

14th round of Informal Consultations of States Parties to the
UNFSA (ICSP 14)

**Importance and role of Performance Reviews
in improving the
Conservation and Management of
Straddling Stocks and Highly Migratory Fish
Stocks**

Judith Swan

SUMMARY

- Evolution of Performance Reviews
- Role of Performance Reviews
- Impact of RFMO/A Governance on the Conservation and Management of Fish Stocks
- The Role of Performance Reviews in identifying Progress/Challenges for Conservation and Management:
(Summary Examples)
- Conclusions

Evolution

First Decade

1995 UNFSA: Establish new RFMOs, *Strengthen* existing RFMO/As to improve their effectiveness in establishing and implementing conservation and management measures.

1997 FAO called for a review and evaluation of all FAO statutory bodies to determine measures for *strengthening* them.

1998 FAO High Level Panel of Fisheries Experts recommended that RFBs should *review and adapt* their mandates, structures and strategies in implementing the recent international

Evolution

...First Decade

2001 UN FSA entered into force. There were around 30 marine RFBs, now over 50, about half of them RFMOs.

Evolution

First Two Decades

Performance Reviews, a platform for institutional review and strengthening leading to improved conservation and management of fish stocks, have, as ~~the~~

Role

Role and approaches

To guide and incentivize members *to strengthen the effectiveness* of their RFMO/As, and thereby *regional governance* in conserving and managing fish stocks, and recommend reforms and priorities th.3(t).4(o)9.4TT69(ugh51Tf3.17350T246Tc

Role

Regular reviews

The role of performance reviews is being expanded and entrenched through the increasing calls for, and agreement of RFMO/As to conduct **regular reviews**. Key benefits include:

- adapting the establishment of the panel, process and criteria to emerging needs;
- identifying successes and addressing challenges and mechanisms for follow up, including for conservation and management of fish stocks;
- reviewing implementation of ongoing recommendations of the UNFSA Review Conference;
- reviewing integration and harmonization of evolving international and regional norms, standards, best practices and priorities.

Role

Challenges and limitations

Some examples of **challenges and limitations** to the role of performance reviews were stated in submissions to this consultation:

- Some delegations appear to be unwilling to look beyond politics and allocation shares, towards the broader, long term implications term

Role

The ultimate effectiveness of each Performance Review in discharging its role to strengthen the conservation and management of fish stocks is only as strong as the members' agreement, ability and will – and the capacity of the RFMO/A to establish a robust review process and then cccasthef' bPRdsthe

Impact of RFMO/A Governance on the Conservation and Management of Fish Stocks

S G Report

Impact of RFMO/A Governance on the Conservation and Management of Fish Stocks

Final Report of 2016 Resumed Review Conference

Although the overall status of the fish stocks had not improved since 2006/2010, the recommendations had a considerable impact on the practice of States and RFMO/As and provided the impetus for many international efforts.

Where some of the recommendations had not been fully implemented, this could be improved by *undertaking performance reviews on a regular basis*. The 2016 Review Conference recommendations included:

- Conducting *regular performance reviews* with an element of independent evaluation and stakeholder consultations;
- Developing *best practice guidelines* for conducting and implementing performance reviews, ensuring consistency and harmonization to the extent possible;
- Developing *mechanisms for follow up actions* in response to performance reviews.

Conservation and Management

The Role of Performance Reviews in identifying Progress/Challenges

Key Ongoing Challenges

(Described under common Performance Review criteria for Conservation and Management)

1. Status of the stocks

Keystocks are improving (2), little change (1), the scientific process is sound (1).

Key challenge: Advice is based on limited "data poor" information.

2. Data collection and reporting, compliance with requirements

Generally, substantial improvement is needed in data availability, quality, completeness, timeliness and consistency, and in strategies/action plans.

Key challenge: failure of many members/cooperating non members (CPCs) in meeting data collection and reporting obligations for various reasons.

Conservation and Management

The Role of Performance Reviews in identifying Progress/Challenges

Key Ongoing Challenges

3. Quality and provision of scientific advice

Progress on implementing some recommendations from first review, slow to incorporating new independent scientific research, and implementing peer review process.

Key challenge: New scientific findings must be adopted on the merits of the science, not on the potential effects on the assessment results or credibility.

4. Adoption of conservation and management measures

The precautionary approach is not generally being applied by the RFMOs; many measures are inadequate and not timely. Recommendations included publishing annual comparisons between decisions adopted and relevant scientific advice.

Key challenge: The disconnect between scientific advice and conservation and management measures.

Conservation and Management

The Role of Performance Reviews in identifying Progress/Challenges

Key Ongoing Challenges

5. Fishing Capacity management

Three reviews concluded that a strong policy and/or more proactive approach was needed to urgently address fishing capacity management.

Key challenge: The sustained trend of an increasing global fishing capacity.

6. Compatibility of management measures

One review noted benefits of RFMO's assistance programmes (compliance missions, legal needs), two called for coastal States to urgently agree on compatible measures in national jurisdiction, bolster commitment to ensure compatibility under UNFSA.

Key challenge: Failure to implement RFMO measures in national legislation, procedures.

Conservation and Management

The Role of Performance Reviews in identifying Progress/Challenges

Key Ongoing Challenges

7. Fishing allocations and opportunities

Some reviews noted progress for major stocks and agreed schemes, but recognized underlying systemic weaknesses and the need for periodic review of schemes; others called for urgent development of allocation criteria.

Key challenge: Failure to agree on allocations or adopt criteria, systems or other measures.

Conclusions

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