compliance committees may mean that valuable time is spent discussing the minute rather than systemic issues of non-compliance.
- Compliance meetings represent a huge burden on members and impact staff capacities, particularly in developing states and small delegations. This can have fairness and transparency implications.

#### Potential solutions

- It would be useful to identify trends in compliance issues for fundamental measures/obligations. If there is an issue with a particular measure (interpretation, etc.), then the issue could be elevated to the Commission or tasked to the appropriate working groups/panels to address.
- Routine intersessional working groups could help members and the Secretariat organize information and undertake reviews and preliminary assessments before the actual compliance committee meeting.
- Prioritization of the measures to be reviewed would reduce the volume of measures to be reviewed annually. There are some approaches in place or being considered on prioritizing measures and undertaking targeted reviews. Possible criteria include: focusing on major infractions only, such as those that are fundamental to the integrity of the RFMO's conservation and management mandate (e.g., vessel monitoring systems, quotas/limits, observer programs, catch data reporting); measures that will expire or need to be re-negotiated; and measures for stocks that will be assessed that year. Prioritization must address the issue of assessing measures that have not been reviewed for several years.

### **How to assess compliance**

#### Challenges

- Lack of clarity ("constructive ambiguity") allows measures to be adopted sometimes but is not helpful for compliance reviews. Also, ambiguous or conflicting reporting requirements can preclude compliance assessments of certain measures or obligations.
- There are prolonged debates over what each category of infraction means due to concerns over the consequences.
- Metrics/audit points can promote clarity on what the obligations are and what will be assessed. They can also level the playing field and promote fairness and transparency. However, they can be undermined by worries over potential consequences of non-compliance.

#### Potential solutions

- The more precise the measures, the easier it will be to monitor and assess compliance.
- Establish consequences for cases of non-compliance in advance of assessments, preferably in a scheme of responses to non-compliance or in the conservation measures themselves.
- Portray compliance assessment as an issue related to the “health” of the RFMO and/or the member, where assistance in addressing the health issue can be provided. The approach taken by the Indian Ocean Tuna Commission (IOTC) to present a one-pager on member compliance with helpful information is useful to provide a quick overview of the health of the RFMO and each member.
- Focus on positive trends in compliance rates. This could help facilitate an objective discussion of what is going well and what is not.
- Compliance assessments could track trends over time and identify systemic issues of non-compliance, flag State performance or issues with particular measures, as well as improvements.
- Construct compliance designations more around capacity-building needs than negative labeling.
- Involvement of NGO/civil society stakeholders can add value to the compliance process, as they can raise issues that members cannot, plus involvement facilitates exchange of information among all concerned parties. It is necessary to build trust in the system to make this workable including with the right confidentiality rules, as it will lead to making the process more transparent and involve NGOs and other stakeholders.
- Metrics/audit points should not be focused only on individual elements of measures, but also assess implementation of measure as a whole (i.e., Is the measure accomplishing what it was meant to? Is the measure achieving a conservation/management benefit?).
- Metrics/audit points should also be embedded in new CMMs as they are negotiated/developed.
- Automate certain aspects of assessment. It can ease the burden of reporting, facilitate trend tracking, and allow for querying the system for data that can produce summary reports.

#### 4. Outcomes of compliance assessment procedures

##### **About the measures**

##### Challenges

- Compliance review procedures should aim at making sure that members keep their commitments on fisheries sustainability.
- A lack of clarity and coherence in the measures can lead to non-compliance. Focus on an annual meeting cycle creates huge requirements and exacerbates challenges, particularly for smaller and developing members.
- Assessment of compliance generally places members on the defensive, particularly when there is a focus on state performance. Disproportionate influence of some members can make meetings overly confrontational and mitigate transparent behavior.

##### Potential solutions

- Compliance procedures should not lose sight of the long-term view tied to the RFMO objectives, strengthened RFMO performance, and encouraging compliance. However, punitive measures can be useful in incentivizing countries to take advantage of capacity-building opportunities and addressing persistent and serious instances of non-compliance that undermine the effectiveness of the RFMO or its measures.
- There should be greater correlation on the impact of CMMs, particularly between compliance levels and scientific data on the impact on stocks, and there should be feedback between compliance and scientific committees.
- The drivers of non-compliance should be well understood in the RFMO.
- CMMs should be reviewed; the number of measures reduced and be carefully written so they are clear and easy to follow.
- Assessment procedures should be clearly formulated, so they are perceived as fair. The consequences of non-compliance should be clearly established to prevent any potential arbitrariness. Assessments should maintain a degree of proportionality and not over-emphasize small infractions such as missed deadlines. Further discussions are needed to develop a common understanding of what “fair” is.
- Routine intersessional working groups could help members and the Secretariat organize information and undertake reviews and preliminary assessments before the actual compliance committee meeting.
- In an effort to achieve consistently high degrees of compliance there should be a combination of “carrot” and “stick” mechanisms. When needed, RFMOs could consider using illegal, unreported and unregulated (IUU) fishing vessel lists, market measures and unilateral actions, “payback” obligations in case of overfishing, commercial bans and denial of licenses or reflagging.
- Within RFMOs, there should be informal collaboration between the Secretariat and the member.
- Transparency in assessment procedures needs to be balanced with the need for confidentiality.
- Assessment reviews should be proportionate between infractions and the consequences of such infractions.
- Capacity building is a particularly powerful tool for better compliance: Members with more critical problems should be prioritized. Capacity building should involve also the private sector and civil society, and ensure increased institutional, human and legal capacity. It is important to create capacity at the national level but also incorporate online resources.

## **5. Conclusions and recommendations**

Discussions in each of the three Working Groups helped identify important drivers of compliance and pointed to some of the problem areas. There was a high level of consensus among participants on these drivers and challenges. This section provides a summary of such key elements and the section below provides a collection of potential solutions that could lead to stronger compliance assessment processes and better compliance in RFMOs. Many of them are already being implemented or are in development.

## 1. Conclusions

**Clarity and purpose of obligations.** CMMs are at times ambiguous, too general or in contradiction with other existing CMMs. Some measures can be duplicative or overlapping and generate separate and unstandardized reporting requirements. This creates difficulties in reporting, in assessments, and in setting clear consequences in the case of non-compliance. Lack of clarity creates difficulties for members to report adequately and consistently on their compliance, and also makes assessment more uncertain and less objective. Ambiguous or conflicting reporting requirements can sometimes preclude compliance assessments of certain measures or obligations and lead to prolonged debates over what each category of infraction means due to concerns over the consequences. This can result in assessments that can reflect little correlation between the impact of conservation measures on the actual conservation of resources. Multiple and non-standardized time frames for reporting create additional difficulties.

**Data quality and effective reporting.** Most information used for compliance review is based on self-reporting by members, with limited opportunity to validate this information with external data sources, including by NGOs and other stakeholders, and with scientific information from the RFMO. In addition, as a result of lack of automation in data reporting, non-standard reporting time frames and of implementation of common data sets, information is at times incomplete, late or unable to be compared effectively. Overall, insufficient data quality creates an extra burden on Secretariats to correct information, and directly hampers the objective and fair assessments of compliance.

**The effectiveness of compliance assessment mechanisms and tools to address/incentivize compliance.**

Time for compliance committees is limited. If new measures are adopted without taking into account pre-existing measures or if amendments to existing measures are done via a series of free-standing measures, this can result in large compendia of obligations. As a result, implementation or compliance reports from Secretariats can be too comprehensive to review effectively and evenly, and only a portion of their content can end up being assessed. Limited time—together with the large volume of information that is presented—places uneven burdens on members. This can lead to taking simplified approaches and focusing on issues of concern to some members, which can undermine fairness in reviews and prevent a focus on the critical issues or systemic assessments (“health checks”).

A lack of tools—both incentives and disincentives—to respond to non-compliance can result in the use of instruments such as IUU vessel lists and market measures. Greater differentiation on the relevant compliance issues is needed so the focus can be on significant problems and major issues rather than a missed deadline. In addition, ensuring the consequences of non-compliance are clearly established in advance can promote fairness and avoid any potential arbitrariness.

**Political balance, fairness and equality.** The human factor and geo-political and economic considerations play an important role in RFMO dynamics, particularly when they introduce disparities between developed and developing nations or coastal versus distant water fishing nations. Compliance meetings represent a huge burden on members and impact staff capacities, particularly in developing states and small delegations. This can deepen real or perceived disparities when there are unequal abilities to participate in meetings and analyze and respond to all the compliance information. When there is regular turnover of staff in member delegations, this creates an additional challenge—also for the Secretariats — as new capacity needs to be created every time there is a change. Disparities between members, due to different capacities to engage in the process, fulfill requirements, review the material and respond to identified areas of potential non-compliance, can lead to tensions at RFMO meetings.

**RFMO cooperation.** There is limited exchange of information for monitoring and assessing compliance among all RFMOs (i.e., among tuna and non-tuna RFMOs, for example), and limited interoperability

between RFMO databases. Members of more than one RFMO report in a different manner and at different times on requirements that are similar in all RFMOs, and certain vessel types (such as carriers) operate between many RFMO areas of competence.

**Capacity building.** Although important efforts to develop capacity of members are already in place, more targeted and more effective capacity building can be done. At the same time, increased capacity cannot occur without an adequate level of commitment to engage and improve. In addition, Secretariats are often understaffed and overcommitted and can benefit from continued capacity development so they can perform their duties and assist members more effectively.

**Transparency.** The relationship among RFMO members, NGOs and general political dynamics can create difficulties in providing all the necessary information for an adequate assessment of compliance, particularly if there is a perception that countries are not treated equally or if there will be unilateral action taken. This can limit the transparency of the system and result in insufficient reporting by members or an unwillingness to reveal more information and report on their follow-up mechanisms. Specific dynamics among members can also lead to more or less openness to adopting new technologies or data sources, and in exchanging information in an integrated manner (as opposed to general cooperation).

**Technology.** Technology (new and emerging) is not being fully harnessed at every stage of the compliance procedure.

## 2. Potential solutions identified in the Workshop

### **Clarity and purpose of obligations**

- Review existing CMMs and find ways to streamline and reduce duplication. Ensure new measures are more carefully written so obligations and reporting requirements are clear. Measures should also include audit points, so that what is required and what will be assessed is known from the outset. Ideally, the consequences of non-compliance are identified in advance, either in measures or a separate scheme that is agreed among members.

### **Data sources and quality**

- Ensure cross-referencing between different databases/data sources and use independent data to verify self-reported data, when feasible. Ensure that integration of new data sources is helpful and not just more on top of current data volumes. Clarify issues related to data ownership and use (e.g., for compliance purposes vs. scientific purposes or both), so as to facilitate the use of data provided by members most effectively.
- Allow NGOs and civil society stakeholders to add value to the compliance process through the provision of alternative data sources. However, information from NGOs/civil society needs to meet high standards and allow verification. It should also be balanced with the increasing workload for Secretariats.

### **The effectiveness of compliance assessment mechanisms and tools to address/incentivize compliance**

- Improve efficiency and effectiveness of assessments by using metrics/audit points and more precise measures to promote clarity and streamline and/or automate certain aspects of reporting and assessment.
- Prioritize the measures to be reviewed annually.

- Establish regular intersessional reviews so that annual compliance committee meetings can focus on critical issues and ensure a systematic review.
- Provide summaries, aggregate tables and synthesis of all data and information available in order to make the information more accessible and facilitate the identification of critical problem areas.
- The notion of providing a “health check” on the RFMO is a constructive approach to assessing compliance, which points to the solutions to return to healthy compliance. If provided in a succinct manner (e.g., the IOTC approach), it can help communicate compliance information to the members.
- Bring in new skill sets, including information technologists, communications and modeling experts to strengthen the analysis and presentation of data to assess compliance.
- Emphasize positive trends in compliance rates and track trends over time.

#### **Political balance, fairness and equality**

- Change the narrative on compliance away from stigma and penalties and towards improving the performance of RFMOs as a collective responsibility (e.g., the “health check” approach).

#### **RFMO cooperation**

- Continue to explore avenues for officers responsible for compliance to collaborate and share knowledge and experiences in the areas of compliance work.
- Agree to common data fields among RFMOs and encourage RFMOs—both tuna and non-tuna—to share knowledge and better facilitate arrangements for sharing of data with each other and sign MOUs for information-sharing, particularly when convention areas overlap.

#### **Capacity building**

- Prioritize members with more critical problems and involve the private sector and civil society. Create capacity at the national level to assist members to understand the RFMO’s mandate and requirements, but also incorporate online training and other resources.
- Improve coordination of capacity-building efforts, also by country, and periodically assess their effectiveness. Consider allocating funds to targeted projects and solutions (i.e., training of observers, infrastructure) and adapt capacity-building efforts to changes in members’ personnel, increasing the frequency as necessary.
- Empower RFMO Secretariats so they can assist members more effectively and ensure the continuity of the compliance review process when there is frequent turnover of members’ personnel.

#### **Transparency**

- Provide more detailed reporting in published compliance reports on the areas of non-compliance and measures that are unclear or problematic. Ensure Commissions include problematic measures on their agendas so clarifications can be adopted.
- Ensure there is a robust follow-up mechanism annually on members’ identified areas of non-compliance.

- Increase access by representatives of NGOs and civil society to compliance review meetings and information. In a framework of fairness and trust, this can result in more and better information for compliance assessment.

### **Technology**

- Explore technological solutions to facilitate data storage, analysis, search, and interoperability at international and domestic levels. Emerging technologies can be a source of data for verification. Members can provide RFMO access to unredacted data, which can be electronically processed and analyzed to support RFMO objectives. Technology can also build for adaptability and predictive capacities into RFMOs.



### III. Appendices

#### Appendix 1. List of participants

Alejandro Anganuzzi	Coordinator, Common Oceans ABNJ project, Food and Agricultural Organization of the United Nations
Hrannar Már Ásgeirsson	Monitoring control and surveillance officer, North East Atlantic Fisheries Commission
Ricardo Belmontes	Fishery manager and policy officer, Inter-American Tropical Tuna Commission
Sangaa Clark	PNA policy adviser, Western and Central Pacific Fisheries Commission
Alexa Cole	Former chair, technical and compliance committee, Western and Central Pacific Fisheries Commission
Robert Day	Chair, technical and compliance committee, North Pacific Fisheries Commission
Gerard Domingue	Compliance officer, Indian Ocean Tuna Commission
Todd Dubois	Fisheries monitoring and compliance manager, Commission for the Conservation of Antarctic Marine Living Resources
Adriana Fabra	Adviser, The Pew Charitable Trusts
Peter Flewwelling	Compliance manager, North Pacific Fisheries Commission
Solène Guggisberg	Senior Research Associate, Netherlands Institute for the Law of the Sea (NILOS) and Utrecht Centre for Water, Oceans and Sustainability Law (UCWOSL)
Dave Hogan	Chair, compliance committee, Inter-American Tropical Tuna Commission
Kristín von Kistowski	MCS and compliance expert, Food and Agricultural Organization of the United Nations
Holly Koehler	Vice president, policy and outreach, International Seafood Sustainability Foundation
Gerald Leape	Principal officer, The Pew Charitable Trusts
Terra Lederhouse	Supervisory foreign affairs officer, National Oceanic and Atmospheric Administration
Craig Loveridge	Acting executive secretary, South Pacific Regional Fisheries Management Organization
Lara Manarangi-Trott	Compliance manager, Western and Central Pacific Fisheries Commission
Frank Meere	Chair, compliance committee, Commission for the Conservation of Southern Bluefin Tuna
Erik Molenaar	Netherlands Institute for the Law of the Sea
Shuya Nakatsuka	Ministry of Agriculture, Forestry and Fisheries, Japan

Alberto Parrilla	Compliance Officer, International Commission for the Conservation of Atlantic Tunas
Penny Ridings	Legal adviser, Western and Central Pacific Fisheries Commission
Eidre Sharp	Assistant compliance manager, Western and Central Pacific Fisheries Commission
Kim Stobberup	Common Oceans ABNJ project, Food and Agricultural Organization of the United Nations
Judith Swan	Consultant
'Ana Taholo	Compliance policy adviser, Pacific Islands Forum Fisheries Agency
Oswaldo Urrutia	Senior fisheries advisor, Government of Chile
Mark Young	Executive director, International MCS Network

## Group 1: North/South Americas

FACILITATOR: Holly Koehler, ISSF

8 September // 10AM-1PM EST (UTC-4)

### Introduction

25'	Opening Remarks
	Presentation of goals, objectives and organization of the meeting
	Introductory discussion

### Compliance review and assessment procedures

20'	Challenges and solutions related to compliance review and assessment procedures: Overview <ul style="list-style-type: none"> <li>○ Facilitator introduces discussion based on answers/conclusions from the pre-event questionnaires.</li> </ul>
55'	What to assess - i.e.: <ul style="list-style-type: none"> <li>● Information for best compliance assessment           <ul style="list-style-type: none"> <li>○ What additional information could be useful to assess compliance?</li> </ul> </li> <li>● Prioritizing and streamlining compliance assessment           <ul style="list-style-type: none"> <li>○ Is it necessary to review compliance with all measures on an annual basis?</li> <li>○ Could different measures be prioritized in different years so as to make the volume of work more manageable? If so, how?</li> <li>○ Which criteria could be used to prioritize issues, e.g. based on the severity of non-compliance (risk)?</li> </ul> </li> </ul>
10'	Break
60'	How to assess it - i.e.: <ul style="list-style-type: none"> <li>● Multiple performance assessment points           <ul style="list-style-type: none"> <li>○ Would pre-defined metrics/audit points assist with promoting fairness when assessments are undertaken? What are the constraints to developing such metrics?</li> </ul> </li> <li>● Automatization of assessment systems           <ul style="list-style-type: none"> <li>○ Can some compliance assessments be "automatized"?</li> </ul> </li> <li>● Compliance ratings           <ul style="list-style-type: none"> <li>○ Is it useful to have ratings of compliance, including an index of overall compliance? Based on which criteria?</li> </ul> </li> <li>● Transparency considerations           <ul style="list-style-type: none"> <li>○ Should all information related to compliance be available to accredited observers? Is there any reason to not disclose some information? What are the advantages/disadvantages of allowing observers in the compliance working meetings where compliance assessments are undertaken or discussed? How can concerns be mitigated?</li> </ul> </li> </ul>
10'	Conclusions from the day

9 September // 10AM-1PM EST (UTC-4)

20'	Reporting back from other groups
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### Information management and reporting

10'	Challenges and solutions related to information management and reporting: Overview
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	<ul style="list-style-type: none"> <li>○ Facilitator introduces discussion based on answers/conclusions from the pre-event questionnaires.</li> </ul>
60'	<p>Reporting systems</p> <ul style="list-style-type: none"> <li>● Clarity and coherence of CMMs and reporting calendars <ul style="list-style-type: none"> <li>○ Are reporting requirements clear and consistent across CMMs?</li> <li>○ Is there repetition or similarity of requirements under different CMMs?</li> </ul> </li> <li>● Tools for improved reporting by RFMO Members, including online reporting <ul style="list-style-type: none"> <li>○ Can MOUs with other RFMOs that result in data or information being available to the Secretariat be useful in validating member self-reporting?</li> <li>○ Are there successful experiences with new reporting forms, online reporting?</li> </ul> </li> <li>● Tools for improved reporting to the Membership and others <ul style="list-style-type: none"> <li>○ Are there successful experiences to generate Secretariat reports?</li> </ul> </li> </ul>
10'	Break
40'	<p>Transparency in reporting</p> <ul style="list-style-type: none"> <li>○ How transparent are the reporting mechanisms? Are all reports available to all Members and observers?</li> <li>○ Do final compliance reports list specific areas of non-compliance by member or CPC and/or the CPC or member's responses and plans to address the non-compliance? If not, what are reasons for this, and are their advantages/disadvantages to final compliance reports containing more details?</li> </ul> <p>Capacity-building needs</p> <ul style="list-style-type: none"> <li>○ Are there any capacity building needs for the Secretariat? For CPCs/Members? How are they being addressed?</li> </ul>
30'	<p>Quality of information for reporting and compliance review</p> <ul style="list-style-type: none"> <li>○ Is all information based on self-reporting or is there any third-party validation?</li> <li>○ Can non-Member stakeholders can provide data and/or validate data? Does this improve the compliance assessment process?</li> </ul>
10'	Conclusions from the day
<b>10 September // 4-5:30PM EST (UTC-4)</b>	
30'	Report back on outcomes from previous two days
30'	Key findings and conclusions
20'	Roadmap for improved compliance
10'	Closure

## Group 2 “Europe/Africa/North Atlantic”

UTC -1, UTC, UTC+1, UTC+2

**FACILITATOR:** Peter Horn, The Pew Charitable Trusts

### 7 September // 1-4PM UK (UTC+1)

#### Introduction

25'	Opening Remarks
	Presentation of goals, objectives and organization of the meeting
	Introductory discussion

#### Information management and reporting

10'	Challenges and solutions related to information management and reporting: Overview <ul style="list-style-type: none"> <li>➤ Facilitator introduces discussion based on answers/conclusions from the pre-event questionnaires.</li> </ul>
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60'	Reporting systems <ul style="list-style-type: none"> <li>• Clarity and coherence of CMMs and reporting calendars                     <ul style="list-style-type: none"> <li>○ Are reporting requirements clear and consistent across CMMs?</li> <li>○ Is there repetition or similarity of requirements under different CMMs?</li> </ul> </li> <li>• Tools for improved reporting by RFMO Members, including online reporting                     <ul style="list-style-type: none"> <li>○ Can MOUs with other RFMOs that result in data or information being available to the Secretariat be useful in validating member self-reporting?</li> <li>○ Are there successful experiences with new reporting forms, online reporting?</li> </ul> </li> <li>• Tools for improved reporting to the Membership and others                     <ul style="list-style-type: none"> <li>○ Are there successful experiences to generate Secretariat reports?</li> </ul> </li> </ul>
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10'	Break
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40'	Transparency in reporting <ul style="list-style-type: none"> <li>○ How transparent are the reporting mechanisms? Are all reports available to all Members and observers?</li> <li>○ Do final compliance reports list specific areas of non-compliance by member or CPC and/or the CPC or member’s responses and plans to address the non-compliance? If not, what are reasons for this, and are their advantages/disadvantages to final compliance reports containing more details?</li> </ul> <p>Capacity-building needs</p> <ul style="list-style-type: none"> <li>○ Are there any capacity building needs for the Secretariat? For CPCs/Members? How are they being addressed?</li> </ul>
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25'	Quality of information for reporting and compliance review <ul style="list-style-type: none"> <li>○ Is all information based on self-reporting or is there any third-party validation?</li> <li>○ Can non-Member stakeholders can provide data and/or validate data? Does this improve the compliance assessment process?</li> </ul>
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10'	Conclusions from the day
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### 8 September // 1-4PM UK (UTC+1)

20'	Reporting back from other groups
<b>Outcomes of compliance review and assessment procedures</b>	
30'	The objective of compliance review mechanisms: preliminary considerations <ul style="list-style-type: none"> <li>➤ Facilitator introduces discussion based on answers/conclusions from the pre-event questionnaires.</li> </ul>
40'	Challenges and solutions related to outcomes of compliance review and assessment procedures: <ul style="list-style-type: none"> <li>○ Should there be any changes related to RFMO governance, such as decision-making related to compliance assessment?</li> <li>○ How to ensure the translation of outcomes of compliance assessments to RFMO Commission action in order to progress improvements that are identified by these processes?</li> <li>○ How do we get countries who have fleets that have problems with persistent or significant non compliance to commit to improving their behavior and ideally reducing overall significant and persistent non compliance moving forward?</li> </ul>
10'	Break
70'	Challenges and solutions related to outcomes of compliance review and assessment procedures (cont.) <ul style="list-style-type: none"> <li>○ The importance of RFMO compliance assistance programmes and capacity building. What are the key attributes of such programmes? How can RFMOs act to strengthen compliance? What could compose a robust "scheme of responses" to non-compliance to both incentivize and support members, as well as address significant and persistent non-compliance? EXAMPLES of existing RFMO practices.</li> </ul> Flag state accountability and responsibility of other states <ul style="list-style-type: none"> <li>○ Which are the most effective RFMO mechanisms to ensure flag State accountability and improve compliance?</li> <li>○ Are there other related RFMO measures that could be strengthened or broadened in scope so to be a more enhanced tool for RFMOs to improve compliance with its measures and obligations, such by gathering verified data, or to serve as a response to persistent non-compliance (i.e., IUU vessel lists, port State measures)?</li> </ul>
10'	Conclusions from the day
<b>10 September // 9-10:30PM UK (UTC+1)</b>	
30'	Report back on outcomes from previous two days
30'	Key findings and conclusions
20'	Roadmap for improved compliance
10'	Closure

## Group 3 "Indo-Pacific/Asia"

UTC+8, UTC+9, UTC+10, UTC+11, UTC+12

FACILITATOR: Osvaldo Urrutia, SPRFMO

### 8 September // 10AM-1PM AEST (UTC+10)

#### Introduction

25'	Opening Remarks
	Presentation of goals, objectives and organization of the meeting
	Introductory discussion

#### Outcomes of compliance review and assessment procedures

25'	The objective of compliance review mechanisms: preliminary considerations <ul style="list-style-type: none"><li>➤ Facilitator introduces discussion based on answers/conclusions from the pre-event questionnaires.</li></ul>
40'	Challenges and solutions related to outcomes of compliance review and assessment procedures: <ul style="list-style-type: none"><li>○ Should there be any changes related to RFMO governance, such as decision-making related to compliance assessment?</li><li>○ How to ensure the translation of outcomes of compliance assessments to RFMO Commission action in order to progress improvements that are identified by these processes?</li><li>○ How do we get countries who have fleets that have problems with persistent or significant non compliance to commit to improving their behavior and ideally reducing overall significant and persistent non compliance moving forward?</li></ul>
10'	Break
70'	Challenges and solutions related to outcomes of compliance review and assessment procedures (cont.) <ul style="list-style-type: none"><li>○ Discuss the importance of RFMO compliance assistance programmes and capacity building. What are the key attributes of such programmes? How can RFMOs act to strengthen compliance? What could compose a robust "scheme of responses" to non-compliance to both incentivize and support members, as well as address significant and persistent non-compliance? EXAMPLES of existing RFMO practices.</li></ul> Flag state accountability and responsibility of other states <ul style="list-style-type: none"><li>○ Which are the most effective RFMO mechanisms to ensure flag State accountability and improve compliance?</li><li>○ Are there other related RFMO measures that could be strengthened or broadened in scope so to be a more enhanced tool for RFMOs to improve compliance with its measures and obligations, such by gathering verified data, or to serve as a response to persistent non-compliance (i.e., IUU vessel lists, port State measures)?</li></ul>
10'	Conclusions from the day

## 9 September // 10AM-1PM AEST (UTC+10)

<b>20'</b>	Reporting back from other groups
<b>Compliance review and assessment procedures</b>	
<b>20'</b>	<p>Challenges and solutions related to compliance review and assessment procedures:</p> <p>Overview</p> <ul style="list-style-type: none"> <li>➤ Facilitator introduces discussion based on answers/conclusions from the pre-event questionnaires.</li> </ul>
<b>60'</b>	<p>What to assess - i.e.:</p> <ul style="list-style-type: none"> <li>● Information for best compliance assessment <ul style="list-style-type: none"> <li>○ What additional information could be useful to assess compliance?</li> </ul> </li> <li>● Prioritizing and streamlining compliance assessment <ul style="list-style-type: none"> <li>○ Is it necessary to review compliance with all measures on an annual basis?</li> <li>○ Could different measures be prioritized in different years so as to make the volume of work more manageable? If so, how?</li> <li>○ Which criteria could be used to prioritize issues, e.g. based on the severity of non-compliance (risk)?</li> </ul> </li> </ul>
<b>10'</b>	Break
<b>60'</b>	<p>How to assess it - i.e.:</p> <ul style="list-style-type: none"> <li>● Multiple performance assessment points <ul style="list-style-type: none"> <li>○ Would pre-defined metrics/audit points assist with promoting fairness when assessments are undertaken? What are the constraints to developing such metrics?</li> </ul> </li> <li>● Automatization of assessment systems <ul style="list-style-type: none"> <li>○ Can some compliance assessments be "automatized"?</li> </ul> </li> <li>● Compliance ratings <ul style="list-style-type: none"> <li>○ Is it useful to have ratings of compliance, including an index of overall compliance? Based on which criteria?</li> </ul> </li> <li>● Transparency considerations <ul style="list-style-type: none"> <li>○ Should all information related to compliance be available to accredited observers? Is there any reason to not disclose some information? What are the advantages/disadvantages of allowing observers in the compliance working meetings where compliance assessments are undertaken or discussed? How can concerns be mitigated?</li> </ul> </li> </ul>
<b>10'</b>	Conclusions from the day
<b>11 September // 6-7:30AM AEST (UTC+10)</b>	
<b>30'</b>	Report back on outcomes from previous two days
<b>30'</b>	Key findings and conclusions
<b>20'</b>	Roadmap for improved compliance
<b>10'</b>	Closure



## Virtual Expert Workshop on Best Practices in Compliance in RFMOs

7/8, 8/9 and 10/11 September 2020

### Workshop Organization: Regional Groups

Based on participants' locations, the Workshop is organized in three main discussion groups. Each group will focus on two of the three selected priority issues for this Workshop. Please see below the overview of the Workshop Groups and the allocation of participants to each of the Groups (based on current information available on the participants' location). This information will be updated as necessary.

#### Regional Groups Overview

Group 1	Group 2	Group 3
<b>8 SEPTEMBER</b> 10-1 PM EST (UTC-4)	<b>7 SEPTEMBER</b> 1-4 PM UK (UTC+1)	<b>8 SEPTEMBER</b> 10-1 PM AEST (UTC+10)
Introduction and background	Introduction and background	Introduction and background
Compliance review and assessment procedures	Information management and reporting	Outcomes of compliance review and assessment procedures
<b>9 SEPTEMBER</b> 10-1 PM EST (UTC-4)	<b>8 SEPTEMBER</b> 1-4 PM UK (UTC+1)	<b>9 SEPTEMBER</b> 10-1 PM AEST (UTC+10)
Reporting from previous day	Reporting from previous day	Reporting from previous day
Information management and reporting	Outcomes of compliance review and assessment procedures	Compliance review and assessment procedures
<b>10/11 SEPTEMBER</b> 4 PM EST/9 PM UK/6 AM AEST		
Conclusions and next steps		

## Regional Groups

UTC -4, UTC-5, UTC-6, UTC-7, UTC-8		UTC -1, UTC, UTC+1, UTC+2		UTC+8, UTC+9, UTC+10, UTC+11, UTC+12	
Group 1 “North/South Americas”		Group 2: “European/Africa/Northern Atlantic”		Group 3 “Indo-Pacific/Asia”	
Compliance review and assessment procedures		Information management and reporting		Outcomes of compliance review and assessment procedures	
Information management and reporting		Outcomes of compliance review and assessment procedures		Compliance review and assessment procedures	
FACILITATOR: Holly Koehler, ISSF		FACILITATOR: Peter Horn, The Pew Charitable Trusts		FACILITATOR: Osvaldo Urrutia, SPRFMO	
Ricardo Belmontes	Fishery Manager and Policy Officer, IATTC	Alejandro Anganuzzi	Coordinator, Common Oceans ABNJ project, FAO	Sangaa Clark	PNA Policy Adviser including on WCPFC
Derek Campbell	Chair, Compliance Committee, ICCAT	Hrannar Már Ásgeirsson	Monitoring Control and Surveillance Officer, NEAFC	Alexa Cole	Former Chair, Technical and Compliance Committee, WCPFC
Alexa Cole	Former Chair, Technical and Compliance Committee, WCPFC	Gerard Domingue	Compliance Officer, IOTC	Todd Dubois	Fisheries Monitoring and Compliance Manager, CCAMLR
Robert Day	Chair, Technical and Compliance Committee, NPFC Acting Chair and Vice Chair, Technical and Compliance Committee, WCPFC	Adriana Fabra	Advisor, The Pew Charitable Trusts	Peter Flewwelling	Compliance manager, NPFC
Dave Hogan	Chair, Compliance Committee, IATTC	Florian Giroux	Fisheries Officer, IOTC	Susie Iball (TBC)	Compliance Officer, CCSBT
Randy Jenkins	Compliance Manager, SPRFMO	Solène Guggisberg	Senior Research Associate, NILOS and UCWOSL	Lara Manarangi- Trott	Compliance Manager, WCPFC
Holly Koehler	Vice President Policy and Outreach, ISSF	Peter Horn	Project Director, The Pew Charitable Trusts	Pamela Maru	Secretary of Ministry of Marine Resources, Cook Islands
Gerald Leape	Principal Officer, The Pew Charitable Trusts	Kristín von Kistowski	MCS and Compliance Expert, FAO	Frank Meere	Chair, Compliance Committee, CCSBT
Terra Lederhouse	Supervisory Foreign Affairs Specialist, NOAA	Erik Molenaar	Netherlands Institute for the Law of the Sea (NILOS)	Shuya Nakatsuka	Ministry of Agriculture, Forestry and Fisheries Japan
Mark Young	Executive Director, International MCS Network	Alberto Parrilla	Compliance officer, ICCAT	Penny Ridings	Legal Adviser, WCPFC
		Judith Swan	Consultant	Eirdre Sharp	Assistant Compliance Manager - WCPFC
				‘Ana Taholo	Compliance Policy Adviser, FFA
				Osvaldo Urrutia	Chair, SPRFMO

				Andrew Wright	Chair, Compliance & Technical Committee, SPRFMO

## CCSBT: RFMO Compliance Review Process Profile

Please update, complete, or correct information provided in the table below.

Please provide link to basic RFMO measures relevant to compliance review procedures	<a href="https://www.ccsbt.org/en/content/monitoring-control-and-surveillance">https://www.ccsbt.org/en/content/monitoring-control-and-surveillance</a>
<b>REPORTING</b>	
Main source of information on compliance Member	Self-reporting, Independent Quality Assurance Reviews (QARS – are audits), and various data (including CDS and monthly catch reports) submitted to the Secretariat
Can third parties (including observers) provide information relevant to compliance review mechanisms?	Yes, e.g. QAR contractors, other contractors carrying out requested compliance work, information provided to the Exec Sec in relation to the IUU Resolution if agreed by the Extended Commission
Is reporting by Members done online?	No, but some on-line systems are being developed
Are <b>OTHER</b> electronic IT Tools used to support the reporting on implementation of CMMs by CPCs?	Yes, our internal Catch Documentation Scheme (CDS) application and 'CCSBT Central' application (holds data such as vessel and catch by fleet data). Standard SQL queries to report on various CDS and vessel requirements, trade flows and to check for missing or likely erroneous data/discrepancies; also COMTRADE for trade data analysis.
How is information provided (i.e. single questionnaire, individual reports, etc..)?	Annual reports are provided by Members according to annual reporting templates (WORD format), plus there are various other data submission requirements for individual measures
How many reports on implementation of CMMs need to be submitted a year?	National reports containing information on implementation of different measures are provided separately to each of the Compliance Committee, Extended Scientific Committee and Ecologically Related Species Working Groups by Members annually;  Member submissions for CDS are required quarterly and Member monthly catch reporting is required monthly;  Reports on Members' CDS data (including discrepancies) are required to be produced by the Secretariat and distributed to Members 6-monthly.

### Appendix 3. RFMO profiles

Percentage of total CMMs to report on?	All that apply to the member for the previous year
Is it required to report on implementation of the same CMMs every year or do obligations change depending on the year?	Yes, the same every year; if a new CMM is developed (or additional requirements for existing CMMs) then new reporting for that CMM will usually be required once it has come into effect
If they change, based on which criteria?	N/A
Are electronic IT Tools used by the Secretariat to prepare, compile and issue the (preliminary) Compliance Monitoring reports?	Yes. Database queries (SQL) for conducting analyses e.g. for some vessel and CDS reporting. Standard MS-Office suite of tools for preparing reports. COMTRADE. There is no specific on-line reporting tool for preparing and issuing reports.
Are all reports on compliance submitted by Members available to observers in their totality?	Yes
Are documents supporting allegations of non-compliance available to all Members and observers?	Yes
<b>COMPLIANCE REVIEW PROCEDURES</b>	
Does the RFMO have a Compliance Committee (CoC)?	Yes
Are compliance review sessions open to all Members and observers?	Yes
On average, how many days is scheduled for the CoC to meet to complete the Compliance Review Process?	3 days, held before the annual Commission meeting; a recommendatory body, the Technical Compliance Working Group may also be convened for 1 day before each CoC if required. In addition, Compliance Committee working groups may be convened intersessionally as required.
Does the Secretariat provide a preliminary assessment of compliance for consideration by the CoC?	Yes, 3 to 4 months before CoC
Are there any other sources of information (i.e. observer reports, inspections...)	CDS, trade data, ROP, t/ship, PSM, etc. Consultants may also present reports for relevant compliance-related work that has been contracted.
Are all CMMs to be reported on reviewed every year or is there a system to prioritize yearly compliance reviews?	Yes- all. However, Quality Assurance Reviews (QARs) are not repeated for all Members each year

<p>Are there pre-established assessment criteria? If so, please indicate where to find such criteria</p>	<p>Yes: QARs are evaluated against selected aspects of the Minimum Performance Requirements at:  <a href="https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/CPG1_Minimum_Standards.pdf">https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/CPG1_Minimum_Standards.pdf</a></p> <p>There is also a standard set of criteria for all CMMs that are evaluated each year, and the Secretariat evolves these criteria as appropriate – refer to tables in the Secretariat’s annual Compliance with Measures paper.</p> <p>There are no predefined ‘compliance statuses’ though.</p>
<p>Is lack of reporting expressly considered by CoC?</p>	<p>Yes</p>
<p>Is delay in reporting expressly considered by CoC?</p>	<p>Yes</p>
<p>Is past record of non-compliance expressly considered by CoC?</p>	<p>Persistent non-compliance is reported by the Secretariat to the Compliance Committee (commenced in 2019)</p>
<p>Is there a preliminary assessment on every CPC of compliance status carried out?</p>	<p>Each Member is evaluated against its obligations, but a pre-defined compliance status value is not assigned</p>
<p>Do Members have the opportunity to review preliminary assessment? What is the outcome of such Members' involvement?</p>	<p>Yes. This is done in advance of the meeting and the Secretariat modifies its report where legitimate errors have been identified by the Member</p>
<p>Can the non-compliant Member block the decision relative to its non-compliant status in the assessment phase?</p>	<p>Not relevant in that a compliance status value is not assigned. However, a Member could block a decision on corrective action for a Member.</p>
<p>Are there inter-sessional compliance review mechanisms (ie.. Investigations based on notifications on alleged vessel violations...)? If so, which ones?</p>	<p>The Secretariat can respond to ad hoc information on potential violations. There is an intersessional decision making process that could be used to commence such investigations if necessary.</p>
<p><b>OUTCOMES</b></p>	
<p>Does the compliance review assessment rank different levels of non-compliance depending on the seriousness of the breach?</p>	<p>No, but corrective actions can be applied for breaches:  <a href="https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/CPG3_CorrectiveActions.pdf">https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/CPG3_CorrectiveActions.pdf</a></p>
<p>Are the outcomes of the assessment process made public?</p>	<p>Yes:</p> <ul style="list-style-type: none"> <li>the Compliance with Measures paper is publicly available on the CCSBT website.</li> <li>Also, where there is any non-compliance with</li> </ul>

	<p>allocations and as agreed by the EC, or other non-trivial instances of non-compliance with CCSBT obligations where corrective action has been specified, these are specifically published on the CCSBT website e.g.:</p> <p><a href="https://www.ccsbt.org/sites/default/files/userfiles/file/docs_english/general/non-compliance_with_allocations.pdf">https://www.ccsbt.org/sites/default/files/userfiles/file/docs_english/general/non-compliance_with_allocations.pdf</a></p>
Are graphical summaries are provided as part of the publicly available outcomes of the assessment process?	No
Please indicate the different possible outcomes of the review process (i.e. information letters, letters of identification, ...)	Ad hoc letters, reduction of available catch limit to pay back over catches etc.
Does the compliance review assessment make recommendations to solve a situation of non-compliance? If so, is there a follow up with the Member on implementation of recommended actions?	Corrective Actions Policy: <a href="https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/CPG3_CorrectiveActions.pdf">https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/CPG3_CorrectiveActions.pdf</a> There is not always a follow-up with the Member on some areas of non-compliance.
Does the RFMO establish specific capacity-building programs for non-compliant Members	Potentially, on an as-requested basis - mainly via offers of assistance from other Members.
Are there any sanctions prescribed for non-complying Members? If so, which kind of sanctions and for which type of offences?	The most frequent is pay back of over-catch. However, most Members advise that they will pay back any over-catch in the next year as soon as an over-catch for the season is realised so this usually does not require further consideration.
How are decisions on outcomes taken? (i.e. Friends of the Chair+Plenary...)	Compliance Committee and Extended Commission/Commission
How are decisions on sanctions taken? (i.e. unanimity, special majority...)	Consensus
Can the non-compliant Member block the decision relative to its non-compliant status at the plenary level?	No compliance status is assigned, but a non-compliant Member could block corrective action

# IATTC: RFMO Compliance Review Process Profile

Please update, complete, or correct information provided in the table below.

Please provide link to basic RFMO measures relevant to compliance review procedures	<a href="http://www.iattc.org/PDFFiles/Resolutions/IATTC/English/C-11-07-Active_Compliance.pdf">http://www.iattc.org/PDFFiles/Resolutions/IATTC/English/C-11-07-Active_Compliance.pdf</a>
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## REPORTING

Main source of information on compliance Member	Self-reporting. Observers on board of purse seiners greater than 363 MT of carrying capacity.
Can third parties (including observers) provide information relevant to compliance review mechanisms?	Yes. Third Parties can nominate vessels to IUU List according to resolution. <a href="#">C-19-02</a> , as well as observers on board facilitate information about compliance of many IATTC resolutions.
Is reporting by Members done online?	No
Are <b>OTHER</b> electronic IT Tools used to support the reporting on implementation of CMMs by CPCs?	No
How is information provided (i.e. single questionnaire, individual reports, etc..)?	Questionnaire and individual reports. This is mainly responses to possible infractions reported by the Secretariat to CPCs.
How many reports on implementation of CMMs need to be submitted a year?	One, but also CPCs should report on compliance of many resolutions. (observers in longliners, incidental capture of turtles, sharks. Etc)
Percentage of total CMMs to report on?	All that apply to a CPC for the year prior
Is it required to report on implementation of the same CMMs every year or do obligations change depending on the year?	Yes
If they change, based on which criteria?	N/A
Are electronic IT Tools used by the Secretariat to prepare, compile and issue the (preliminary) Compliance Monitoring reports?	The responses by each CPC and possible infractions are posted in IATTC website just for CPC consult. The information is subject to a password to access to it.
Are all reports on compliance submitted by Members available to observers in their totality?	No
Are documents supporting allegations of non-compliance available to all Members and observers?	No

## COMPLIANCE REVIEW PROCEDURES

Does the RFMO have a Compliance Committee (CoC)?	Yes
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Are compliance review sessions open to all Members and observers?	Yes
On average, how many days is scheduled for the CoC to meet to complete the Compliance Review Process?	2 days; held before the Commission meeting
Does the Secretariat provide a preliminary assessment of compliance for consideration by the CoC?	Yes
Are there any other sources of information (i.e. observer reports, inspections...)	Observers on board reports.
Are all CMMs to be reported on reviewed every year or is there a system to prioritize yearly compliance reviews?	Yes - all
Are there pre-established assessment criteria? If so, please indicate where to find such criteria	No
Is lack of reporting expressly considered by CoC?	Yes
Is delay in reporting expressly considered by CoC?	Yes
Is past record of non-compliance expressly considered by CoC?	Not really; unless a CPC brings it up; system of tracking area of non-compliance over time under consideration.
Is there a preliminary assessment on every CPC of compliance status carried out?	Yes, because CPCs received a letter with possible non-compliance 3 months before the meeting of the Review Committee and they can argue on the investigations and actions taken to improve compliance.
Do Members have the opportunity to review preliminary assessment? What is the outcome of such Members' involvement?	Yes, as previously stated.
Can the non-compliant Member block the decision relative to its non-compliant status in the assessment phase?	Yes
Are there inter-sessional compliance review mechanisms (i.e. Investigations based on notifications on alleged vessel violations...)? If so, which ones?	Yes, the CPCs can investigate on the possible infractions reported by the Secretariat and they can present information to the Committee or send responses to the Secretariat. The Secretariat prepares a document with all CPCs responses received for the Committee review.
<b>OUTCOMES</b>	
Does the compliance review assessment rank different levels of non-compliance depending on the seriousness of the breach?	No

Are the outcomes of the assessment process made public?	Yes, a general report of the result of the work of the Committee are posted in the website.
Are graphical summaries are provided as part of the publicly available outcomes of the assessment process?	No - summaries are presented in the Review Committee but these documents are not public. IATTC is unique in that these non public summaries indicate the vessel(s) involved in the alleged infraction.
Please indicate the different possible outcomes of the review process (i.e. information letters, letters of identification, ...)	Recommendations to Commission and possibly a letter to the CPC
Does the compliance review assessment make recommendations to solve a situation of non-compliance? If so, is there a follow up with the Member on implementation of recommended actions?	Since 2 years ago, the Committee is informed by the Secretariat on the progress of the implementation of their recommendations. Also, a database is developed in order to follow up on the actions taken by each CPC to the reported infractions.
Does the RFMO establish specific capacity-building programs for non-compliant Members	Yes, there is a capacity building Fund created by the Commission. In 2008 using such Fund was carried out a seminar for IATTC developing countries to train on the different resolutions and the management measures to be applied, as well as the many reports that should be sent to the IATTC yearly.
Are there any sanctions prescribed for non-complying Members? If so, which kind of sanctions and for which type of offences?	No
How are decisions on outcomes taken? (i.e. Friends of the Chair+Plenary...)	Commission
How are decisions on sanctions taken? (i.e. unanimity, special majority...)	Consensus
Can the non-compliant Member block the decision relative to its non-compliant status at the plenary level?	Yes

# ICCAT: RFMO Compliance Review Process Profile

Please update, complete, or correct information provided in the table below.

Please provide link to basic RFMO measures relevant to compliance review procedures

- [Recommendation by ICCAT to Amend ICCAT Reporting Deadlines in Order to Facilitate an Effective and Efficient Compliance Process](#)
- [Recommendation by ICCAT to Replace Recommendation 16-13 on Improvement of Compliance Review of Conservation and Management Measures Regarding Sharks Caught in Association with ICCAT Fisheries](#)
- [Recommendation by ICCAT on Improvement of Compliance Review of Conservation and Management Measures regarding Billfish Caught in the ICCAT Convention Area](#)
- [Resolution by ICCAT to Facilitate an Effective and Efficient Compliance Process](#)
- [Recommendation by ICCAT for the Development of an Online Reporting System](#)
- [Resolution by ICCAT Establishing an ICCAT Schedule of Actions to Improve Compliance and Cooperation with ICCAT Measures](#)
- [Recommendation by ICCAT to Amend ICCAT Reporting Deadlines in Order to Facilitate an Effective and Efficient Compliance Process](#)
- [Resolution by ICCAT Establishing Guidelines for the Implementation of the Recommendation \[Rec. 11-15\] by ICCAT on Penalties Applicable in the Case of Non-Fulfilment of Reporting Obligations](#)
- [Recommendation by ICCAT to Clarify the Application of Compliance Recommendations and for Developing the Compliance Annex](#)
- [Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information](#)
- [Recommendation by ICCAT to Promote Compliance by Nationals of Contracting Parties, Cooperating Non-Contracting Parties, Entities or Fishing Entities with ICCAT Conservation and Management Measures](#)
- [Recommendation by ICCAT Concerning Trade Measures](#)
- [Recommendation by ICCAT regarding compliance with management measures which define quotas and/or catch limits](#)

## REPORTING

Main source of information on compliance Member

Self-reporting using electronic forms or Compliance templates prepared by the Secretariat in order to homogenize and unify data input. Some information

	available through independent observer programmes.
Can third parties (including observers) provide information relevant to compliance review mechanisms?	Yes.
Is reporting by Members done online?	No, but online reporting system is under development
Are <b>OTHER</b> electronic IT Tools used to support the reporting on implementation of CMMs by CPCs?	Vessel Monitoring System installed in the Secretariat office to receive all the information in regard to VMS requirements and obligations for eastern bluefin tuna.
How is information provided (i.e. single questionnaire, individual reports, etc..)?	Compliance tables, annual report on implementation of obligations for ICCAT fisheries, plus other applicable reports required by ICCAT Recs for specific fisheries or activities (like T/ship) see: <a href="https://www.iccat.int/en/SubmitCOMP.html">https://www.iccat.int/en/SubmitCOMP.html</a>
How many reports on implementation of CMMs need to be submitted a year?	Multiple
Percentage of total CMMs to report on?	All that apply to a CPC for the year prior
Is it required to report on implementation of the same CMMs every year or do obligations change depending on the year?	Yes, however in some cases CPCs only required to report changes to implementation; prioritization under consideration
If they change, based on which criteria?	N/A
Are electronic IT Tools used by the Secretariat to prepare, compile and issue the (preliminary) Compliance Monitoring reports?	Much of the information is entered into data bases to allow for easier extraction, but much manual compilation is still required. ICCAT is currently developing an on-line reporting system in order to automate reporting and also to assist with compilation of compliance information/reports
Are all reports on compliance submitted by Members available to observers in their totality?	Yes. All the compiled information submitted by members or cooperators is available in a public web site for the meeting of the Commission.
Are documents supporting allegations of non-compliance available to all Members and observers?	If serious allegations are being put forward under Rec. 18-09, 18-08 then the supporting information is made available. The background information relating to the Secretariat reports is not usually made available due to the sheer volume: In many cases, the compliance issue involves lack of reporting, hence there are no documents!
<b>COMPLIANCE REVIEW PROCEDURES</b>	
Does the RFMO have a Compliance Committee (CoC)?	Yes
Are compliance review sessions open to all Members and observers?	Yes

On average, how many days is scheduled for the CoC to meet to complete the Compliance Review Process?	It alternates annually between: a) approximately four sessions of 2 hours during the Commission meeting b) 2 full days at the beginning of the Commission meeting plus approximately three sessions during the Commission meeting.
Does the Secretariat provide a preliminary assessment of compliance for consideration by the CoC?	Yes, by compiling the draft Summary Compliance Tables, in coordination with COC Chair
Are there any other sources of information (i.e. observer reports, inspections...)	Trade/landings data, CDS, observer programs and VMS for some fisheries (e.g., bluefin), submissions by other CPCs or other entities (e.g., pursuant to IUU vessel list measure recommendation, port State measure recommendation, and Rec. 08-09)
Are all CMMs to be reported on reviewed every year or is there a system to prioritize yearly compliance reviews?	All measures are subject to review each year, however to rationalize its work the Commission has adopted implementation reporting checksheets for billfish and sharks that are reviewed in greater depth on a regular basis; additionally, in 2019 the Commission adopted a strategic plan that provides for prioritization of certain measures for more in-depth review certain years, depending inter alia on when the species is up for stock assessment by the SCRS
Are there pre-established assessment criteria? If so, please indicate where to find such criteria	See Res. 16-17 Schedule of Actions: <a href="https://www.iccat.int/Documents/Recs/compendiopdf-e/2016-17-e.pdf">https://www.iccat.int/Documents/Recs/compendiopdf-e/2016-17-e.pdf</a> ; See also Rec. 06-13 on Trade Measures
Is lack of reporting expressly considered by CoC?	Yes
Is delay in reporting expressly considered by CoC?	Yes
Is past record of non-compliance expressly considered by CoC?	Yes
Is there a preliminary assessment on every CPC of compliance status carried out?	Yes
Do Members have the opportunity to review preliminary assessment? What is the outcome of such Members' involvement?	Yes, following publication of first version of Compliance Summary Tables, CPCs have an opportunity to submit explanations or corrections with respect to their issues; additionally, other CPCs have an opportunity to raise questions about CPC compliance assessments in writing or during the sessions of the COC; the Compliance Summary Tables are updated taking into account these discussions.

Can the non-compliant Member block the decision relative to its non-compliant status in the assessment phase?	A CPC may object, however this objection may be overcome if the matter is brought to a vote.
Are there inter-sessional compliance review mechanisms (i.e. Investigations based on notifications on alleged vessel violations...)? If so, which ones?	See IUU vessel listing and port State measures recommendations, which set forth processes for potential non-compliance to be notified to the Commission or flag CPC, and for the flag CPC to provide information in response. Additionally, the eastern Atlantic and Mediterranean Bluefin management measure has long included a mechanism for Panel 2 to review and endorse quota-holding CPC plans for fishing; farming management; fishing capacity management; and monitoring, control, and inspection during the intersessional period. These measures do not include a specific role for COC during intersessional period, although information from these processes can be considered by the COC at its meetings.
<b>OUTCOMES</b>	
Does the compliance review assessment rank different levels of non-compliance depending on the seriousness of the breach?	Yes, in the sense that some CPCs with compliance issues identified by COC receive a letter on compliance issues, and in the case of more significant non-compliance, some may be identified under ICCAT's trade measures recommendation. However, CPCs are not numerically ranked or otherwise binned into specific categories reflecting levels of non-compliance.
Are the outcomes of the assessment process made public?	Yes
Are graphical summaries are provided as part of the publicly available outcomes of the assessment process?	Yes, compliance tables and other summaries of implementation of other Recs (like shark data check sheets) indicating the CPC concerned.
Please indicate the different possible outcomes of the review process (i.e. information letters, letters of identification, ...)	Information letters, letter of identification; see also Resolution 16-17 on Schedule of Actions that sets forth other potential consequences for non-compliance.
Does the compliance review assessment make recommendations to solve a situation of non-compliance? If so, is there a follow up with the Member on implementation of recommended actions?	CPC actions taken to address their compliance issues identified by the COC in the are to be notified in CPC responses to letters from the COC Chair and are reviewed by the COC at the next year's annual meeting.

<p>Does the RFMO establish specific capacity-building programs for non-compliant Members</p>	<p>At the 2019 COC meeting, the COC noted the importance of capacity building as a means to improve CPC compliance. The Chair suggested, and CPCs supported, that in the future there could be a standing agenda item on capacity building for the COC meeting. COC work in this regard could be facilitated by creating a repository for listing CPCs requests for capacity building along with available resources for this type of assistance, so requests could be matched available capacity building resources offered by CPCs, international organizations, or other entities. Capacity building/technical assistance is also listed as a tool in Res.16-17 Schedule of Actions.</p>
<p>Are there any sanctions prescribed for non-complying Members? If so, which kind of sanctions and for which type of offences?</p>	<p>Trade Measures Rec 06-13; Schedule of Actions (Rec. 16-17); and the "No Data No Fish" Rec; additionally, other ICCAT recommendations, such as species-specific measures, may contain additional mechanisms to address non-compliance, such as provisions for the reduction of quota in the event of an overharvest.</p>
<p>How are decisions on outcomes taken? (i.e. Friends of the Chair+Plenary...)</p>	<p>Decisions on outcomes are taken by the COC, and depending on the nature of the outcome, subject to endorsement or adoption by the Commission. In some cases, actions for approval by the COC and plenary are recommended by the COC Chair, including taking into account input of the Friends of the COC Chair group.</p>
<p>How are decisions on sanctions taken? (i.e. unanimity, special majority...)</p>	<p>Consensus in practice (but ICCAT does allow voting on some issues). Note also that under Rec. 16-22, "Participants will take no active part in discussions of compliance issues pertaining to their CPC during meetings of the Friends of the Chair Review Group."</p>
<p>Can the non-compliant Member block the decision relative to its non-compliant status at the plenary level?</p>	<p>See earlier response.</p>

# IOTC: RFMO Compliance Review Process Profile

Please update, complete, or correct information provided in the table below.

Please provide link to basic RFMO measures relevant to compliance review procedures	<a href="https://www.iotc.org/node/5065">https://www.iotc.org/node/5065</a> , Appendix V; <a href="https://iotc.org/compliance/coc">https://iotc.org/compliance/coc</a>
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## REPORTING

Main source of information on compliance Member	Self-reporting
Can third parties (including observers) provide information relevant to compliance review mechanisms?	Yes, on presumed IUU fishing cases
Is reporting by Members done online?	No
Are <b>OTHER</b> electronic IT Tools used to support the reporting on implementation of CMMs by CPCs?	Limited to the implementation of port State measures (e-PSM application)
How is information provided (i.e. single questionnaire, individual reports, etc..)?	National Reports (Scientific Committee), Responses to Feedback Letters, Individual implementation reports and compliance questionnaires
How many reports on implementation of CMMs need to be submitted a year?	2 (National Reports for the Scientific Committee and Implementation Reports)
Percentage of total CMMs to report on?	All that apply to a CPC for the year prior
Is it required to report on implementation of the same CMMs every year or do obligations change depending on the year?	Yes
If they change, based on which criteria?	Yes, if they contain reporting obligations
Are electronic IT Tools used by the Secretariat to prepare, compile and issue the (preliminary) Compliance Monitoring reports?	No (under development ( <i>e-Maris</i> application))
Are all reports on compliance submitted by Members available to observers in their totality?	Yes
Are documents supporting allegations of non-compliance available to all Members and observers?	Yes. Observations on non-compliance are available in the Compliance Reports.

## COMPLIANCE REVIEW PROCEDURES

Does the RFMO have a Compliance Committee (CoC)?	Yes
Are compliance review sessions open to all Members and observers?	Yes



On average, how many days is scheduled for the CoC to meet to complete the Compliance Review Process?	3 day; held before the Commission meeting
Does the Secretariat provide a preliminary assessment of compliance for consideration by the CoC?	Yes
Are there any other sources of information (i.e. observer reports, inspections...)	T/ship observer reports, ROP reports, inspection reports, scientific observer reports for assessing implementation of observer scheme
Are all CMMs to be reported on reviewed every year or is there a system to prioritize yearly compliance reviews?	Yes - all
Are there pre-established assessment criteria? If so, please indicate where to find such criteria	Yes ( <a href="https://www.iotc.org/sites/default/files/documents/2020/01/IOTC-2020-W PICMM03-11 - Assessment criteria f or Compliance report.pdf">https://www.iotc.org/sites/default/files/documents/2020/01/IOTC-2020-W PICMM03-11 - Assessment criteria f or Compliance report.pdf</a> )
Is lack of reporting expressly considered by CoC?	Yes
Is delay in reporting expressly considered by CoC?	Yes
Is past record of non-compliance expressly considered by CoC?	Yes
Is there a preliminary assessment on every CPC of compliance status carried out?	Yes
Do Members have the opportunity to review preliminary assessment? What is the outcome of such Members' involvement?	Yes, each CPC review their own report before it is finalized and placed in the public domain.
Can the non-compliant Member block the decision relative to its non-compliant status in the assessment phase?	No. The non-compliant member can, however, request that their position is recorded in the report of the meeting.
Are there inter-sessional compliance review mechanisms (i.e. Investigations based on notifications on alleged vessel violations...)? If so, which ones?	Yes, for IUU listed vessels. Inter-sessional delisting procedure exists.
<b>OUTCOMES</b>	
Does the compliance review assessment rank different levels of non-compliance depending on the seriousness of the breach?	Yes, IOTC Compliance reports for each CPC list "compliant" or "Not Compliant" or ""Late" or "Partially Compliant" etc. See as an example: <a href="https://www.iotc.org/documents/comoros-4">https://www.iotc.org/documents/comoros-4</a>
Are the outcomes of the assessment process made public?	Yes

Are graphical summaries are provided as part of the publicly available outcomes of the assessment process?	Yes. Each CPC has a compliance summary table
Please indicate the different possible outcomes of the review process (i.e. information letters, letters of identification, ...)	Feedback letters which summarize the non-compliance issues for each CPC
Does the compliance review assessment make recommendations to solve a situation of non-compliance? If so, is there a follow up with the Member on implementation of recommended actions?	No: follow up is via letters and reporting at next CoC
Does the RFMO establish specific capacity-building programs for non-compliant Members	Yes – Compliance Support Missions
Are there any sanctions prescribed for non-complying Members? If so, which kind of sanctions and for which type of offences?	No; Compliance Action Plans are possible and the “No Data No Fish” measure
How are decisions on outcomes taken? (i.e. Friends of the Chair+Plenary...)	CoC and Plenary
How are decisions on sanctions taken? (i.e. unanimity, special majority...)	Consensus usually, but voting is possible.
Can the non-compliant Member block the decision relative to its non-compliant status at the plenary level?	Yes. The non-compliant member can request for the decision to be put to a vote. Members are encouraged to reach decisions by consensus.

# NEAFC: RFMO Compliance Review Process Profile

Please update, complete, or correct information provided in the table below.

Please provide link to basic RFMO measures relevant to compliance review procedures	<a href="https://www.neafc.org/compliance">https://www.neafc.org/compliance</a>
<b>REPORTING</b>	
Main source of information on compliance Member	Inspection reports (at sea and in port) from the inspecting Contracting Party, self-reporting Contracting Parties Annual Compliance reports and VMS and fishing activity data send to the NEAFC Secretariat database
Can third parties (including observers) provide information relevant to compliance review mechanisms?	Yes (e.g ICES on fishing inside closed areas or outside existing fishing areas).
Is reporting by Members done online?	Yes, reporting procedures for both at sea inspection and in port (Port State Control procedures) is done online
Are <b>OTHER</b> electronic IT Tools used to support the reporting on implementation of CMMs by CPCs?	Yes, VMS (position and catch and activity information), warning system (e.g. fishing activity inside closed areas) and the use of business intelligence software by the NEAFC Secretariat
How is information provided (i.e. single questionnaire, individual reports, etc..)?	Individual Annual reports
How many reports on implementation of CMMs need to be submitted a year?	1
Percentage of total CMMs to report on?	All
Is it required to report on implementation of the same CMMs every year or do obligations change depending on the year?	Contracting Parties are required to report on implementation of CMMs in accordance with the NEAFC Scheme of Control and Enforcement and all current Recommendation for that year.
If they change, based on which criteria?	N/A
Are electronic IT Tools used by the Secretariat to prepare, compile and issue the (preliminary) Compliance Monitoring reports?	Yes, through the NEAFC MCS database, the NEAFC Electronic Port State database and with the use of business intelligence software
Are all reports on compliance submitted by Members available to observers in their totality?	Yes, to Annual Meeting observers
Are documents supporting allegations of non-compliance available to all Members and observers?	Not to observers

## COMPLIANCE REVIEW PROCEDURES

Does the RFMO have a Compliance Committee (CoC)?	Yes
Are compliance review sessions open to all Members and observers?	To all Members
On average, how many days is scheduled for the CoC to meet to complete the Compliance Review Process?	4 days (two meetings a year)
Does the Secretariat provide a preliminary assessment of compliance for consideration by the CoC?	Yes
Are there any other sources of information (i.e. observer reports, inspections...)	Yes
Are all CMMs to be reported on reviewed every year or is there a system to prioritize yearly compliance reviews?	Yes - all
Are there pre-established assessment criteria? If so, please indicate where to find such criteria	Yes. <a href="https://www.neafc.org/tor/pecmac">https://www.neafc.org/tor/pecmac</a>
Is lack of reporting expressly considered by CoC?	Yes
Is delay in reporting expressly considered by CoC?	Yes
Is past record of non-compliance expressly considered by CoC?	Yes for risk assessment purposes
Is there a preliminary assessment on every CPC of compliance status carried out?	Yes
Do Members have the opportunity to review preliminary assessment? What is the outcome of such Members' involvement?	Yes via the CoC and provisional Contracting Parties annual compliance report Final Report does have table of historical infringements.
Can the non-compliant Member block the decision relative to its non-compliant status in the assessment phase?	Non-compliance is in most cases under the flag State Contracting Party jurisdiction (Administrative, A Court ruling etc).
Are there inter-sessional compliance review mechanisms (i.e.. Investigations based on notifications on alleged vessel violations...)? If so, which ones?	Yes, the CoC first meeting every year.

## OUTCOMES

Does the compliance review assessment rank different levels of non-compliance depending on the seriousness of the breach?	Yes
Are the outcomes of the assessment process made public?	Yes, action taken by the jurisdiction Contracting Party is

	reported in the annual compliance report
Are graphical summaries are provided as part of the publicly available outcomes of the assessment process?	Yes please see e.g table 13 and 14 in the compliance report: <a href="https://www.neafc.org/system/files/2018%20Compliance%20Report.pdf">https://www.neafc.org/system/files/2018%20Compliance%20Report.pdf</a>
Please indicate the different possible outcomes of the review process (i.e. information letters, letters of identification, ...)	N/A
Does the compliance review assessment make recommendations to solve a situation of non-compliance? If so, is there a follow up with the Member on implementation of recommended actions?	Yes via the CoC
Does the RFMO establish specific capacity-building programs for non-compliant Members	N/A
Are there any sanctions prescribed for non-complying Members? If so, which kind of sanctions and for which type of offences?	No
How are decisions on outcomes taken? (i.e. Friends of the Chair+Plenary...)	N/A
How are decisions on sanctions taken? (i.e. unanimity, special majority...)	It is taken by the Contracting Party with the case under its jurisdiction. Decision on CNCP and NCP IUU activity is taken by the Commission
Can the non-compliant Member block the decision relative to its non-compliant status at the plenary level?	N/A

# NPFC: RFMO Compliance Review Process Profile

Please update, complete, or correct information provided in the table below.

**NOTE:** Although NPFC now has a CMM for a Compliance Monitoring System (CMS), it is not yet fully implemented and only applies on a trial basis to three clauses in two of 13 CMMs, namely to ensure 100% observer coverage on bottom fishing vessels; and the other two clauses refer to the CMM on Pacific Saury. Members are to refrain from expansion of numbers of authorized fishing vessels for Pacific saury in the Convention Area, and Members are to refrain from rapid expansion of authorized fishing vessels in areas under their jurisdiction adjacent to the Convention Area.

NPFC	
Please provide link to basic RFMO measures relevant to compliance review procedures	<a href="https://www.npfc.int/meetings/meeting-type/26">https://www.npfc.int/meetings/meeting-type/26</a>
REPORTING	
Main source of information on compliance Member	Annual Reports
Can third parties (including observers) provide information relevant to compliance review mechanisms?	As observer statements at Commission meetings only. Observers are not yet part of the compliance review for NPFC.
Is reporting by Members done online?	Optional in 2020, however it will be mandatory online for 2021 reports of 2020 activities.
Are <b>OTHER</b> electronic IT Tools used to support the reporting on implementation of CMMs by CPCs?	A Regional VMS is being developed which will link with the vessel registry. Electronic vessel registry, electronic HSBI reporting.
How is information provided (i.e. single questionnaire, individual reports, etc..)?	Currently via individual reports.
How many reports on implementation of CMMs need to be submitted a year?	One – see pre-format note.
Percentage of total CMMs to report on?	Very, very small, less than 1%
Is it required to report on implementation of the same CMMs every year or do obligations change depending on the year?	Not yet addressed.
If they change, based on which criteria?	Not yet addressed.
Are electronic IT Tools used by the Secretariat to prepare, compile and issue the (preliminary) Compliance Monitoring reports?	Not at this time, but expected for future as the CMS expands to address all reporting requirements in CMMs

Are all reports on compliance submitted by Members available to observers in their totality?	Not yet addressed
Are documents supporting allegations of non-compliance available to all Members and observers?	Not yet addressed, however Members proposals for IUU vessel listing are available to Members of TCC and when finally decided, to the public. Observers are not a party to this exercise at present.
<b>COMPLIANCE REVIEW PROCEDURES</b>	
Does the RFMO have a Compliance Committee (CoC)?	Yes, a Technical and Compliance Committee (TCC)
Are compliance review sessions open to all Members and observers?	Not yet addressed
On average, how many days is scheduled for the CoC to meet to complete the Compliance Review Process?	In general, CoC meetings takes place for three days.
Does the Secretariat provide a preliminary assessment of compliance for consideration by the CoC?	In accordance with the CMM on CMS
Are there any other sources of information (i.e. observer reports, inspections...)	HSBI will eventually be involved. Observers are only required for bottom fishing as scientific observers.
Are all CMMs to be reported on reviewed every year or is there a system to prioritize yearly compliance reviews?	Not yet addressed, however the Small Working Groups for Planning and Development and Operations will prioritize CMMs for review according to Members' stated wishes or requests for amendments
Are there pre-established assessment criteria? If so, please indicate where to find such criteria	Not yet addressed
Is lack of reporting expressly considered by CoC?	Not yet addressed
Is delay in reporting expressly considered by CoC?	Not yet addressed
Is past record of non-compliance expressly considered by CoC?	Not yet addressed, but it is expected to be considered for key non-compliance issues where an administrative/automatic response has not been issued.
Is there a preliminary assessment on every CPC of compliance status carried out?	
Do Members have the opportunity to review preliminary assessment? What is the outcome of such Members' involvement?	Yes, according to the CMM they have at least three set times prior to TCC for responding to the CMS.

Can the non-compliant Member block the decision relative to its non-compliant status in the assessment phase?	No, not according to the CMM
Are there inter-sessional compliance review mechanisms (ie.. Investigations based on notifications on alleged vessel violations...)? If so, which ones?	At this time, only for HSBI alleged infractions.
<b>OUTCOMES</b>	
Does the compliance review assessment rank different levels of non-compliance depending on the seriousness of the breach?	This is the intent of the CMM however development of a full system has not occurred.
Are the outcomes of the assessment process made public?	Not yet addressed
Are graphical summaries are provided as part of the publicly available outcomes of the assessment process?	Only the final Compliance Report and the executive summary
Please indicate the different possible outcomes of the review process (i.e. information letters, letters of identification, ...)	Letters of concern from the Chair of the Commission noting the issue, and the required response.
Does the compliance review assessment make recommendations to solve a situation of non-compliance? If so, is there a follow up with the Member on implementation of recommended actions?	Yes, through the Letter of Concern and responses could include: capacity building, responses/ corrective action to address non-compliance
Does the RFMO establish specific capacity-building programs for non-compliant Members	Possible, but not yet agreed.
Are there any sanctions prescribed for non-complying Members? If so, which kind of sanctions and for which type of offences?	Not yet addressed
How are decisions on outcomes taken? (i.e. Friends of the Chair+Plenary...)	TCC recommends action and the Commission decides.
How are decisions on sanctions taken? (i.e. unanimity, special majority...)	Not yet addressed, however expect that it will be as the above response.
Can the non-compliant Member block the decision relative to its non-compliant status at the plenary level?	No, not according to the CMM.



# WCPFC: RFMO Compliance Review Process Profile

Please update, complete, or correct information provided in the table below.

Please provide link to basic RFMO measures relevant to compliance review procedures	<a href="https://www.wcpfc.int/compliance-monitoring">https://www.wcpfc.int/compliance-monitoring</a>
<b>REPORTING</b>	
Main source of information on compliance Member	Self-reporting
Can third parties (including observers) provide information relevant to compliance review mechanisms?	Yes
Is reporting by Members done online?	Yes
Are <b>OTHER</b> electronic IT Tools used to support the reporting on implementation of CMMs by CPCs?	<p>Yes. Online System to track alleged cases of infractions (for WCPFC CCMs only, which includes cooperating non-members)</p> <p>In addition there are some databases maintained by the Secretariat that are maintained online eg Record of Fishing Vessels, E-reporting of high seas transshipment pre-notifications and post-transshipment declarations as required by CMM 2009-06.</p> <p>The Secretariat does also publish online on the WCPFC website summary statistics drawn from WCPFC databases and these can be used by CCMs to check the completeness of their reporting to WCPFC, and also as the basis for their annual summary reporting, eg <a href="#">ACE tables</a>, <a href="#">HSBI summary statistics</a>, <a href="#">Non-public domain Data request summary list</a></p>
How is information provided (i.e. single questionnaire, individual reports, etc..)?	Annual report Part 2 (online) Certain website published lists, or summary information Annual Report Part 1 Compilation of other data received by the Secretariat from CCMs
How many reports on implementation of CMMs need to be submitted a year?	1 - Annual Report Part 2 (in 2020 this comprised two parts, a 2019 specific report and report on implementation of obligations that were implemented in previous years)
Percentage of total CMMs to report on?	All that apply to a CCM for the year prior.
Is it required to report on implementation of the same CMMs every year or do obligations change depending on the year?	Reporting on all obligations is an annual requirement, but the draft Compliance Monitoring Report is prepared covering a subset that is prioritized annually through decision of the Commission. See:

	<a href="https://www.wcpfc.int/doc/commission-09/list-obligations-be-assessed-compliance-monitoring-scheme">https://www.wcpfc.int/doc/commission-09/list-obligations-be-assessed-compliance-monitoring-scheme</a>
If they change, based on which criteria?	Working on developing risk-based assessment framework for determining the list of obligations to be assessed
Are electronic IT Tools used by the Secretariat to prepare, compile and issue the (preliminary) Compliance Monitoring reports?	Yes
Are all reports on compliance submitted by Members available to observers in their totality?	No
Are documents supporting allegations of non-compliance available to all Members and observers?	No
<b>COMPLIANCE REVIEW PROCEDURES</b>	
Does the RFMO have a Compliance Committee (CoC)?	Yes – WCPFC Technical and Compliance Committee
Are compliance review sessions open to all Members and observers?	No closed to observers
On average, how many days is scheduled for the CoC to meet to complete the Compliance Review Process?	2-3 days as a CMS working group during TCC and ~1/2 day during the Commission meeting
Does the Secretariat provide a preliminary assessment of compliance for consideration by the CoC?	Yes in the form of the draft Compliance Monitoring Report
Are there any other sources of information (i.e. observer reports, inspections...)	Yes, from other sources from MCS tools (VMS, observer programs, High seas boarding and inspection reports, Port inspection reports, other CMM required reports from CCMs/vessels to WCPFC, operational catch and effort data)
Are all CMMs to be reported on reviewed every year or is there a system to prioritize yearly compliance reviews?	Annual report Part 2 covers all CMMs to be implemented in the prior year. For the Compliance Monitoring report, the Commission decides on a list of obligations to be reviewed through the Compliance Monitoring Scheme and is guided by paragraph 6 of CMM 2019-06. WCPFC is also working on the development of a risk-based approach.
Are there pre-established assessment criteria? If so, please indicate where to find such criteria	Working on developing audit points
Is lack of reporting expressly considered by CoC?	Yes

Is delay in reporting expressly considered by CoC?	Yes
Is past record of non-compliance expressly considered by CoC?	Yes
Is there a preliminary assessment on every CPC of compliance status carried out?	Yes
Do Members have the opportunity to review preliminary assessment? What is the outcome of such Members' involvement?	Yes; The Secretariat identifies a list of potential issues, and each Member has the opportunity to review and provide comments on this preliminary assessment – these comments are included into the draft Compliance Monitoring Report. The Secretariat considers the response from each Member to their potential issues as part of finalising the draft Compliance Report that is sent to the Technical and Compliance Committee. The Technical and Compliance Committee considers the draft Compliance Monitoring Report, including potential issues identified by the Secretariat and determines a provisional Compliance Report. The outcome is the identification of a compliance status: "compliant" or "non-compliant" or "priority non compliant" or "capacity assistance needed" or "CMM review"
Can the non-compliant Member block the decision relative to its non-compliant status in the assessment phase?	No – see above
Are there inter-sessional compliance review mechanisms (ie.. Investigations based on notifications on alleged vessel violations...)? If so, which ones?	Yes (notifications of alleged infractions) through a CCM-only WCPFC online compliance case file system portal
<b>OUTCOMES</b>	
Does the compliance review assessment rank different levels of non-compliance depending on the seriousness of the breach?	Yes
Are the outcomes of the assessment process made public?	Yes through the final CMR <a href="https://www.wcpfc.int/compliance-monitoring">https://www.wcpfc.int/compliance-monitoring</a>
Are graphical summaries are provided as part of the publicly available outcomes of the assessment process?	Yes. Summaries by compliance status of each CCM by CMM and status of Capacity Assistance Needed designations (traffic light summary)
Please indicate the different possible outcomes of the review process (i.e. information letters, letters of identification, ...)	CCM is to report on actions for each individual non-compliant or priority non-compliant score in Annual Report Part 2 and for those with Capacity Assistance Needed

	designations, must report on status in following years. This report back is facilitated through the online interface for Annual Report Part 2 report
Does the compliance review assessment make recommendations to solve a situation of non-compliance? If so, is there a follow up with the Member on implementation of recommended actions?	Yes the provisional Compliance Monitoring Report may include next steps and a decision is also made by TCC about whether additional information may be provided up to 21 days after TCC to fill an information gap. Otherwise, CCM is to report on actions in Annual Report Part 2, and the responses in Annual Report Part 2 are considered in future CMS reviews
Does the RFMO establish specific capacity-building programs for non-compliant Members	Yes <a href="https://www.wcpfc.int/implementation-article-30-convention">https://www.wcpfc.int/implementation-article-30-convention</a>
Are there any sanctions prescribed for non-complying Members? If so, which kind of sanctions and for which type of offences?	Other actions by Commission possible, but not prescribed in a "scheme of responses".; some CMMs have or have had provisions for reductions in future year catch limits of a limit is breached, but this is not part of a comprehensive scheme of responses to non-compliance. In respect of reporting gaps, the process that develops and considers the draft CMR leading up to TCC or as part of Annual Report Part 2 does support resolution of these issues.
How are decisions on outcomes taken? (i.e. Friends of the Chair+Plenary...)	The Provisional Compliance Monitoring Report is finalised at TCC and forwarded for adoption by the Commission
How are decisions on sanctions taken? (i.e. unanimity, special majority...)	Decisions by the Commission including the adoption of the Compliance Monitoring Report is usually by consensus. There are provisions for voting on matters of substance, however to date these have not been utilised.
Can the non-compliant Member block the decision relative to its non-compliant status at the plenary level?	CMM 2019-06 paragraph 36 states that a CCM shall not block its own compliance assessment if all other CCMs have concurred with the assessment. Where consensus cannot be achieved, a provisional assessment will reflect the majority view, and the minority view shall also be recorded. The Provisional and Final Compliance Monitoring Report may also reflect the view of the CCM if it disagrees with the assessment. In general, the final Compliance Monitoring Report is adopted by consensus.

RFMO Compliance Review Systems							
	Tuna RFMOs					Non Tuna RFMOs	
	CCSBT	IATTC	ICCAT	IOTC	WCPCF	NEAFC	NPFC
			<p>Recommendation by ICCAT to Amend ICCAT Reporting Deadlines in Order to Facilitate an Effective and Efficient Compliance Process.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2018-07-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2018-07-e.pdf</a>  Recommendation by ICCAT to Replace Recommendation 16-13 on Improvement of Compliance Review of Conservation and Management Measures Regarding Sharks Caught in Association with ICCAT Fisheries.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2018-06-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2018-06-e.pdf</a>  Recommendation by ICCAT on Improvement of Compliance Review of Conservation and Management Measures regarding Billfish Caught in the ICCAT Convention Area.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2018-05-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2018-05-e.pdf</a>  Resolution by ICCAT to Facilitate an Effective and Efficient Compliance Process.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2016-22-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2016-22-e.pdf</a>  Recommendation by ICCAT for the Development of an Online Reporting System  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2016-19-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2016-19-e.pdf</a>  Resolution by ICCAT Establishing an ICCAT Schedule of Actions to Improve Compliance and Cooperation with ICCAT Measures.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2016-17-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2016-17-e.pdf</a>  Recommendation by ICCAT to Amend ICCAT Reporting Deadlines in Order to Facilitate an Effective and Efficient Compliance Process.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2016-16-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2016-16-e.pdf</a>  Resolution by ICCAT Establishing Guidelines for the Implementation of the Recommendation (Rec. 31-35) by ICCAT on Penalties Applicable in the Case of Non-Fulfillment of Reporting Obligations  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2015-09-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2015-09-e.pdf</a>  Recommendation by ICCAT to Clarify the Application of Compliance Recommendations and for Developing the Compliance Annex.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2011-11-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2011-11-e.pdf</a>  Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2008-09-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2008-09-e.pdf</a>  Recommendation by ICCAT to Promote Compliance by Nationals of Contracting Parties, Cooperating Non-Contracting Parties, Entities or Fishing Entities with ICCAT Conservation and Management Measures.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2006-14-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2006-14-e.pdf</a>  Recommendation by ICCAT Concerning Trade Measures.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2006-13-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2006-13-e.pdf</a>  Recommendation by ICCAT regarding compliance with management measures which define quotas and/or catch limits.  <a href="https://www.iccat.int/Documents/Recs/compdiopdf-e/2000-14-e.pdf">https://www.iccat.int/Documents/Recs/compdiopdf-e/2000-14-e.pdf</a></p>				<p>NOTE: Although NPFC now has a CMM for a Compliance Monitoring System (CMS), it is not yet fully implemented and only applies on a trial basis to three clauses in two of 13 CMMs, namely to ensure 100% observer coverage on bottom fishing vessels; and the other two clauses refer to the CMM on Pacific Saury. Members are to refrain from expansion of numbers of authorized fishing vessels for Pacific saury in the Convention Area, and Members are to refrain from rapid expansion of authorized fishing vessels in areas under their jurisdiction adjacent to the Convention Area.</p>
Please provide link to basic RFMO measures relevant to compliance review procedures	<a href="https://www.ccsbt.org/en/content/monitoring-control-and-surveillance">https://www.ccsbt.org/en/content/monitoring-control-and-surveillance</a>	<a href="http://www.iattc.org/PDFFiles/Resolutions/IATTC_English/C-11-07-Active_Compliance.pdf">http://www.iattc.org/PDFFiles/Resolutions/IATTC_English/C-11-07-Active_Compliance.pdf</a>		<a href="https://www.iotc.org/node/5065">https://www.iotc.org/node/5065</a> , <a href="https://www.iotc.org/compliance/coc">https://www.iotc.org/compliance/coc</a>	<a href="https://www.wcpfc.int/compliance-monitoring">https://www.wcpfc.int/compliance-monitoring</a>	<a href="https://www.neafc.org/compliance">https://www.neafc.org/compliance</a>	<a href="https://www.npfc.int/meetings/meeting-type/26">https://www.npfc.int/meetings/meeting-type/26</a>
	GENERAL INFO						
Main source of information on compliance Member	Self-reporting, Independent Quality Assurance Reviews (QARS – are audits), and various data (including CDS and monthly catch reports) submitted to the Secretariat	Self-reporting Observers on board of purse seiners greater than 363 MT of carrying capacity	Self-reporting using electronic forms or Compliance templates prepared by the Secretariat in order to homogenize and unify data input. Some information available through independent observer programmes.	Self-reporting	Self-reporting	Inspection reports (at sea and in port) from the inspecting Contracting Party, self-reporting Contracting Parties Annual Compliance reports and VMS and fishing activity data sent to the NEAFC Secretariat database	Annual Reports
Can third parties (including observers) provide information relevant to compliance review mechanisms?	Yes, e.g. QAR contractors, other contractors carrying out requested compliance work, information provided to the Exec Sec in relation to the IUU Resolution if agreed by the Extended Commission	Yes. Third Parties can nominate vessels to IUU List according to resolution C-19-02, as well as observers on board facilitate information about compliance of many IATTC resolutions.	Yes	Yes, on presumed IUU fishing cases	Yes	Yes (e.g ICES on fishing inside closed areas or outside existing fishing areas). Yes, reporting procedures for both at sea inspection and in port (Port State Control procedures) is done online	As observer statements at Commission meetings only. Observers are not yet part of the compliance review for NPFC.
Is reporting by Members done online?	No, but some on-line systems are being developed	No	No, but online reporting system is under development	No	Yes		Optional in 2020, however it will be mandatory online for 2021 reports of 2020 activities.

RFMO Compliance Review Systems

	Tuna RFMOs					Non Tuna RFMOs	
	CCSBT	IATTC	ICCAT	IOTC	WCPFC	NEAFC	NPFC
Are OTHER electronic IT Tools used to support the reporting on implementation of CMMs by CPCs?	Yes, our internal Catch Documentation Scheme (CDS) application and 'CCSBT Central' application (holds data such as vessel and catch by fleet data). Standard SQL queries to report on various CDS and vessel requirements, trade flows and to check for missing or likely erroneous data/discrepancies; also COMTRADE for trade data analysis.	No	Vessel Monitoring System installed in the Secretariat office to receive all the information in regard to VMS requirements and obligations for eastern bluefin tuna	Limited to the implementation of port State measures (e-PSM application)	Yes. Online System to track alleged cases of infractions (for WCPFC CCMs only, which includes cooperating non-members) In addition there are some databases maintained by the Secretariat that are maintained online eg Record of Fishing Vessels, E-reporting of high seas transshipment pre-notifications and post-transshipment declarations as required by CMM 2009-06. The Secretariat does also publish online on the WCPFC website summary statistics drawn from WCPFC databases and these can be used by CCMs to check the completeness of their reporting to WCPFC, and also as the basis for their annual summary reporting, eg ACE tables, HSBI summary statistics, Non-public domain Data request summary list	Yes, VMS (position and catch and activity information), warning system (e.g. fishing activity inside closed areas) and the use of business intelligence software by the NEAFC Secretariat	A Regional VMS is being developed which will link with the vessel registry. Electronic vessel registry, electronic HSBI reporting.
How is information provided (i.e. single questionnaire, individual reports, etc.)?	Annual reports are provided by Members according to annual reporting templates (WORD format), plus there are various other data submission requirements for individual measures	Questionnaire and individual reports. This is mainly responses to possible infractions reported by the Secretariat to CPCs.	Compliance tables, annual report on implementation of obligations for ICCAT fisheries, plus other applicable reports required by ICCAT Recs for specific fisheries or activities (like T/ship) See: <a href="https://www.iccat.int/en/SubmitCOMP.html">https://www.iccat.int/en/SubmitCOMP.html</a>	National Reports (Scientific Committee), Responses to Feedback Letters, Individual implementation reports and compliance questionnaires	Annual report Part 2 (online) Certain website published lists, or summary information Annual Report Part 1 Compilation of other data received by the Secretariat from CCMs	Individual Annual reports	Currently via individual reports.
How many reports on implementation of CMMs need to be submitted a year?	National reports containing information on implementation of different measures are provided separately to each of the Compliance Committee, Extended Scientific Committee and Ecologically Related Species Working Groups by Members annually; Member submissions for CDS are required quarterly and Member monthly catch reporting is required monthly; Reports on Members' CDS data (including discrepancies) are required to be produced by the Secretariat and distributed to Members 6-monthly.	One, but also CPCs should report on compliance of many resolutions. (observers in longliners, incidental capture of turtles, sharks. Etc)	Multiple	2 (National Reports for the Scientific Committee and Implementation Reports)	1 - Annual Report Part 2 (in 2020 this comprised two parts, a 2019 specific report and report on implementation of obligations that were implemented in previous years)	1	One – see pre-format note.
Percentage of total CMMs to report on?	All that apply to the member for the previous year	All that apply to a CPC for the year prior	All that apply to a CPC for the prior year	All that apply to a CPC for the year prior	All that apply to a CCM for the year prior.	All	Very, very small, less than 1%
Is it required to report on implementation of the same CMMs every year or do obligations change depending on the year?	Yes, the same every year; if a new CMM is developed (or additional requirements for existing CMMs) then new reporting for that CMM will usually be required once it has come into effect	Yes	Yes, however in some cases CPCs only required to report changes to implementation; prioritization under consideration	yes	Reporting on all obligations is an annual requirement, but the draft Compliance Monitoring Report is prepared covering a subset that is prioritized annually through decision of the Commission See: <a href="https://www.wcpfc.int/doc/commission-09/list-obligations-be-assessed-compliance-monitoring-scheme">https://www.wcpfc.int/doc/commission-09/list-obligations-be-assessed-compliance-monitoring-scheme</a>	Contracting Parties are required to report on implementation of CMMs in accordance with the NEAFC Scheme of Control and Enforcement and all current Recommendation for that year.	Not yet addressed.
If they change, based on which criteria?	n/a	n/a	n/a	Yes, if they contain reporting obligations.	Working on developing risk-based assessment framework for determining the list of obligations to be assessed	N/A	Not yet addressed.
Are electronic IT Tools used by the Secretariat to prepare, compile and issue the (preliminary) Compliance Monitoring reports?	Yes. Database queries (SQL) for conducting analyses e.g. for some vessel and CDS reporting. Standard MS-Office suite of tools for preparing reports. COMTRADE. There is no specific on-line reporting tool for preparing and issuing reports.	The responses by each CPC and possible infractions are posted in IATTC website just for CPC consult. The information is subject to a password to access to it.	Much of the information is entered into data bases to allow for easier extraction, but much manual compilation is still required. ICCAT is currently developing an on-line reporting system in order to automate reporting and also to assist with compilation of compliance information/reports	No (under development (e-Marit application))	Yes	Yes, through the NEAFC MCS database, the NEAFC Electronic Port State database and with the use of business intelligence software	Not at this time, but expected for future as the CMS expands to address all reporting requirements in CMMs
Are all reports on compliance submitted by Members available to observers in their totality?	Yes	No	Yes. All the compiled information submitted by members or cooperators is available in a public web site for the meeting of the Commission.	yes	No	Yes, to Annual Meeting observers	Not yet addressed

RFMO Compliance Review Systems							
	Tuna RFMOs					Non Tuna RFMOs	
	CCSBT	IATTC	ICCAT	IOTC	WCPFC	NEAFC	NPFC
Are documents supporting allegations of non-compliance available to all Members and observers?	Yes	No	If serious allegations are being put forward under Rec. 18-09, 18-08 then the supporting information is made available. The background information relating to the Secretariat reports is not usually made available due to the sheer volume: In many cases, the compliance issue involves lack of reporting, hence there are no documents!	Yes. Observations on non-compliance are available in the Compliance Reports.	No	Not to observers	Not yet addressed, however Members proposals for IUU vessel listing are available to Members of TCC and when finally decided, to the public. Observers are not a party to this exercise at present.
Does the RFMO have a Compliance Committee (CoC)?	Yes	Yes	Yes	yes	Yes - WCPFC Technical and Compliance Committee	Yes	Yes, a Technical and Compliance Committee (TCC)
Are compliance review sessions open to all Members and observers?	Yes	Yes	Yes	yes	No closed to observers	To all Members	Not yet addressed
On average, how many days is scheduled for the CoC to meet to complete the Compliance Review Process?	3 days, held before the annual Commission meeting; a recommendatory body, the Technical Compliance Working Group may also be convened for 1 day before each CoC if required. In addition, Compliance Committee working groups may be convened interessionally as required.	2 days; held before Commission meeting	It alternates annually between: a) approximately four sessions of 2 hours during the Commission meeting b) 2 full days at the beginning of the Commission meeting plus approximately three sessions during the Commission meeting.	3 day; held before the Commission meeting	2-3 days as a CMS working group during TCC and ~1/2 day during the Commission meeting	4 days (two meetings a year)	In general, CoC meeting takes place for three days.
Does the Secretariat provide a preliminary assessment of compliance for consideration by the CoC?	Yes, 3 to 4 months before CoC.	Yes	Yes, by compiling the draft Summary Compliance Tables, in coordination with COC Chair	yes	Yes in the form of the draft Compliance Monitoring Report	Yes	In accordance with the CMM on CMS
Are there any other sources of information (i.e. observer reports, inspections...)	CDS, trade data, ROP, T/ship, PSM, etc. Consultants may also present reports for relevant compliance-related work that has been contracted.	Observers on board reports.	Trade/landings data, CDS, observer programs and VMS for some fisheries (e.g., bluefin), submissions by other CPCs or other entities (e.g., pursuant to IUU vessel list measure recommendation, port State measure recommendation, and Rec. 08-09)	T/ship observer reports, ROP reports, inspection reports, scientific observer reports for assessing implementation of observer scheme	Yes, from other sources from MCS tools (VMS, observer programs, High seas boarding and inspection reports, Port inspection reports, other CMM required reports from CCMS/vessels to WCPFC, operational catch and effort data)	Yes	HSBI will eventually be involved. Observers are only required for bottom fishing as scientific observers.
Are all CMMs to be reported on reviewed every year or is there a system to prioritize yearly compliance reviews?	Yes- all. However, Quality Assurance Reviews (QARs) are not repeated for all Members each year	Yes - all	All measures are subject to review each year, however to rationalize its work the Commission has adopted implementation reporting checksheets for billfish and sharks that are reviewed in greater depth on a regular basis; additionally, in 2019 the Commission adopted a strategic plan that provides for prioritization of certain measures for more in-depth review certain years, depending inter alia on when the species is up for stock assessment by the SCRS	Yes - all	Annual report Part 2 covers all CMMs to be implemented in the prior year. For the Compliance Monitoring report, the Commission decides on a list of obligations to be reviewed through the Compliance Monitoring Scheme and is guided by paragraph 6 of CMM 2019-06. WCPFC is also working on the development of a risk-based approach.	Yes-all	Not yet addressed, however the Small Working Groups for Planning and Development and Operations will prioritize CMMs for review according to Members' stated wishes or requests for amendments
Are there pre-established assessment criteria? If so, please indicate where to find such criteria	Yes: QARs are evaluated against selected aspects of the Minimum Performance Requirements at: <a href="https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/CPG1_Minimum_Standards.pdf">https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/CPG1_Minimum_Standards.pdf</a> There is also a standard set of criteria for all CMMs that are evaluated each year, and the Secretariat evolves these criteria as appropriate – refer to tables in the Secretariat's annual Compliance with Measures paper. There are no predefined 'compliance statuses' though.	No	See Res. 16-17 Schedule of Actions: <a href="https://www.iccat.int/Documents/Recs/compendiopdf-e/2016-17-e.pdf">https://www.iccat.int/Documents/Recs/compendiopdf-e/2016-17-e.pdf</a> ; See also Rec. 06-13 on Trade Measures	Yes ( <a href="https://www.iotc.org/sites/default/files/documents/2020/01/OTC-2020-WPICMM03-11_-_Assessment_criteria_for_Compliance_report.pdf">https://www.iotc.org/sites/default/files/documents/2020/01/OTC-2020-WPICMM03-11_-_Assessment_criteria_for_Compliance_report.pdf</a> )	Working on developing audit points	Yes, <a href="https://www.neafc.org/tor/pecmac">https://www.neafc.org/tor/pecmac</a>	Not yet addressed
Is lack of reporting expressly considered by CoC?	Yes	Yes	Yes	yes	yes	Yes	Not yet addressed
Is delay in reporting expressly considered by CoC?	Yes	Yes	Yes	yes	yes	Yes	Not yet addressed
Is past record of non-compliance expressly considered by CoC?	Persistent non-compliance is reported by the Secretariat to the Compliance Committee (commenced in 2019)	Not really; unless a CPC brings it up; system of tracking area of non-compliance over time under consideration	Yes	yes	Yes	Yes for risk assessment purposes	Not yet addressed, but it is expected to be considered for key non-compliance issues where an administrative/automatic response has not been issued.

RFMO Compliance Review Systems

	Tuna RFMOs					Non Tuna RFMOs	
	CCSBT	IATTC	ICCAT	IOTC	WCPFC	NEAFC	NPFC
is there a preliminary assessment on every CPC of compliance status carried out?	Each Member is evaluated against its obligations, but a pre-defined compliance status value is not assigned	Yes, because CPCs received a letter with possible non-compliance 3 months before the meeting of the Review Committee and they can argue on the investigations and actions taken to improve compliance.	Yes	yes	Yes	Yes	
Do Members have the opportunity to review preliminary assessment? What is the outcome of such Members' involvement?	Yes. This is done in advance of the meeting and the Secretariat modifies its report where legitimate errors have been identified by the Member	Yes, as previously stated.	Yes, following publication of first version of Compliance Summary Tables, CPCs have an opportunity to submit explanations or corrections with respect to their issues; additionally, other CPCs have an opportunity to raise questions about CPC compliance assessments in writing or during the sessions of the COC; the Compliance Summary Tables are updated taking into account these discussions.	Yes Each CPC review their own report before it is finalised and placed in the public domain.	Yes; The Secretariat identifies a list of potential issues, and each Member has the opportunity to review and provide comments on this preliminary assessment - these comments are included into the draft Compliance Monitoring Report. The Secretariat considers the response from each Member to their potential issues as part of finalising the draft Compliance Report that is sent to the Technical and Compliance Committee. The Technical and Compliance Committee considers the draft Compliance Monitoring Report, including potential issues identified by the Secretariat and determines a provisional Compliance Report. The outcome is the identification of a compliance status: "compliant" or "non-compliant" or "priority non compliant" or "capacity assistance needed" or "CMM review"	Yes via the CoC and provisional Contracting Parties annual compliance report Final Report does have table of historical infringements.	Yes, according to the CMM they have at least three set times prior to TCC for responding to the CMS.
Can the non-compliant Member block the decision relative to its non-compliant status in the assessment phase?	Not relevant in that a compliance status value is not assigned. However, a Member could block a decision on corrective action for a Member.	Yes	A CPC may object, however this objection may be overcome if the matter is brought to a vote.	No. The non-compliant member can, however, request that their position is recorded in the report of the meeting.	No -see above	Non-compliance is in most cases under the flag State Contracting Party jurisdiction (Administrative, A Court ruling etc).	No, not according to the CMM
Are there inter-sessional compliance review mechanisms (ie.. Investigations based on notifications on alleged vessel violations...)? If so, which ones?	The Secretariat can respond to ad hoc information on potential violations. There is an inter-sessional decision making process that could be used to commence such investigations if necessary.	Yes, the CPCs can investigate on the possible infractions reported by the Secretariat and they can present information to the Committee or send responses to the Secretariat. The Secretariat prepares a document with all CPCs responses received for the Committee review.	See IUU vessel listing and port State measures recommendations, which set forth processes for potential non-compliance to be notified to the Commission or flag CPC, and for the flag CPC to provide information in response. Additionally, the eastern Atlantic and Mediterranean Bluefin management measure has long included a mechanism for Panel 2 to review and endorse quota-holding CPC plans for fishing; farming management; fishing capacity management; and monitoring, control, and inspection during the inter-sessional period. These measures do not include a specific role for COC during inter-sessional period, although information from these processes can be considered by the COC at its meetings.	Yes, for IUU listed vessels. Inter-sessional delisting procedure exist.	Yes (notifications of alleged infractions) through a CCM-only WCPFC online compliance case file system portal	Yes, the CoC first meeting every year.	At this time, only for HSBFI alleged infractions.
Does the compliance review assessment rank different levels of non-compliance depending on the seriousness of the breach?	No, but corrective actions can be applied for breaches: <a href="https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/CPG3_CorrectiveActions.pdf">https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/CPG3_CorrectiveActions.pdf</a>	No	Yes, in the sense that some CPCs with compliance issues identified by COC receive a letter on compliance issues, and in the case of more significant non-compliance, some may be identified under ICCAT's trade measures recommendation. However, CPCs are not numerically ranked or otherwise binned into specific categories reflecting levels of non-compliance.	Yes, IOTC Compliance reports for each CPC list "compliant" or "Not Compliant" or "Late" or "Partially Compliant" etc. See as an example: <a href="https://www.iotc.org/documents/comoros-4">https://www.iotc.org/documents/comoros-4</a>	Yes	Yes,	This is the intent of the CMM however development of a full system has not occurred.



RFMO Compliance Review Systems

	Tuna RFMOs					Non Tuna RFMOs	
	CCSBT	IATTC	ICCAT	IOTC	WCPFC	NEAFC	NPFC
Are the outcomes of the assessment process made public?	Yes: - the Compliance with Measures paper is publicly available on the CCSBT website. - Also, where there is any non-compliance with allocations and as agreed by the EC, or other non-trivial instances of non-compliance with CCSBT obligations where corrective action has been specified, these are specifically published on the CCSBT website e.g.: <a href="https://www.ccsbt.org/sites/default/files/userfiles/file/docs_english/general/non-compliance_with_allocations.pdf">https://www.ccsbt.org/sites/default/files/userfiles/file/docs_english/general/non-compliance_with_allocations.pdf</a>	Yes, A general report of the result of the work of the Committee are posted in the website.	Yes	Yes	Yes through the final CMR <a href="https://www.wcpfc.int/compliance-monitoring">https://www.wcpfc.int/compliance-monitoring</a>	Yes, action taken by the jurisdiction Contracting Party is reported in the annual compliance report	Not yet addressed
Are graphical summaries are provided as part of the publicly available outcomes of the assessment process?	No	No - summaries are presented in the Review Committee but these documents are not public. IATTC is unique in that these non public summaries indicate the vessel(s) involved in the alleged infraction.	Yes, compliance tables and other summaries of implementation of other Recs (like shark data check sheets) indicating the CPC concerned.	Yes. Each CPC has a compliance summary table	Yes. Summaries by compliance status of each CCM by CMM and status of Capacity Assistance Needed designations (traffic light summary)	Yes please see e.g table 13 and 14 in the compliance report: <a href="https://www.neafc.org/system/files/2018%20Compliance%20Report.pdf">https://www.neafc.org/system/files/2018%20Compliance%20Report.pdf</a>	Only the final Compliance Report and the executive summary
Please indicate the different possible outcomes of the review process (i.e. information letters, letters of identification, ...)	Ad hoc letters, reduction of available catch limit to pay back over catches etc.	Recommendations to Commission and possibly a letter to the CPC	Information letters, letter of identification; see also Resolution 16-17 on Schedule of Actions that sets forth other potential consequences for non-compliance.	Feedback letters which summarise the non-compliance issues for each CPC	CCM is to report on actions for each individual non-compliant or priority non-compliant score in Annual Report Part 2 and for those with Capacity Assistance Needed designations, must report on status in following years. This report back is facilitated through the online interface for Annual Report Part 2 report	N/A	Letters of concern from the Chair of the Commission noting the issue, and the required response.
Does the compliance review assessment make recommendations to solve a situation of non-compliance? If so, is there a follow up with the Member on implementation of recommended actions?	Corrective Actions Policy: <a href="https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/perational_resolutions/CPG3_CorrectiveActions.pdf">https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/perational_resolutions/CPG3_CorrectiveActions.pdf</a> There is not always a follow-up with the Member on some areas of non-compliance.	Since 2 years ago, the Committee is informed by the Secretariat on the progress of the implementation of their recommendations. Also, a database is developed in order to follow up on the actions taken by each CPC to the reported infractions.	CPC actions taken to address their compliance issues identified by the COC in the are to be notified in CPC responses to letters from the COC Chair and are reviewed by the COC at the next year's annual meeting.	No: follow up is via letters and reporting at next CoC	Yes the provisional Compliance Monitoring Report may include next steps and a decision is also made by TCC about whether additional information may be provided up to 21 days after TCC to fill an information gap. Otherwise, CCM is to report on actions in Annual Report Part 2, and the responses in Annual Report Part 2 are considered in future CMS reviews	Yes via the CoC	Yes, through the Letter of Concern and responses could include: capacity building, responses/ corrective action to address non-compliance
Does the RFMO establish specific capacity-building programs for non-compliant Members	Potentially, on an as-requested basis mainly via offers of assistance from other Members.	Yes, there is a capacity building Fund created by the Commission. In 2008 using such Fund was carried out a seminar for IATTC developing countries to train on the different resolutions and the management measures to be applied, as well as the many reports that should be sent to the IATTC yearly.	At the 2019 COC meeting, the COC noted the importance of capacity building as a means to improve CPC compliance. The Chair suggested, and CPCs supported, that in the future there could be a standing agenda item on capacity building for the COC meeting. COC work in this regard could be facilitated by creating a repository for listing CPCs requests for capacity building along with available resources for this type of assistance, so requests could be matched available capacity building resources offered by CPCs, international organizations, or other entities. Capacity building/technical assistance is also listed as a tool in Res.16-17 Schedule of Actions.	Yes - Compliance Support Missions	Yes <a href="https://www.wcpfc.int/implementation-article-30-convention">https://www.wcpfc.int/implementation-article-30-convention</a>	N/A	Possible, but not yet agreed.
Are there any sanctions prescribed for non-complying Members? If so, which kind of sanctions and for which type of offences?	The most frequent is pay back of over-catch. However, most Members advise that they will pay back any over-catch in the next year as soon as an over-catch for the season is realised so this usually does not require further consideration.	No	Trade Measures Rec 06-13; Schedule of Actions (Rec. 16-17); and the "No Data No Fish" Rec; additionally, other ICCAT recommendations, such as species-specific measures, may contain additional mechanisms to address non-compliance, such as provisions for the reduction of quota in the event of an overharvest.	No: Compliance Action Plans are possible and the "No Data No Fish" measure	Other actions by Commission possible, but not prescribed in a "scheme of responses"; some CMMs have or have had provisions for reductions in future year catch limits of a limit is breached, but this is not part of a comprehensive scheme of responses to non-compliance. In respect of reporting gaps, the process that develops and considers the draft CMR leading up to TCC or as part of Annual Report Part 2 does support resolution of these issues.	No	Not yet addressed

**RFMO Compliance Review Systems**

	Tuna RFMOs					Non Tuna RFMOs	
	CCSBT	IATTC	ICCAT	IOTC	WCPCF	NEAFC	NPFC
How are decisions on outcomes taken? (i.e. Friends of the Chair+Plenary...)	Compliance Committee and Extended Commission/Commission	Commission	Decisions on outcomes are taken by the COC, and depending on the nature of the outcome, subject to endorsement or adoption by the Commission. In some cases, actions for approval by the COC and plenary are recommended by the COC Chair, including taking into account input of the Friends of the COC Chair group.	CoC and Plenary	The Provisional Compliance Monitoring Report is finalised at TCC and forwarded for adoption by the Commission	N/A	TCC recommends action and the Commission decides.
How are decisions on sanctions taken? (i.e. unanimity, special majority...)	Consensus	Consensus	Consensus in practice (but ICCAT does allow voting on some issues). Note also that under Rec. 16-22, "Participants will take no active part in discussions of compliance issues pertaining to their CPC during meetings of the Friends of the Chair Review Group."	consensus usually, but voting is possible	Decisions by the Commission including the adoption of the Compliance Monitoring Report is usually by consensus. There are provisions for voting on matters of substance, however to date these have not been utilised.	It is taken by the Contracting Party with the case under its jurisdiction. Decision on CNCP and NCP IUU activity is taken by the Commission	Not yet addressed, however expect that it will be as the above response.
Can the non-compliant Member block the decision relative to its non-compliant status at the plenary level?	No compliance status is assigned, but a non-compliant Member could block corrective action	Yes	See earlier response.	Yes. The non-compliant member can request for the decision to be put to a vote. Members are encouraged to reach decisions by consensus.	CMM 2019-06 paragraph 36 states that a CCM shall not block its own compliance assessment if all other CCMs have concurred with the assessment. Where consensus cannot be achieved, a provisional assessment will reflect the majority view, and the minority view shall also be recorded. The Provisional and Final Compliance Monitoring Report may also reflect the view of the CCM if it disagrees with the assessment. In general, the final Compliance Monitoring Report is adopted by consensus.	N/A	No, not according to the CMM.

## Appendix 4. Conclusions from pre-Workshop survey

### Virtual Expert Workshop on Best Practices in Compliance in RFMOs 7/8, 8/9 and 10/11 September 2020

#### Conclusions from the Pre-Workshop Surveys

A big thank you to all who completed the two surveys we sent out in advance of the meeting. We felt that these surveys might give us a good foundation for our discussions during the workshop.

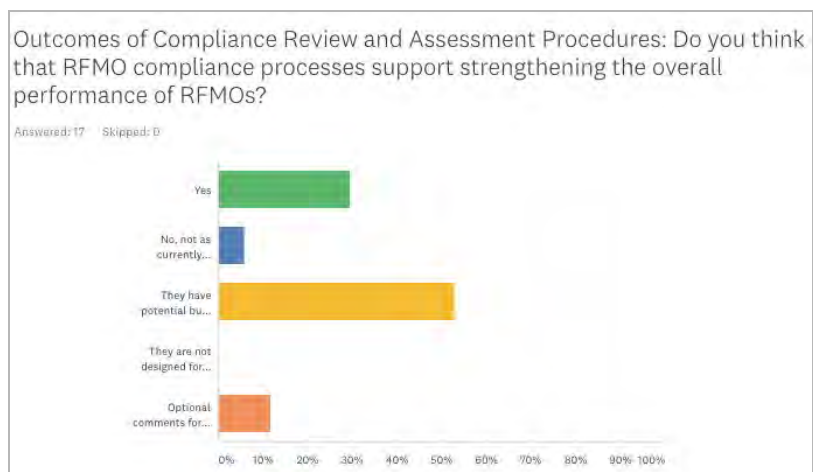
#### Respondents

We received surveys from more than half of the participants in the meeting. From those respondents, more than two thirds had experience at the tuna RFMOs. In addition, we found it encouraging that participants span the spectrum of how they engage with RFMOs. At least half of participants have experience in RFMOs as part of being in Member delegations, and more than half have undertaken research or worked as consultants in MCS and RFMO compliance issues. Twenty-one percent (21%) of respondents worked as compliance officers in an RFMO and about twenty-eight percent (28%) served as chairs or vice-chairs of RFMO compliance committees. We are quite hopeful that this breadth of experience and perspective will lead to fruitful and informed discussions.

We trust that participants will find most topics they identified as being of special interest reflected in the agenda, and that, if not expressly mentioned, there will be the opportunity to raise them in the course of the Workshop.

#### General assessment

Overall, the responses to the surveys expressed confidence in the fact that compliance processes “have the potential” to support strengthening the general performance of RFMOs. One third felt that the current compliance outcomes strengthen the performance of RFMOs. Respondents also felt that compliance processes serve as an incentive to improve



compliance/implementation of RFMO members' obligations in some cases, but not all. A number of the comments on this question indicated that a lack of consequences/responses for non-compliance, lack of capacity building resources, or a lack of transparency affected the corrective impact of compliance assessment processes.

Respondents identified two main areas of difficulty regarding compliance assessment and monitoring: (1) almost half highlighted challenges related to information quality, quantity and management and (2) the other half pointed to a lack of proper scrutiny of Members' compliance and of accountability in the face of situations of non-compliance. Nearly fifty percent (50%) of respondents considered that RFMOs need additional tools to ensure compliance assessments results are acted on or identified non-compliances remediated.

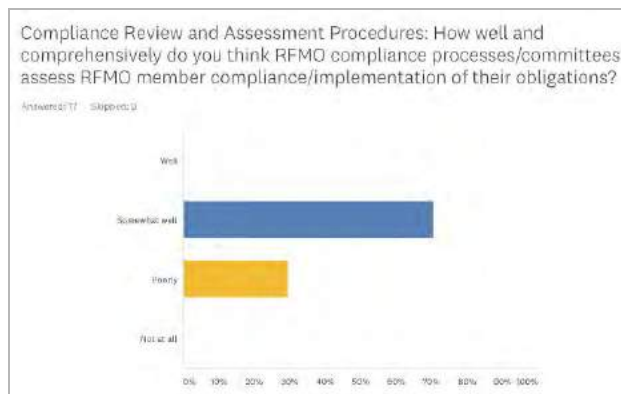
### Information management and reporting

On information management and reporting, there was a clear acknowledgement that compliance committees needed more or different information to make their assessments, and better technology to manage significant reporting requirements and volumes of information. Most respondents felt that there was not sufficient information to verify potential areas of non compliance, principally due to reliance on members self-reporting and lack of opportunities to verify information provided by members. Among the challenges experienced directly by the respondents, answers indicated difficulties in having access to the right information, navigating through "daunting" amounts of data and information, and having to "interpret" obligations. This points to the need to explore what is the "right" amount of information, how it can be presented to make compliance processes more effective and the need for clarity in measures through, for example, audit points or performance metrics.

### Compliance assessment procedures

Seventy percent (70%) of respondents considered that RFMO compliance processes and committees assess compliance "somewhat well". An additional thirty percent (30%) believes they do it "poorly". This clearly indicates that there is room for improvement.

There were mixed views about how fair and transparent compliance processes are: most respondents are split between considering that they are "generally" (47%) or "somewhat" (41%) fair and transparent. A smaller percentage of respondents (12%) considers that these processes are not fair and transparent. On how to carry out such assessments, respondents were evenly divided as to whether it was



better to assess compliance by measure or by country, favoring that both criteria are considered simultaneously.

### Outcomes of compliance assessment

As mentioned above, insufficient commitment by some Members to the compliance review process and lack of effective outcomes from this process was perceived to be one of the main hurdles to achieving robust compliance review mechanisms. Only ten percent (10%) of respondents felt that compliance outcomes were acted on by Member states. In this regard, when considering which tools would ensure that compliance assessment results are acted on or non-compliances remediated, respondents acknowledged the challenges around this and identified the limited power of RFMOs to create the necessary incentives.



Some of the suggestions offered by respondents for such tools include: (1) the need for greater transparency, (2) better access to and sharing of MCS data, (3) incentives/capacity building for compliance; (4) impactful consequences to non-compliance; and (5) better follow-up mechanisms (including intersessionally). We look forward to exploring during the Workshop how these and other mechanisms could be enhanced and/or operationalized to improve the effectiveness of RFMO compliance processes.

When asked if you could change one thing about RFMO compliance processes/committees what would it be, respondents offered a wide range of constructive suggestions. Again, main recommendations pivoted around the notion of: (1) greater transparency and (2) more effective responses to non-compliance. A few suggestions emphasized the importance of setting up adequate processes: i.e., to provide adequate time for such compliance reviews, setting the right priorities -- also for Secretariats -- and facilitating assessments by providing some measurable indicators/metrics. Two respondents also emphasized the importance of tackling the issue of decision-making by consensus, and two other answers called for greater scrutiny, including independent verification.