Through the Ministerially-led 2004-2006 High Seas Task Force on Illegal, Unregulated and Unreported (IUU) Fishing on the High Seas, under the Organisation for Economic Cooperation and Development Round Table on Sustainable Development[2], our Fisheries Minister was active in promoting reforms. While the focus of the Task Force was on IUU fishing, it also led to development of, and advocacy for, a Canadian supported project delivered through Chatham House, the recommended best practices for RFMOs, known as a model RFMO[3]. This model can serve as a basis for evaluating the effectiveness of the bodies through regular performance reviews.

Performance reviews were adopted soon after by a range of RFMOs including NAFO and ICCAT. For the latter there was recognition that, given increasing demand for wild capture fish and the iconic status of tuna, there was interest for RFMOs to review their progress in achieving their mandates. This has been particularly relevant for tuna species given increased pressure on stocks. It was in this context that ICCAT conducted its first performance review in 2008 and its second in 2016. In both cases, the reviews were conducted by independent panels of experts.

Our experience historically in developing Regional Fisheries Bodies, our experience in theory through development of the model RFMO, and our experience in practice through supporting performance reviews of RFMOs has led to some best practices and considerations that we outline below.

The performance reviews can consume significant time and thus need to balance their utility to support continual improvement of the body with the time and cost of them being undertaken. While no single ideal sequence can be identified, a five year cycle of review and then implementation seems workable. Subsequent performance reviews should be less onerous than the first, and can start to focus more on key areas to lessen the burden.

As a member of organizations, we have been aware of reviews that are fully external, a mix of external and internal, and also external via a consultancy. We feel that successful reviews are undertaken with a combination of experience in the body (internal experts representing the members) and external experts with a range of experience (i.e., in science, management and legal).

Members of the body need to be committed to the process as well as to assessing the results of the review and considering its implementation in an orderly way. Equally, the members of the body need to consider if they are able to adopt the outcomes taking into account their sovereign rights. There is great utility to identifying weaknesses in the organization and the reviews are frequently cited by members and observers as beneficial in this regard.

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[2] High Seas Task Force, 2006. Closing the net: Stopping illegal fishing on the high seas. Summary recommendations. Governments of Australia, Canada, Chile, Namibia, New Zealand, and the United Kingdom, WWF, IUCN and the Earth Institute at Columbia University.

[3] Lodge et al, 2007. Recommended Best Practices for Regional Fisheries Management Organizations: Report of an independent panel to develop a model for improved governance by Regional Fisheries Management Organizations. Chatham House, London.

Significant progress can occur through such processes. An example is ICCAT's 2008 Performance Review, which encouraged the adoption of the precautionary and ecosystem approaches and consideration of doing so through amendments to the Convention. Both of these elements are now part of agreed amendments to the ICCAT Convention which we expect to be formally adopted soon.