



# Compliance Processes

## What Are RFMO Compliance Processes?

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

## Benefits of Compliance Processes

Effective RFMO compliance processes promote system legitimacy and contribute to public and market confidence in the sustainable management of global tuna fisheries. These processes can:

- Assess the degree to which RFMO measures are being complied with and implemented
- Recognize Members abiding by the rules
- Provide assistance to nations that need it
- Identify those undermining the effectiveness of RFMO conventions and conservation and management measures, and incentivize them to improve

- Promote clarity regarding RFMO obligations and measures and what must be done to fully implement them
- Improve trust, fairness and transparency in the system
- Enhance RFMO performance in meeting its mandate

## How Do They Work?

Compliance processes are broadly composed of three steps:

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

RFMOs vary in how they review and assess implementation and compliance; what information is publicly available; whether the RFMO has tools to address non-compliance and if it uses those tools; and the degree to which the RFMO follows up on identified non-compliance.

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For a comprehensive review of RFMO **Compliance Processes** and suggested best practices and details of other RFMO compliance procedures, please refer to [ISSF Technical Report 2023-05](#).



## Assessment of Compliance Processes by RFMO Recommended Best Practices

The following table shows the level of progress in each tuna RFMO in implementing the recommended best practices.

### Color Coding Key















	Element(s) are consistent with the suggested best practices.		Some element(s) are present, but amendments or a change in procedure is needed to be consistent with best practices.		Element (s) are missing or inconsistent with best practices.
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RFMO	Information Used and Items Assessed			The Assessment Process			Follow-up and Outcomes		Institutional and Governance		
	Diversity of sources of information	Verification of national self-reporting	Assess-ment of data and financial dues require-ments	State by State and/or obligation by obligation review	Clarity and fairness in due process	Transparency in the processes, outcomes and follow up	Reporting by members and CNMs on actions taken is required and tracked over time	The availability and use of tools to respond to identified non-compliance, including automatic responses to procedural obligations	Established audit points/ performance metrics	Clear process for information flow to Commission re: needed changes in measures to address lack of clarity, interpretation issues, etc.	Members must report in detail re: how they are implementing RFMO obligations (i.e. specific laws or regulations)
WCPFC <sup>1*</sup>  Related measure: CMM 2023-01	Only purse seine have 100% observer coverage requirement	Only purse seine have 100% observer coverage requirement	Assessments include data, but not for payment of dues	✔	✔	✘ Final CMS report includes details by nation  CMS working group closed to observers In 2025, agreed to review of non-public data rules that lays groundwork for eventual observer participation  CMS WG documents or member/CNM responses are not public	✔ The Final CMR includes information on the number of years a compliance issue has been found for a CCM on a specific CMM	✘ Working Group established for developing responses to non-compliance in 2023	✔ Audit points and risk-based assessment approved in 2022	✔ TCC makes recommendations to the Commission	✔ Specific information to be reported in Annual Part II Reports and in the online case file system; information is non public

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<sup>1</sup> A voting process could be used, but to date decisions have been taken by consensus. The current WCPFC CMS measures also states that a CCM shall not block its own compliance assessment if all other CCMs present have concurred with the assessment. Also, IOTC and ICCAT both have an “opt out” procedure that allows members to file an objection to a measure, and thus not be bound by it.

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

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IOTC <sup>2</sup>	Only 5% observer coverage requirement	 Only a few independent sources appear to be used (e.g., ROP reports)  Only 5% observer coverage requirement					The new process adopted in 2023 may allow for compliance and the degree of follow-up by CPCs to areas of identified non-compliance to be tracked over time	Each compliance status category includes possible follow-up actions. Committee has been tasked with developing a scheme of incentives and, other follow-up actions including a mechanism for their application		 The CoC makes recommendations to the Commission	 Information to be reported in Annual Report of Implementation; detailed information not consistently provided by all CPCs
IATTC Related measure: C-22-02	Only purse seine have 100% observer coverage requirement	Independent sources (e.g., observer reports) are used for some fleets (LSPS), as well as information extracted from at-sea transshipment documentation / Other gears have either 5% observer coverage or none, which limits verification of national reporting for these gear types. / Only large-scale purse seine have 100% observer coverage				Observers have no access to documents or reports; they may only attend the committee mtg. / C-22-02 includes formalized follow-up procedures, the creation of Provisional and Final Compliance Reports and CPC reporting on responses to identified non-compliance	 Future Provisional Compliance Overviews will track unresolved cases from the last 5 years. IATTC Secretariat includes in the IATTC compliance summary report general figures and charts on overall compliance, including # of reported infractions versus total # of sets or # of trips, or # of vessels in a given year. Also reports on responses by CPCs.	Committee has a time-bound work plan to strengthen its procedures, including categorizing non-compliance status and identifying specific follow up actions, including corrective actions, for each status and its level of seriousness. Work on these elements is ongoing.	Part of the time-bound work plan to strengthen its procedures, including developing performance metrics	 C-22-02 improved reporting from the Review Cte. to the Commission / The Provisional and Final Compliance Reports to identify, for each CPC, the compliance record and areas of possible improvement as well as any recommended actions for consideration of the Commission	 Not explicitly required

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ICCAT <sup>2</sup>	Only purse seine have 100% observer coverage requirement	Only a few independent sources appear to be used for some fleets & species (e.g., CDS, t/ship ROP, VMS)  Only large-scale purse seine have 100% observer coverage	Assessments include data, but not for payment of dues	✓	✓	✓	Failure to report on actions taken is not considered as a serious type of non-compliance. Responses to identified areas of non-compliance are tracked over a two year time-period only  In 2025, adopted a process to strengthen the CoC, including developing mechanisms to monitor trends over time, identify significant compliance concerns and/or systemic issues, and standard follow-up actions	✓ A severity actions table was adopted in 2022	✗	✗	✗ Not explicitly required

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CCSBT	✓	✓ Appears to use independent sources (e.g., CDS, t/ship ROP, VMS)	Assessments include data, but not for payment of dues	✓	✓	✓	Record of non-compliance is published in Compliance Committee reports; not clearly tracked over time	Includes some guidance on automatic responses to certain procedural or administrative obligations and action plans to redress non-compliance; but these are mostly for non-compliance with quotas  CCSBT is developing a corrective actions policy	✓	✗ Not clearly mandated as a task of the Compliance Committee	✓



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