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5 Steps Can Strengthen Follow-Up Actions to Fishing Rules Infractions

Regional fisheries management organizations' compliance systems must ensure that countries respond appropriately

Overview

The rules that govern fishing on the high seas include limits on the amount of individual species that vessels may catch, the types of fishing gear they may use, and the location and timing of their fishing activities. However, rules can only contribute to effective governance and management when they are backed by strong enforcement and compliance mechanisms. When rules are broken, the countries responsible should have clear, agreed steps – called "follow-up actions," "corrective actions" or "corrective measures" – that they must take to prevent future violations.

But the appropriate responses are not always clearly defined.

These fishing rules and the processes for ensuring compliance are set by the 17 regional fisheries management organizations (RFMOs) – multinational entities that have combined jurisdiction over 90% of the global ocean and oversee fisheries worth billions of dollars a year.[1] And in recent years, many RFMOs have improved their compliance processes by adopting mechanisms, such as audit points (criteria for determining whether countries have met their obligations) and reporting templates (documentation formats to ensure detailed and uniform information submissions) that help better identify and categorize instances of non-compliance.

However, many RFMOs still do not take the next critical steps: assigning and implementing follow-up actions for identified cases of non-compliance. This lack of mandatory actions can result in repeated, persistent issues, reducing the credibility of RFMO decisions, creating inequities among members and weakening incentives to comply.

RFMO members can address this compliance gap by taking five key steps to improve follow-up actions:

- Agree to implement follow-up actions for all identified incidents of non-compliance.
- Adopt a catalogue of approved follow-up actions.
- Automatically assign follow-up actions based on the categories of non-compliance.
- Set timelines for completing actions and require members to create plans.
- Monitor and assess members' follow-up actions.

These improvements would increase RFMOs' credibility, promote fairness among members, deter future non-compliance and ultimately support stronger fisheries management.

1. Agree to implement follow-up actions

RFMO members should first agree that they will take follow-up actions when compliance assessments identify infractions.

RFMOs can start developing these actions in three ways: They can task their compliance committees with incorporating follow-up actions in their processes, add creation of actions to the full RFMO commission's workplan, or insert specific responses into relevant conservation and management measures.

Figure 1

Follow-Up Actions Should Become Standard Practice at RFMOs

Elements of RFMO compliance processes

Data submission: Members gather and provide RFMOs with information on their fleets' activities, including catch totals and locations, landings, and days of operation.

Data analysis and presentation: RFMO staff and compliance committees review submitted member data.

Compliance assessment: Based on members' provided data, compliance committees determine whether any members were out of compliance with management rules.

Assignment of follow-up actions: RFMOs should add a fourth step to these processes that involves designation of required responses to identified instances of non-compliance, timelines for their implementation and procedures to monitor future activities.

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2. Adopt a catalogue of approved follow-up actions

RFMOs should develop catalogues of appropriate and acceptable actions that could be taken in response to various forms of non-compliance. Follow-up actions can include a range of responses, such as compelling members to provide additional or updated information about their catch levels; requiring enhanced monitoring, control and surveillance of vessels in their fleets; tasking the RFMO to provide members with assistance in building their capacity to address non-compliance; or, in the most extreme cases, restricting fishing through reduced quotas or fishing days, limiting trade or other measures. And as compliance processes identify new types of non-compliance, additional relevant actions can be added.

These catalogues create uniform, predictable responses; define the spectrum of appropriate measures; and normalize the adoption of strong follow-up actions for severe non-compliance.

Examples of Follow-Up Actions

Several RFMOs have already adopted lists of follow-up actions that their compliance committees can assign for infractions. These examples can provide a starting point for other RFMOs considering their own follow-up action frameworks:

Require additional reporting and planning

- Investigate the causes of the compliance issue and report back to the compliance committee.
- Improve data collection, including creating an action plan to strengthen reporting.
- Increase reporting requirements, including more frequent catch reporting.

Offer compliance assistance or capacity-building programmes

- Provide skills training for observers, compliance officers, validators or other enforcement personnel.
- Support, through technical or financial assistance, the development of systems to establish or improve compliance operations and procedures.
- Aid in analyses to improve monitoring of trade flow from fishing vessels to the marketplace.
- Provide support for the purchase of technology, such as monitoring systems, data recording and transmission devices, or other equipment for vessels.
- Help build a compliance capacity-development plan.

Enhance monitoring, control and surveillance requirements

- Increase observer requirements.
- Require additional or more stringent inspections.
- Enhance vessel monitoring systems to cover additional fleets or require more frequent location transmissions.
- Restrict use of transshipment vessels or access to ports.
- Increase port sampling or inspection.

Require public disclosure

- Mandate development of a publicly available record of non-compliance events and follow-up actions taken.
- Apply fishery restrictions.
- Require members to “pay back” any catch above their allowance, along with other potential additional restrictions, in the following year.
- Reduce fishing opportunities (allowed catch or fishing days).
- Implement fishing limits for individual vessels rather than for members.

Other

- Implement trade or market restrictions.
- Amend domestic procedures, legislation or policy, including penalties, where required.

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3. Automatically assign follow-up actions based on categories of non-compliance

Many RFMOs do not mandate specific responses, tending instead to offer non-binding guidance on follow-up actions, which often leads to protracted compliance committee meetings and unequal application of responses.

RFMO members should agree to a system that categorizes non-compliance events based on severity and persistence and then automatically assigns follow-up actions according to the categorization. This will help to ensure that responses are effective, proportionate, objective and fair, which is particularly important in cases of serious or ongoing infractions.

4. Set timelines for completing actions and require members to create plans

RFMOs should agree on how long members have to take follow-up actions after they identify an infraction and require members to submit, within three months of an identification, an action plan detailing the steps they will take. RFMOs also should dedicate time for their compliance committees to review the plans to ensure that the proposed actions are relevant and sufficient to meet the RFMO's minimum requirements – and to provide feedback where proposals fall short.

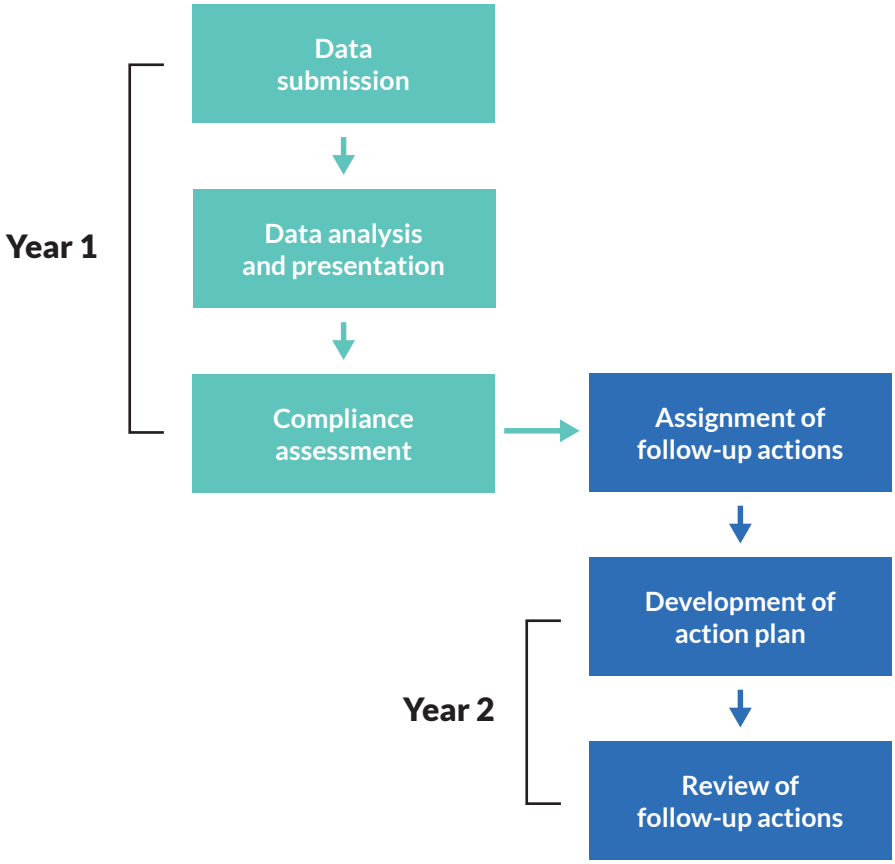
5. Monitor and assess members' follow-up actions

Most RFMOs do not have a defined process to actively monitor members' implementation of follow-up actions, even for serious violations, or safeguards to prevent persistent non-compliance. Each RFMO should implement such a system, including adding a step to annual compliance review processes to assess whether members are effectively correcting and deterring non-compliance.

Figure 2

Follow-Up Action Plans, Implementation Should Be Monitored and Assessed Annually

Proposed compliance review steps to evaluate members' follow-through on required responses



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Conclusion

RFMOs play a critical role in setting fishing rules and ensuring that they are followed and that infractions are addressed systematically. Although many RFMOs have improved how they identify and assess instances of non-compliance, these systems cannot be fully effective without clear, timely and proportionate follow-up actions. By following the five key steps for follow-up actions, RFMOs can reduce infractions; make compliance review processes more meaningful, consistent and fair; and strengthen accountability among their members.

About this brief

This brief was researched and written by Laura Eeles and Jamie Gibbon of The Pew Charitable Trusts' international fisheries project. Jennifer V. Doctors, Tamara El-Waylly, Dave Lam, Olszewski, Jared Warzala, and Leah Weiser provided communications, design and editorial support.

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Endnote

1 "How the International Community Regulates Fisheries Across the Ocean," The Pew Charitable Trusts, Feb. 24, 2025, https://www.pew.org/en/research-and-analysis/fact-sheets/2025/02/how-the-international-community-regulates-fisheries-across-the-ocean.

For more information, please visit: pew.org/internationalfisheries

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