

## **Second Virtual Expert Workshop on Best Practices in Compliance in RFMOs:** The role of transparency in improving RFMO compliance

15/16-18/19 March 2021

### Program

Important steps have been taken in recent times to facilitate compliance by RFMO Members with applicable conservation and management measures and obligations. However, further work is necessary to ensure good RFMO performance in this area. The Pew Charitable Trusts, in collaboration with the International Seafood Sustainability Foundation (ISSF) and other stakeholders, convened a Virtual Expert Workshop in September 2020 on Best Practices in Compliance in RFMOs with the objective of identifying some of the current challenges in RFMO compliance processes and suggest possible solutions.

Building on the outcomes of the First Virtual Expert Workshop, and echoing the interest of participants and Workshop sponsors to continue a series of dialogues on strengthening compliance in RFMOs, The Pew Charitable Trusts, in collaboration with ISSF, is convening a Second Virtual Expert Workshop on Best Practices in Compliance in RFMOs. This Workshop will focus on multidimensional aspects of transparency in RFMO compliance review mechanisms.

#### Objectives and Structure

**Workshop theme and objectives.** The Workshop will examine the many facets of and the role of transparency in strengthening compliance in RFMOs. Participants at the last Workshop had identified transparency as a key area that would benefit from deeper discussion and analysis. The September 2020 Workshop identified transparency as a potential driver of improved quality of information, stronger verification mechanisms and increased external confidence in RFMO compliance processes, among others. This Workshop aims at providing an in-depth analysis of the roles and functions of transparency in RFMO compliance review mechanisms, and exploring to what extent and in which ways it can strengthen RFMO practices and with what results. Specific objectives of the Workshop include:

- Clarifying the meaning of transparency and understanding its facets in the context of RFMO compliance review mechanisms.
- Identifying challenges and solutions regarding:
  - Active transparency in RFMO compliance review mechanisms, such as in reporting, in assessment criteria, in deliberations and decision-making, and in follow up actions to outcomes of compliance review procedures.
  - Enhancing the transparency of fishing operations through the use of new monitoring, control and surveillance technologies and tools and how these can be used to strengthen RFMO compliance.

- Passive transparency, as it concerns requests for information from the public, the availability of information to the public, and access to RFMO compliance processes and information by non-States.

**Scope.** The Workshop focuses on arrangements and practice in all RFMOs. While the First Virtual Expert Workshop placed a special focus on tuna RFMOs, the broad and cross-cutting nature of the issue of transparency will benefit from the experience of a wide range of RFMOs.

**Participants and Structure of the Workshop.** The Workshop will be conducted under Chatham House rules and will bring together experts from RFMO Secretariats, RFMO Compliance Committees, international organizations, academia, and civil society. Participants attending the Workshop come from all over the world. Notwithstanding scheduling challenges, the Workshop is structured in two working groups that will work in parallel and on the same issues. Participants can select their working group whenever feasible. Depending on the size of each working group, breakout sessions in smaller groups may be organized for each working group.

Working groups will meet during two consecutive days for three-hour sessions each day. Working sessions may be split into two separate sessions and some short activities may be organized for each working group in between sessions. All working groups will come together for a final short joint session on the third Workshop day. This final day of the Workshop will be a capstone plenary where the input and preliminary conclusions from each working group will be presented and discussed.

### Preparatory work and Workshop materials

The Workshop will be informed by background materials, most of which will be circulated ahead of the meeting. Some materials will be developed with input from the Workshop participants prior to the meeting, such as individual case studies and a pre-event survey. To make the most of everyone’s participation, some offline activity may be organized during the three days to gather additional input, allow interaction among the working groups, identify additional ideas or solutions, consider preliminary conclusions from each session and contribute to a set of recommendations.

The Workshop is supported by a dedicated online platform (Basecamp) where all Workshop participants are able to access materials, stay informed about the Workshop’s organization and have exchanges after the Workshop on future related initiatives.

### Preliminary agenda

15/16 March	
OPENING SESSION-EXPERT PANEL DISCUSSION	
Duration	Topic
10'	Opening
50'	Panel discussion on “The role of transparency in the performance of RFMOs” Moderator: Tomas Heidar, Judge, International Tribunal on the Law of the Sea Panelists: David Balton, TITLE; Quentin Hanich, Fisheries Governance Program Leader, University of Wollongong; and Dr. Penny Ridings, Legal Adviser at WCPFC
30'	Questions and answers

<b>16/17 March</b>	
<b>SESSION 1—INTRODUCTION AND BACKGROUND</b>	
Duration	Topic
10'	Presentation of goals, objectives and organization of the meeting
10'	Conclusions and lessons learned from first Virtual Expert Workshop
20'	Introductory discussion
<b>SESSION 2-TRANSPARENCY AND INFORMATION FOR COMPLIANCE ASSESSMENT</b>	
Duration	Topic
80'	Information for compliance review: from RFMO Members; RFMO Secretariats; from observers and non-members
10' BREAK	
20'	Presenting information used in compliance review procedures, including Secretariat reports
30'	Sharing information amongst RFMOs, other organizations, the public, etc.
10'	Agreement on main conclusions from discussion
<b>17/18 March</b>	
<b>SESSION 3-TRANSPARENCY IN COMPLIANCE REVIEW MECHANISMS</b>	
Duration	Topic
5'	Reporting from previous day
20'	The role for transparency in assessment criteria and audit points. Examples and practical recommendations
30'	The role for transparency in deliberations and decision making
20'	Transparency and tracking compliance trends
10' BREAK	
<b>SESSION 4-OUTCOMES OF COMPLIANCE REVIEW MECHANISMS AND TRANSPARENCY</b>	
Duration	Topic
20'	Transparency setting the consequences of non-compliance: RFMO outcomes and reporting
35'	Transparency of responses to situations of non-compliance or results of the review: Follow up actions by Members and by the RFMO Secretariat
30'	Transparency in the use of compliance assessments to improve the performance of the RFMO
10'	Agreement on main conclusions from discussion
<b>18/19 March</b>	
<b>SESSION 5-CONCLUSIONS AND NEXT STEPS</b>	
Duration	Discussion points
30'	Report back on outcomes from previous two days
30'	Key findings and conclusions
10'	Closure