

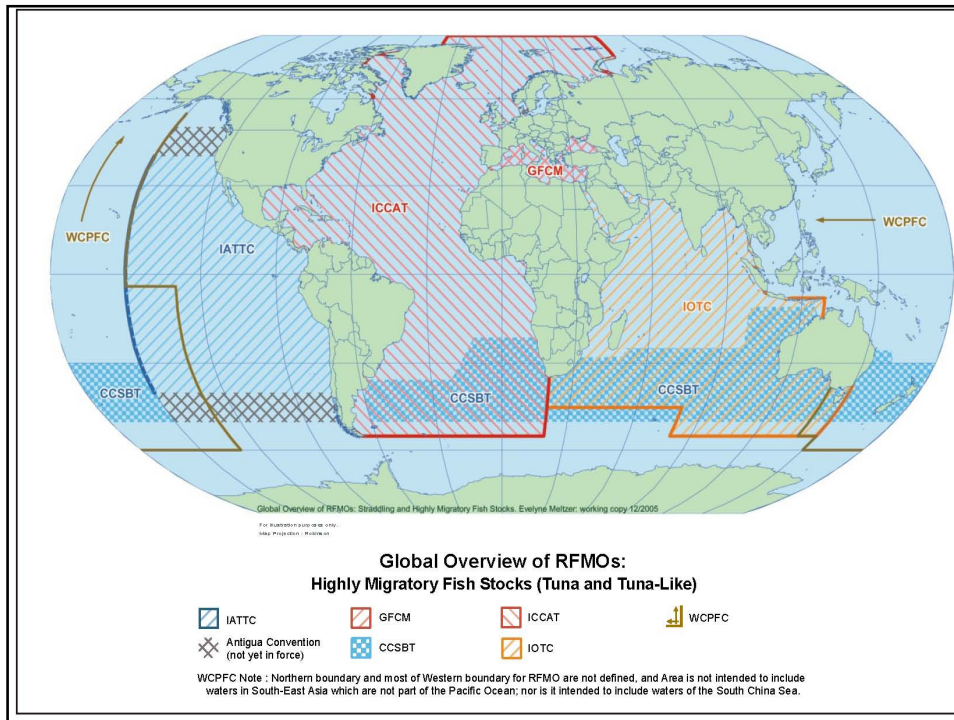
**IS THERE A MODEL FOR IMPROVED
GOVERNANCE BY RFMOS?**

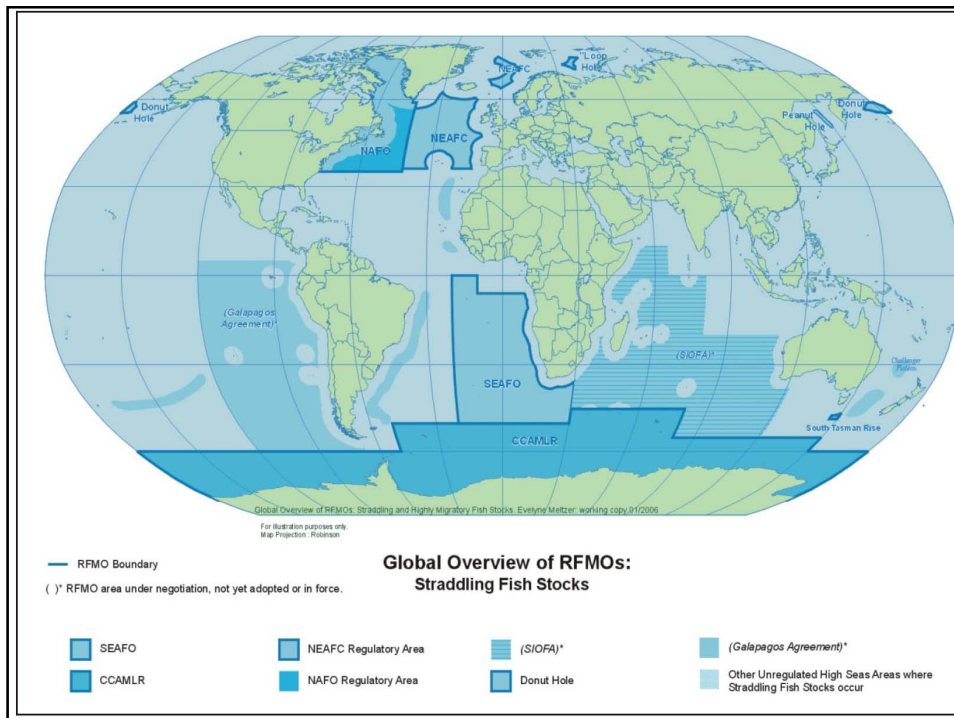
Michael W. Lodge

*The World Ocean in Globalization:
Challenges for Marine Regions*
Oslo, Norway, 21-23 August 2008

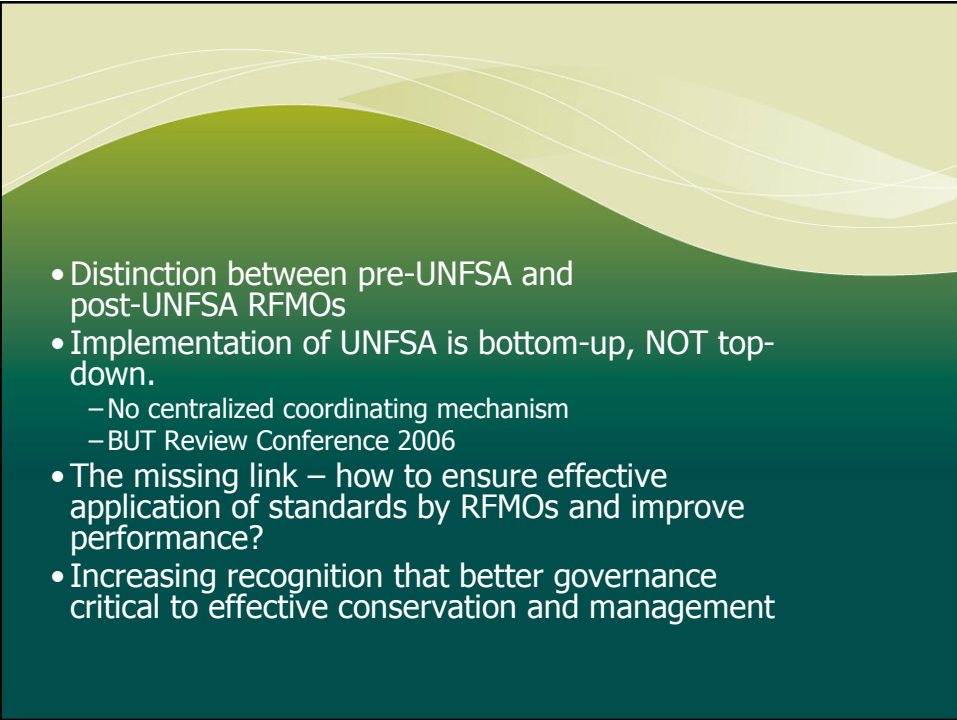
- No single model exists
- But norms can be derived from international fishery instruments ...
- Which enable identification of "best practices" ...
- Which can be used to support progressive reform.

- 1883: “probably all the great sea fisheries are inexhaustible” (Thomas Huxley)
- 1911: North Pacific Fur Seal Treaty
- 1923: International Pacific Halibut Commission
- 1955: Rome Technical Conference
- 1950s and 60s: GFCM, ICCAT, IATTC, ICNAF
- 1980s and 90s: NEAFC, CCSBT, IOTC, CCBSP
- 1995: UNFSA
- 2000s: WCPFC, SEAFO, SIOFA, SPRFMO
- Now 38 regional fishery organizations:
 - 20 RFBs, 18 RFMOs





- Until recently, RFMOs have developed in an uncoordinated manner and in response to specific regional concerns rather than through a systematic approach
- UNFSA establishes RFMOs as
 - the paradigm for adopting fisheries conservation and management measures
 - The appropriate medium for cooperation between States
- Supported by FAO Code of Conduct (including Compliance Agreement), IPOAs and FAO Technical Guidelines.

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- Distinction between pre-UNFSA and post-UNFSA RFMOs
 - Implementation of UNFSA is bottom-up, NOT top-down.
 - No centralized coordinating mechanism
 - BUT Review Conference 2006
 - The missing link – how to ensure effective application of standards by RFMOs and improve performance?
 - Increasing recognition that better governance critical to effective conservation and management

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- FAO COFI 2005
 - St. John's Conference 2005
 - Ministerially-led Task Force 2006
 - 2006 UNGA Resolution:
 - Urge RFMOs to strengthen their mandates and modernise their approaches to fisheries management
 - Call upon States to develop and apply **best practice** guidelines
 - Review RFMO performance
 - Independent Panel commissioned by Canada, UK, Australia, NZ, WWF.

Objectives

- Analyze what constitutes best practice
- Basing the analysis on requirements of international fishery instruments
- Aim to promote a more systematic approach to UNFSA implementation
- And to identify emerging best practice: looking to the future

Outcomes

- A summary of best practice
- The report: a “user manual” for RFMOs
- Supplemented by commissioned work on subjects of particular interest –
 - Measures applied by RFMOs to non-members (cooperating non-members and others)
 - Review of application of precautionary approach and ecosystem-based management in RFMOs
 - Assessment of bioeconomic modelling

Chatham House Report 2007

Recommended Best Practices for Regional Fisheries Management Organizations

Report of an independent
high-level panel to develop a
model for improved governance
by Regional Fisheries
Management Organizations

Chatham House

Recommended Best Practices for Regional Fisheries Management Organizations Technical Study

Regional Fisheries Management
Organizations: Progress in
Preparatory Approach and
Ecosystem-Based Management

Marjorie L. Mooney
Andrew A. Rosenber

Recommended Best Practices for Regional Fisheries Management Organizations Technical Study No. 2

Practice of RFMOs regarding
non-members

Daniel Owen

Recommended Best Practices for Regional Fisheries Management Organizations – Technical Study No. 3

Bioeconomic modelling
relevant to RFMO responses

Dr. Trond Bjørndal

Summary of recommended best practices

- Basic principle is that RFMOs embody the duty of all States to cooperate with other States whose nationals fish in the same area or for the same stocks in taking measures necessary for the conservation of the stocks
- Recommended best practice organized around 7 thematic headings
 - General cooperation
 - Conservation and management practices
 - Compliance and enforcement practices
 - Decision-making practice
 - Dispute settlement practices
 - Special requirements of developing countries
 - Institutional practices

Key conclusions

- Expectations placed on RFMOs have grown exponentially
- Globalisation = increasing complexity
- Greatest threats to stability of RFMOs are:
 - Free-riding
 - Failure to accommodate new members in ways that do not undermine arrangements
 - IUU
 - Failure to accommodate interests of developing countries.
- Opportunities for reform
 - Greater cooperation between RFMOs and between members, especially in MCS.
 - Global approaches to port state and trade schemes.
 - Transparent and effective decision-making linked to procedures for resolving differences.
 - Coordinated approaches to transparent and adequate resourcing, strategic planning and regular review process.
- Challenges
 - Implementation of ecosystem-based management.
 - Excess capacity
 - Allocation of fishing opportunities on an equitable basis
 - Meeting requirements of developing States.

Model Regional Fisheries Management Organization Recommended Best Practices

Overriding Objective: Long-term conservation and sustainable use of fish stocks that the RFMO manages

Generation and Management Practices

1. Establish a clear mandate and scope of authority.
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Allocation Practices

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Compliance and Enforcement Practices

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Decision-Making Practices

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Dispute Settlement Practices

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Transparency

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General Practice

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Insufficient Practices

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Special Requirements of Developing Countries

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Other Practices

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