

Transparency in global fisheries governance: The role of non-governmental organizations

Matilda T. Petersson

Stockholm Resilience Centre Stockholm University, Kräftriket 2B, 114 19, Stockholm, Sweden

ARTICLE INFO

Keywords:

Transparency
Regional fisheries management organizations (RFMOs)
Non-governmental organizations (NGOs)
Barriers
Effectiveness

ABSTRACT

Transparency is generally believed to enhance the capacity of international organizations to solve complex environmental problems. Civil society actors, such as non-governmental organizations (NGOs) representing non-profit public interests, are often considered to be critical components and drivers of transparency. This article focuses on the role of NGOs in relation to transparency in global fisheries governance, by considering their requests for transparency across twelve Regional Fisheries Management Organizations (RFMOs). It takes a descriptive approach and considers the requests made by NGOs in their policy statements submitted to RFMO Commission meetings. It categorizes these requests across three overarching dimensions of transparency: public participation (1), access to information (2), and access to outcomes (3). It also considers the concerns expressed by NGOs over barriers to transparency. The article ends by discussing the broader implications of these findings in relation to ongoing debates on transparency and effectiveness.

1. Introduction

Transparency is recognized as a critical component of good governance that can enhance governance capacity and the effectiveness to solve complex environmental problems [1,2]. Transparency is generally understood as greater openness and less secrecy, through an increasing availability and flow of information [3]. By evening out information imbalances between authority and affected actors, transparency is believed to empower the weak and hold the powerful accountable [4].

Civil society actors, such as non-governmental organizations (NGOs) representing non-profit public interests, are described as important political actors for transparency. NGOs can be drivers of transparency, calling on international organizations (IOs), states, and companies to publicly disclose information and allow public scrutiny of their activities [4,5]. NGOs can perform accountability functions, by acting as watchdogs and monitoring compliance [6,7]. They can provide additional expertise, information and resources to policy-makers dealing with complex problems [8,9]. NGOs can also enhance the diversity of public interest represented in IOs [10] and share information about ongoing international negotiations to the media and general public [11,12].

Numerous calls have been voiced for enhanced transparency in global environmental governance. The 1992 Rio Declaration emphasizes transparency related to national environmental matters [13]. The Aarhus Convention further develops these ideas into three overarching

principles of transparency: access to information; public participation in decision-making processes; and access to justice [54]. These principles are used as a baseline for transparency in global environmental governance. The Rio+20 Outcome Document 'The Future We Want' specifically acknowledges the importance of an active civil society for sustainable development [14].

In the context of fisheries governance, calls for transparency have primarily been directed at the Regional Fisheries Management Organizations (RFMOs) [5,15–17]. These IOs are responsible for the management and conservation of highly migratory and straddling fish stocks that move between the high seas and the areas under national jurisdiction. The 1995 United Nations Fish Stocks Agreement (UNFSA) stipulates that States shall provide for transparency in RFMO decision-making processes and activities, and allow representatives from other intergovernmental organizations (IGOs) and NGOs to participate in meetings as observers ([18] [Article 12]). Procedures for observer status should not be unduly restrictive and observers shall have timely access to RFMO records and reports ([18] [Article 12]). Similar calls feature in the voluntary Code of Conduct for Responsible Fisheries (CCRF) ([19] [Article 7]). A seminal report on 'RFMO best practices' further emphasizes that there should be streamlined procedures for observer accreditation, that allow for long-term observer status and minimize the ability to close sessions to observers [20].

Clarke et al. [5] compare the procedures and processes in 11 RFMOs

E-mail address: matilda.petersson@su.se.

<https://doi.org/10.1016/j.marpol.2020.104128>

Received 30 October 2019; Received in revised form 3 April 2020; Accepted 3 July 2020

Available online 23 July 2020

0308-597X/© 2020 The Author.

Published by Elsevier Ltd.

This is an open access article under the CC BY-NC-ND license

(<http://creativecommons.org/licenses/by-nc-nd/4.0/>).

against the Aarhus Convention's three dimensions of transparency. They find that most RFMOs score well on *public participation*, e.g., they have established procedures for observer accreditation that are not unduly restrictive. RFMOs score somewhat lower on *access to information*, e.g., they provide public access to basic information and scientific data, but not at high resolution. RFMOs score even lower in terms of *access to outcomes*, e.g., as detailed compliance reports are often not publicly available. Gilman and Kingma [17] find that only 27% (3 out of 11) of indicators assessed for *access to outcomes* were fully transparent in the Western and Central Pacific Fisheries Commission (WCPFC). These studies provide valuable insights about the level of transparency in RFMOs across different dimensions, but reveal less about how this developed and why. This article represents a first step to address this gap in knowledge, by studying the role(s) of NGOs in relation to transparency, and how this has developed over time across twelve RFMOs. It focuses on procedural transparency, i.e., related to processes and practices [4,12]. Procedural transparency is argued to be particularly important to understand, as it may pave the way for NGOs to make other more substantive and specific requests, and ultimately influence RFMO decision-making.

In the following section, the role(s) of NGOs in relation to transparency are conceptualized. Thereafter, the data collection is described. Then, the empirical analysis is presented and discussed. The article concludes by summarizing the findings and by discussing their potential implications for RFMO effectiveness.

2. Conceptualizing the role(s) of NGOs in relation to transparency

NGOs pursue several goals and act as strategic political actors to achieve those goals. They are expected to promote transparency to enhance their opportunities to influence decision-making as well as to promote organizational survival, visibility, and networking opportunities [21,22]. Fig. 1 illustrates a conceptual model of the role(s) of NGOs in relation to transparency and how it links to effectiveness. It considers three dimensions of transparency, drawing on a previous application by Clarke et al. [5] of the Aarhus Convention to the study of procedural transparency in RFMOs.

NGOs can make requests for *public participation* by asking for access to attend Commission, subsidiary body, and Working Group meetings as observers. NGOs often try to ensure their own opportunities to participate and take part in future meetings [12,79]. Participation in meetings enables NGOs to directly engage with and to build interpersonal relationships with policymakers, which is expected to increase their ability to influence decision-making [9,21].

NGOs can make requests for *access to information* by asking RFMOs to make information and data publicly available or to provide observers with timely access to information and meeting reports. Information is important for the ability of NGOs to influence decision-making, as it enables them to develop expertise about the process and specific policy issues [23]. By enhancing public access to IO information, NGOs can also raise public awareness for particular issues, which can enhance their political levers and enable them to pressure IO decision-makers [24, 25].

NGOs can make requests for *access to outcomes* by asking RFMOs to undertake independent performance reviews and to establish regular compliance review processes for evaluating the compliance of member states, which enable for active participation and inputs from NGO observers. Having access to compliance review processes can enhance the ability of NGOs to perform accountability functions, as they can use information obtained from such processes to strategically call out non-compliant behavior [4].

Requests across these three dimensions are often built on each other. In order for NGOs to build expertise and develop strategies for influencing decision-making, they need access to both relevant meetings and information. This is particularly the case for *access to outcomes*, as

requests to establish transparent compliance and performance review processes are likely to be coupled with requests for access to compliance-related meetings and information.

In making these requests, NGOs are expected to express concerns over *barriers* to transparency. They may be concerned about procedures and, or, practices that deny them access to certain meetings and discussions (*public participation*), timely access to relevant documents and reports prior to meetings (*access to information*), or, that compliance review processes, including access to relevant meetings and information are not fully open to observers (*access to outcomes*).

NGO requests for transparency may lead to *responses by member states*. States may alter procedures through formal decision-making, e.g., by outlining how observer status can be obtained. Member states may also respond by changing practices during meetings, e.g., by providing access to Working Group meetings or allowing more time for observers to make oral interventions. It is important to note that requests for transparency do not automatically lead to changes in procedural transparency and that changes often take time. Different member states can have different attitudes and contrasting views towards transparency [15], which can make it difficult to reach an agreement. Most RFMO decisions are taken by consensus, even though some also apply majority voting [20,77]. In practice, this often means that a single member state can delay or block decisions with importance for transparency.

The level of procedural transparency is believed to be important for the effectiveness of RFMOs [5] and IOs more broadly [4,6]. The article does not empirically investigate RFMO effectiveness. Rather it discusses potential implications for effectiveness based on trends in NGO requests for and concerns over barriers to transparency (illustrated by the dotted lines in Fig. 1).

3. Material and methods

This article examines twelve RFMOs established between 1950 and 2012, with mandates covering the Pacific, Indian, and Atlantic Ocean, as well as the Mediterranean and Black Seas (see Table 1). Their overarching objective is to achieve sustainable or optimal use and long-term conservation of fish stocks under their mandate. They have similar organizational structure, each having a Secretariat (administrative), a Commission (decision-making body), a Scientific Committee (providing scientific advice), a Compliance Committee (evaluating compliance with adopted measures), and Working Groups on specific topics.

Five of them focus on tuna and tuna-like species (tuna RFMOs). Seven focus on several different kinds of species (general RFMOs). Some were created before 1995 (pre-UNFSA) and some thereafter (post-UNFSA). The number of member states differs considerably between RFMOs (see Table 1). Membership includes coastal states, with a coastline adjacent to the geographical area. It also includes states with a 'real fisheries interest' in the specie(s) or the geographical area ([18] [Article 8]), typically called distant water fishing nations (DWFNs). Several DWFNs are members of multiple RFMOs. The European Union (EU) is member to all twelve,¹ Japan and the Republic of Korea are both members to ten, France is member to eight,² Australia, China and the United States of America (US) are members to six of the examined RFMOs. The geographical component and the different compositions of membership in these bodies suggest that they, while similar, also have different political cultures that can matter for transparency.

¹ The EU is a member of the Extended Commission of CCSBT.

² France is a member of IATTC, ICCAT, IOTC, NAFO, SIOFA and WCPFC in respect of its overseas territories. France is also a member to GFCM (together with other EU member states) since the organization goes beyond EU competences. Several EU member states remain members of CCAMLR, since the Convention makes membership of regional economic organizations conditional on the participation of one or more of its members [52].

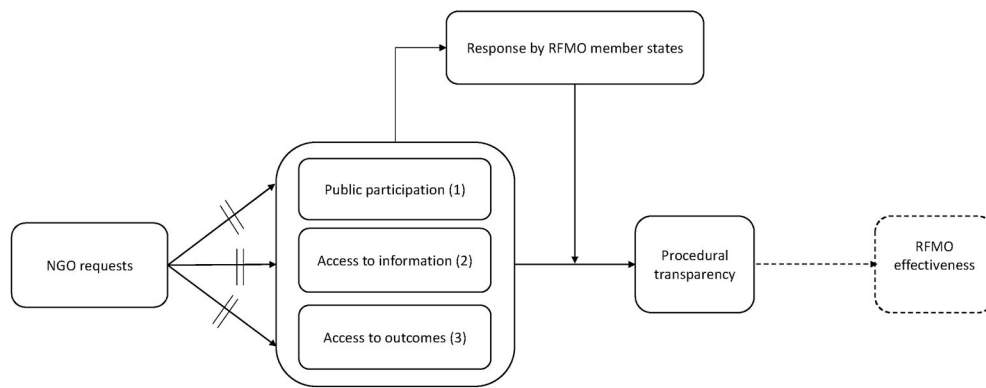


Fig. 1. Conceptual figure of the role of NGOs in shaping procedural transparency in RFMOs. NGOs are expected to make requests across the three dimensions of transparency: public participation (1), access to information (2), and access to outcomes (3). In making these requests, NGOs are also expected to express concerns over potential barriers to transparency, illustrated by the double lines across the arrows between NGO requests and the three transparency dimensions. NGO requests may lead to some responses by RFMO member states that can change the level of procedural transparency. The level of transparency is, in turn, believed to be one important principle and a means for achieving RFMO effectiveness.

Table 1
Description of RFMOs.

	RFMO name	Entered into force	Type	Geographical area	# of member states
Pre-UNFSA	Inter-American Tropical Tuna Commission (IATTC)	1950	tuna	Pacific Ocean	21
	General Fisheries Commission for the Mediterranean (GFCM)	1952	general	Mediterranean Sea and Black Sea	24
	International Commission for the Conservation of Atlantic Tunas (ICCAT)	1969	tuna	Atlantic Ocean	53
	Northwest Atlantic Fisheries Organization (NAFO)	1979	general	Atlantic Ocean	12
	Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) ^a	1982	general	Southern Ocean	25
	North East Atlantic Fisheries Commission (NEAFC)	1982 ^c	general	Atlantic Ocean	5
	Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	1994	tuna	All waters where the southern bluefin tuna is found	6 (8) ^b
Post-UNFSA	Indian Ocean Tuna Commission (IOTC)	1996	tuna	Indian Ocean	31
	South East Atlantic Fisheries Organization (SEAFO)	2003	general	Atlantic Ocean	7
	Western and Central Pacific Fisheries Commission (WCPFC)	2004	tuna	Pacific Ocean	26 (7 ^d)
	South Indian Ocean Fisheries Agreement (SIOFA)	2012	general	Indian Ocean	10
	South Pacific Regional Fisheries Management Organization (SPRFMO)	2012	general	Pacific Ocean	15

^a CCAMLR is an intergovernmental organization that has some attributes of a RFMO and of a Regional Sea Convention.

^b The Extended Commission of CCSBT has eight members: Australia, the EU, the fishing entity of Taiwan, Indonesia, Japan, Republic of Korea, New Zealand, and South Africa.

^c In 1982, NEAFC replaced an earlier commission with the same name established by the North-East Atlantic Fisheries Convention in 1959.

^d WCPFC has seven participating territories, American Samoa, Commonwealth of the Northern Mariana Islands, French Polynesia, Guam, New Caledonia, Tokelau, and Wallis and Futuna.

Source: Author’s own coding on the basis of RFMO websites, Convention/Agreement texts.

3.1. Data collection

NGOs are expected to make requests for and express concerns over transparency in Commission meetings, i.e., the decision-making bodies [20]. Table 2 outlines the information that was extracted from Commission reports, from 1995 until 2018. The reports are publicly available on RFMO websites. Older reports were included from the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), International Commission for the Conservation of Atlantic Tunas (ICCAT), and Inter-American Tropical Tuna Commission (IATTC), as NGOs started to request access and attend meetings before 1995.

The extracted data includes *written policy statements* submitted by NGOs. These are submitted to the RFMO Secretariats prior to

Commission meetings and are usually 1–3 pages long. NGOs submit both individual and joint statements (together with other NGOs or other observers). NGOs are expected to outline their priorities, policy recommendations, positions, and concerns (if there are any major concerns) related to, *inter alia*, transparency in these statements. *Information papers and letters*³ submitted by NGOs were also included. For example, between 2013 and 2018, NGOs submitted several joint letters and information papers to WCPFC Commission meetings, outlining concerns related to ongoing debates about observer participation fees. The data also includes *oral policy statements* made by NGOs during Commission meetings. Observers can typically speak at the end of plenary sessions

³ These information papers and letters focus on specific topics and are submitted to RFMO Secretariats prior to Commission meetings. NGOs often submit joint information papers and letters. CCAMLR Commission reports mentions (but does not include) information papers submitted by the Antarctic and Southern Ocean Coalition (ASOC). Papers submitted to by ASOC between 2003 and 2018 were retrieved from their website, see <https://www.asoc.org/explore/policy-papers/ccamlr>. Information papers submitted between 1995 and 2003 were provided by the Secretariat of CCAMLR.

Table 2

Description of the availability of data from RFMO Commission reports. The table indicates the years for which written statements submitted by NGOs could be identified. It also shows whether oral statements made by NGO could be extracted from the reports. N/A indicates that oral statements could not be identified from the reports.

	RFMO acronym	RFMO commission reports	NGO written statements in report	NGO oral statements in report
Pre-UNFSA	IATTC	1989–2018	2007–2008, 2012–2018	yes
	GFCM	1995–2018	2017–2018	yes
	ICCAT	1993–2018	2004–2018	yes
	NAFO	1995–2018	2003–2018	N/A
	CCAMLR	1983–2018	1995–2018	yes
	NEAFC	1995–2018	2006–2018	yes
	CCSBT	1995–2018	2007–2018	yes
Post-UNFSA	IOTC	1995–2018	2005, 2013–2018	yes
	SEAFO	2004–2018	2007–2008	N/A
	WCPFC	2004–2018	2006–2018	yes
	SIOFA	2013–2018	2013, 2015, 2017–2018	N/A
	SPRFMO	2013–2018	2017–2018	N/A

and when no member is requesting to speak.⁴ These statements are recorded by the rapporteurs in a summarized (rather than verbatim) format.⁵ NGOs make both individual and joint statements. Through these statements, NGOs are expected to make specific request for procedural transparency, e.g. asking to attend Working Group meetings or be part of performance review panels.

In order to capture oral statements recorded in the reports (see Table 2), a search was conducted for the names and acronyms of participating NGOs (i.e., based on the ‘list of participants’) in Commission meetings, using the software MaxQDA. The search terms ‘transparent’, ‘transparency’, ‘statement’, and ‘observer’, were also used to help identify requests and concerns made by NGOs. It also identified sections in the reports where member states discuss requests and concerns related to transparency, and provided an understanding of the context within which such requests and concerns were expressed. The Rules of Procedures and Convention/Agreement texts of the examined RFMOs were also used to identify changes in observer accreditation rules.

NGO statements, letters, and information papers mainly come from relatively large and well-known environmental or animal welfare NGOs. Some have broadly defined conservation goals, such as World Wild Fund for Nature (WWF) and Greenpeace (both membership-based), and Pew Environment Group (a non-profit organization under the Pew Charitable Trust). Others have species-specific conservation goals, such as the Humane Society International (membership-based). Some are from ‘hybrid’ NGOs, which represent a combination of different types of interests. This includes the International Seafood Sustainability Foundation (ISSF), which represent both non-profit (NGOs and researchers) and for-profit interest (fishing industry actors), and the International Union for Conservation of Nature (IUCN), which includes states, government agencies, and NGOs as members.

3.2. Data limitations

The amount of available information from Commission reports varies across RFMOs (see Table 2). Some post-UNFSA RFMOs were established very recently, limiting the amount of available data (see Table 1). NGOs have only participated as observers in two Commission meetings of the South East Atlantic Fisheries Organization (SEAFO),⁶ and consequently, there are only NGO statements from these two years.

⁴ Participatory observations made by the author during the 2018 and 2019 Commission meeting of ICCAT held between the 12th–19th of November 2018 and 18th–25th of November 2019.

⁵ Personal email communication with the Secretariat of IATTC on the 27th of June 2019.

⁶ According to the ‘list of participants’ in Commission meetings (SEAFO [80, 81]).

NGOs requested access to RFMOs at different points in time, and once granted access, they may not be equally active. NGOs participation has been found to be greater in some RFMOs than others [26]. The availability of data also depends on when the RFMOs started to include NGO statements, letters, and information papers in their Commission reports and on their websites. Most pre-UNFSA RFMOs began to include written statement and papers submitted by NGOs as part of Commission reports in the early 2000s. Some changed their practices more recently. The General Fisheries Commission for the Mediterranean (GFCM) started to include written NGO statements in their Commission reports in 2017, and IATTC started to regularly upload NGO statements on their website in 2013. Prior to this, NGO statements were distributed in a paper format,⁷ and, in the case of IATTC, only irregularly included in Commission reports.⁸ Post-UNFSA RFMOs have always included NGO statements in their Commission reports.

The extent to which oral statements are available in Commission reports varies between RFMOs (Table 2). This may reflect differences in RFMO practices (and even between rapporteurs). It may also reflect differences in NGO activity, e.g., whether and how often oral statements are made.

The collected data captures many (but not all) relevant NGO requests for and concerns over transparency. For example, it does not capture potential requests that have not been recorded by Commission reports or that have been made by NGOs through direct communication with member states or through other informal channels.

3.3. Coding

The coding focused on *procedural transparency*, i.e., related to processes and practices [4,12] across the three dimension of transparency (see section 2). Other potential requests and concerns made by NGOs for changes in substantive transparency, for example asking member states to adopt new measures that would require states to report and disclose additional information or data⁹ was outside the scope of this study. The reasoning behind the focus on procedural transparency is that it represents a first step that can pave the way for NGOs to also make substantive and specific requests, and increase the opportunities for NGOs to influence decision-making more broadly.

The empirical material was coded for requests and concerns over barriers across the three dimensions of transparency. NGO requests refers to examples of NGOs asking for changes in procedural transparency.

⁷ Personal communication with GFCM Secretariat, 26th of September 2019.

⁸ Personal communication with IATTC Secretariat, 6th of August 2019.

⁹ NGOs often call on RFMO member states to collect additional data on trade, vessel information and bycatch (and to disclose that information), and to require its fleets to use IMO numbers on fishing vessels, as it required by shipping vessels by the International Maritime Organization.

NGO concerns over barriers refers to examples of NGOs expressing dissatisfaction with existing practices related to procedural transparency.

4. Results

4.1. NGO requests for and concerns over public participation

The first requests related to *public participation* were made in the 1980s (Table 3). These requests eventually led to responses by member states and the adoption of ‘observer accreditation rules’. These rules outline the application procedure to obtain observer status (and to which meetings) and describe rules concerning oral interventions and submission of written statements before meetings. In CCAMLR, it took five years from the first NGO request until member states were able to reach consensus to amend its Rules of Procedure and invite a coalition of NGOs¹⁰ to attend Commission meetings. By contrast, in IATTC, the first NGO request was granted access following an informal process administered by the Secretariat and, one year later, members adopted formal observer accreditation rules by consensus.

Once granted access to Commission meetings, NGOs have consistently asked for expanded access rights. In some pre-UNFSA RFMOs, observers were first granted access to the Commission and then to subsidiary bodies (Scientific and Compliance Committee) (Table 3). In CCAMLR, it took two additional years before observers (with access to Commission meetings) could also access the Scientific Committee, and another eleven years before access was provided to the Compliance Committee.¹¹ In the North East Atlantic Fisheries Commission (NEAFC),

Table 3

NGOs' requests and adoption of observer accreditation rules in pre- and post-UNFSA RFMOs.

	RFMO acronym	NGO first request access	Adoption of observer accreditation rules ^a
Pre-UNFSA	IATTC	1989	1990 Com; 2003 SC/CC ^b
	GFCM	1995	2014
	ICCAT	N/A	1993
	NAFO	1995	1999
	CCAMLR	1983	1989 Com; 1991 SC; 2001 CC
	NEAFC	1998	2001 Com; 2013 SC ^c
	CCSBT	1997	2007
Post-UNFSA	IOTC	–	1997
	SEAFO	–	2004
	WCPFC	–	2004
	SIOFA	–	2015
	SPRFMO	–	2013

Notes: author's own coding based on NGO statements extracted from Commission reports, Rules of Procedures. N/A indicates that no information was found in the reports regarding requests made prior to the adoption of observer accreditation rules. Empty cells indicate that there was no time between requests made and the adoption of rules for the Commission, and, or Subsidiary bodies.

^a Unless otherwise specified these observer accreditation rules directly applied to Commission and Subsidiary bodies. When such rules were gradually adopted for the Commission (Com), Scientific Committee (SC), and Compliance Committee (CC) this is specified by the year these rules were adopted.

^b In 2003, with the adoption of the new Convention, rules were adopted providing NGOs with access to both the Scientific and the Compliance Committee.

^c NGOs do not have access to the Compliance Committee in NEAFC.

¹⁰ Unlike other RFMOs, CCAMLR provided a coalition of NGOs, the Antarctic and Southern Ocean Coalition (ASOC) with observer status.

¹¹ The equivalent to a Compliance Committee is called the Standing Committee on Observation and Inspection (SCOI).

it took an additional twelve years before observers were granted access to the Scientific Committee and there is still no access to the Compliance Committee¹² despite repeated requests (Joint NGO statement NEAFC, 2013–2014). In other pre-USFSA and in all post-UNFSA RFMOs,¹³ observer accreditation rules directly allowed NGO observers to access the Commission and subsidiary body meetings (Table 3). These provisions were adopted as part of the first version of the Rules of Procedure without lengthy discussion.

NGOs have attended meetings even before formal accreditation rules were adopted. For example, NGO observers have attended GFCM Commission meetings since 1995¹⁴ following an informal process [27], even though formal observer accreditation rules were only adopted in 2014 [28]. They have also participated as invited experts or advisers on national delegations. For example, NGOs attended CCAMLR meetings as part of the Australian, US, and New Zealand delegations (1983–1988),¹⁵ ICCAT meetings as part of the US delegation (1991–1992),¹⁶ the Northwest Atlantic Fisheries Organization (NAFO) as part of the US delegation (1998),¹⁷ and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) as part of the Australian delegation (1995–2006).¹⁸ Some evidence suggests that these same countries have been important drivers for transparency. The US delegation first raised the issue of public participation in NAFO by submitting a proposal for improving transparency [29]. The proposal led to the creation of a transparency Working Group, chaired by the US [30]. Three years later, formal observer accreditation rules, proposed by this group, were adopted by the Commission [31]. Australia and New Zealand actively promoted the inclusion of NGOs in CCSBT. They argued that ‘active exclusion’ of NGOs would ‘inevitably lead to mistrust’ and emphasized positive experience from such participation at the domestic level, as it led to a ‘clearer understandings of the issues by all parties’ [32].

NGOs have expressed several concern over both *direct* and *indirect* barriers to public participation (see Table 4). Direct barriers have to do with formal decision-making and include the denial of observer status or access to subsidiary bodies and highly set participation fees. Indirect barriers have to do with practices during meetings and include for example concerns that observers are unable to attend certain meetings and make oral interventions.

There are some, but few, instances of denied observer status (direct barrier) in the 1980s and 1990s. Greenpeace was denied observer status in CCAMLR (between 1988 and 1990, despite repeated requests), NAFO (in 1995),¹⁹ and CCSBT (in 1997). In CCAMLR, one delegation pointed out (as the request was being discussed) that Greenpeace had ‘acted outside the law’ [33]. In CCSBT, Japan objected to the request and claimed that the NGO was ‘known to use radical methods to achieve its goals and to act against the provisions and spirit of the Convention’ [32]. This perception of Greenpeace may explain why the organization initially was denied observer status. It may also be shaped by the role of Greenpeace as an ‘anti-whaler NGO’ active in the International Whaling Commission (IWC) [83]. Greenpeace was also among the first NGOs to request access, and these requests were made before the adoption of observer accreditation rules in CCSBT and NAFO. Greenpeace has subsequently obtained observer status to several RFMOs, including to those

¹² The equivalent to a Compliance Committee is called the Permanent Committee for Compliance and Enforcement (PECMAC).

¹³ The Convention and Agreement texts include provisions for public participation, and observer accreditation rules were adopted as part of the first Rules of Procedure, allowing observers to attend Commission and Subsidiary body meetings.

¹⁴ See ‘list of participants’ in Commission reports (see e.g., GFCM [70–74]).

¹⁵ See ‘list of participants’ in Commission reports (CCAMLR [55–60]).

¹⁶ See ‘list of participants’ in Commission reports (ICCA [75,76]).

¹⁷ See ‘list of participants’ in Commission reports (NAFOb [78]).

¹⁸ See ‘list of participants’ in Commission reports (CCSBT [32, 61–69]).

¹⁹ The decision by the Commission to deny observer status was taken ‘following past practices’ [53].

Table 4

Summary of barriers raised by NGOs across the three dimensions of transparency. The grey cells indicate that NGOs have expressed concern(s) over barriers to transparency.

	Public participation		Access to information		Access to outcomes
	Direct barriers	Indirect barriers	Information prior to meetings	Publicly available information	Compliance and performance review processes
CCAMLR					
CCSBT					
GFCM					
IOTC					
IATTC					
ICCAT					
NEAFC					
NAFO					
SEAFO					
SIOFA					
SPRFMO					
WCPFC					

Notes: author's own coding based on identified concerns over barriers raised in NGOs written and oral statements, papers and letters extracted from Commission reports for each of the examined RFMOs.

where requests initially were denied. As described above, most other direct barriers, for example limiting access to the Commission meetings, have also been removed as observer accreditation rules apply to both Commission and subsidiary body meetings.

The adoption of participation fees for observers may represent a direct barrier hindering participation, especially for NGOs with limited resources [26,34]. Four of the examined RFMOs²⁰ have adopted participation fees.²¹ ICCAT initially (between 1993 and 1998) had a participation fee of US\$2000. This highly set fee seems to have limited the willingness of NGOs to apply for observer status. Indeed, no NGO requested observer status during this time period. Such requests only started after 1998, when the fee had been lowered to US\$500, after a proposal by the US [35]. That the level of the fee may be an important factor for NGO participation is further illustrated by the situation in WCPFC. There, NGOs voiced concerns related to discussions over participation fees. Initially, NGOs were 'strongly oppose[d]' to the adoption of any fee, arguing it 'would result in reduced and restricted participation by many NGOs' (Joint NGO statement WCPFC, 2010). After 2016, when a US\$500 fee was adopted, several NGOs shifted position, from being strongly opposed any fee to arguing for 'reasonable' fees to not 'discourage participation by Observers, particularly smaller NGOs from Pacific Island and developing countries' (Joint NGO statement WCPFC, 2017).

However, in general, NGOs have not raised concerns over participation fees. In particular, they have not expressed concerns over the fees established in IATTC and NAFO. Most NGOs that participate in RFMOs are relatively large international NGOs from high income countries [26]. This suggests that fees does not necessarily hinder these NGOs from

²⁰ The Rules of Procedure of IOTC provide for the possibility of imposing a participation fee, but it has not been used in practice [39]. Similar provisions feature in the Rules of Procedures of NEAFC, but it has not been applied (Personal communication with NEAFC Secretariat, 16th of March 2020).

²¹ Participation fees ranges from US\$500 for 1–2 individual NGO representatives, with an additional fee of US\$350 for each additional representatives in ICCAT, IATTC, and WCPFC, to a more modest fee of US\$10.00/day for each representative attending NAFO meetings [39].

participating. Participation fees may however disproportionately affect smaller NGOs, particularly from developing countries [34].

In the past 10–15 years, concerns are mainly about *indirect* barriers to participation. NGOs frequently raise concerns that '*substantive discussion on new conservation measures and key issues was held in Working Groups without the participation of observers*' (ASOC statement CCAMLR, 2004). Similar concerns have been raised in NEAFC (Joint NGO statement NEAFC, 2011) and CCSBT (Joint NGO statements CCSBT, 2014–2016). In WCPFC, NGOs have expressed concerns that '*observers were excluded from almost half of the TCC [Technical and Compliance Committee] meeting due to the Compliance Monitoring Review being held in closed sessions*' (Joint NGO statement to WCPFC, 2013) and that '*compliance discussions take place behind closed doors, with no openness or checks on accountability*' (ISSF statement WCPFC, 2018).

The Rule of Procedures of the RFMOs sometimes limit observer access to plenary sessions and include language making it possible to exclude observers from closed/restricted sessions or agenda items (for more details, see Table S1). NGOs have questioned '*the possibility of a Commission Member to veto the participation of observers in meetings of its Working Groups*' in CCAMLR (ASOC statement CCAMLR, 2009). Repeated concerns from NGOs (e.g., EAC Statement NAFO, 2010, WWF Statement NAFO, 2011) sparked a discussion in NAFO over the meaning of 'non-restricted' sessions [36]. Even though the wording remained unchanged in the Rules of Procedure, an NGO noted that '*plenary discussions and Working Groups' openness to observers have become 'the rule' and not the exception in the past few years*' (WWF statement NAFO, 2014).

Finally, concern that '*reiterated requests of a coalition of non-governmental organizations to present a joint statement were not accommodated*' (Joint NGO statement IATTC, 2008) has been expressed in IATTC. Similar tendencies have also been voiced in CCAMLR (ASOC statement CCAMLR, 2013).

4.2. NGO requests for and concerns over access to information

NGOs have requested better *access to information* (see Table 4). These requests are about improved access to '*documents prior of the meetings*' (Seas At Risk statement NEAFC, 2006). Concerns have been voiced in

SIOFA over 'restrictions on the availability of documents in the lead-up to this meeting' (Joint NGO statement, SIOFA, 2017), as well as in NEAFC (Joint statement NEAFC, 2005). Similar concerns in WCPFC included: 'documents and other information is posted only on the secure side of the WCPFC website, including information about upcoming meetings or Working groups' (Joint NGO statement WCPFC, 2013).

NGOs have emphasized that access to documents is particularly relevant prior to Scientific Committee meetings (ASOC statement CCAMLR, 2007). Concerns over lack of information available from the scientific process have been raised in WCPFC: 'the first publicly available stock assessment report was not released [...] until 2012' and 'meeting reports can take six months or longer to be approved and released to the public' (IUCN statement WCPFC, 2016).

NGOs have requested that 'documents and discussions [...] be much more transparent to the global community' (ASOC to CCAMLR, 2013). They have also raised concerns that tendencies to take decisions in closed/restricted meetings (as discussed above) affect the extent to which 'the debate, the positions of Contracting Parties on specific issues, and the decisions taken by NEAFC can be made a clear matter of public record' (Joint NGO statement NEAFC, 2011).

In the past five to ten years, several requests have focused on access to compliance information (also relevant for *access to outcomes*, see below). NGOs have asked RFMOs to make detailed information concerning trade data (Joint NGO statement CCSBT, 2017), lists of vessels (Oceana statement GFCM, 2018), and transshipment (Pew statement IATTC, 2018; ASOC statement CCAMLR, 2017) publicly available. Compliance information is oftentimes kept confidential (Joint NGO statements: WCPFC, 2013, 2016–2017; and IATTC, 2014) and 'made available only via a password protected website and accredited observers are not given the password/link for this website' (Joint NGO statement IATTC, 2014). When compliance information is provided to observers, the information is not complete and 'does not include a summary of each Member's compliance information' (ISSF statement IATTC, 2014).

4.3. NGO requests for and concerns over access to outcomes

NGOs have actively promoted RFMOs to carry out independent performance reviews. They have also requested that NGO observers be allowed to take part in such reviews and that information be made publicly available in a timely manner. To date, all examined RFMOs (except for SIOFA) have conducted one (and in some cases two) performance reviews, which are publicly available on their websites. NGOs were part of the review panel in CCAMLR (1st and 2nd reviews), CCSBT (2nd review), and the Indian Ocean Tuna Commission (IOTC) (1st and 2nd reviews). In CCAMLR, NGOs requested that 'proceedings [of the review panel] should be open to all interested observers' (IUCN statement, CCAMLR, 2007). The inclusion of NGOs was also supported by the EU [40]. Similar requests were not found in NGO statements submitted to CCSBT and IOTC. Member states may have decided to include NGOs on review panels anyway, as a way to ensure legitimacy and to enhance the independent nature of the reports. NGOs are commonly viewed as legitimate actors due to their dedication to 'principled' causes and role as enhancing representational diversity in world politics [10,41]. A more recent request in NAFO that 'NGOs will be allowed to attend panel discussions and participate in the Performance Review, as a minimum as observers' (EAC statement NAFO, 2016) was only partly accommodated (i.e., NGOs were not part of the review panel).

In recent years, NGOs have repeatedly requested that IATTC and WCPFC establish regular and improved procedures for reviewing the level of compliance by member states. NGOs have stated that 'the Review Committee should annually make clear recommendations to the Commission regarding non-compliance' (ISSF statement IATTC, 2013), and that 'the CMS [Compliance Monitoring Scheme] should be a permanent measure to ensure greater predictability and certainty' (Pew statement WCPFC, 2017). Relatedly, NGOs have also requested that members 'allow NGOs to submit information on non-compliance to the commission' (Greenpeace statement

WCPFC, 2010). To date, ICCAT and the South Pacific Regional Fisheries Management Organization (SPRFMO) have adopted explicit conservation and management measures that allow NGOs to submit compliance information [42]. Some RFMOs have also included open formulations in their conservation and management measures for listing IUU vessels that allow the consideration of other 'suitably documented information' from other sources than states and IOs [42].

NGOs have expressed concern over the lack of information and oversight of the implementation of performance and compliance reviews recommendations. NGOs raised concern over CCAMLRs first performance review as 'there [was] no mechanism for maintaining the Commission's oversight of items that are not yet completed' (ASOC statement CCAMLR, 2013). In IATTC, 'while observers are allowed to participate in the IATTC Review Committee, the IATTC's final Compliance Report is not transparent about members' individual compliance with their obligations to the Commission, and the IATTC does not have a scheme of responses to non-compliance' (ISSF statement IATTC, 2017). These concerns are closely related to indirect barriers to access compliance-related meetings (*public participation*) and barriers to detailed compliance information (*access to information*), as described above (see section 4.1 and 4.2.)

5. Discussion

NGOs have expressed several concerns over barriers across the three dimensions of transparency (see summary in Table 4). Most concerns have been raised in CCAMLR, WCPFC, and IATTC. Some concerns have also been raised in NAFO, NEAFC, and CCSBT. These trends indicate that there is ample room for improving procedural transparency in these RFMOs. At the same time, it is important to consider that NGOs may have greater opportunities to raise concerns in these RFMOs, since they have been present and active there for longer than in other newer bodies.

The findings suggest that improvements in transparency could be achieved by removing indirect barriers to *public participation* (in CCAMLR, CCSBT, IATTC, NEAFC, NAFO and WCPFC). Even though NGOs have been granted observer status, there is a tendency among member states to develop and apply practices to exclude observers. Concerns over *access to information* suggest there is room for improving timely access to information provided to observers prior to meetings (CCAMLR, IATTC, NEAFC, SIOFA and WCPFC), and to enhance public access to information (CCAMLR, IATTC, WCPFC). Recent concerns for *access to outcomes* have been raised in CCAMLR, IATTC, and WCPFC. This suggests that these RFMOs can improve transparency by establishing regular compliance review processes, combined with changing practices in deeming certain sessions or agenda items of the compliance meetings restricted or closed (*public participation*) and providing observers with timely access to compliance information prior to meetings and enhancing publicly available compliance information (*access to information*).

ICCAT adopted observer accreditation rules early and has a large number of participating NGOs [26], but here only one direct barrier (which has been removed) to public participation was identified. This strengthens previous reports that ICCAT has well-established mechanisms for procedural transparency and providing observer access to meetings [20]. No or almost no concerns over transparency were found in IOTC, GFCM, SEAFO, SIOFA and SPRFMO, which may suggest that the level of transparency generally is high. At the same time, the amount of available data was limited for these RFMOs (see Table 3), which makes these trends difficult to interpret. In IOTC and GFCM, written statements from NGOs for earlier years were not available, as practices to include statements in Commission reports changed only recently. These RFMOs were formed under the UN Food and Agriculture Organization (FAO). The special consultative status provided to NGOs under the FAO Constitution ([43] [Appendix L]) may affect transparency and explain why no concerns were identified. Additional data would, however, be required to triangulate and substantiate such potential

explanations. Newer bodies like SEAFO, SIOFA, and SPRFMO directly incorporated the provisions for transparency outlined in UNFSA. This may explain why no or few concerns were raised over transparency. At the same time, there was limited data from these bodies, since they were recently established. NGOs also appear to be less active in these bodies compared to more established RFMOs.

The findings of this article also demonstrate that NGOs have actively promoted transparency and consistently asked for extended access rights in RFMOs. RFMO member states have responded to several requests made by NGOs. Importantly, observer accreditation rules have been adopted, and meeting reports and information are publicly available on RFMO websites (see also [27,44]). Previous studies find that RFMOs do well related to public participation and relatively well related to access to information, but that there is much room for improving access to outcomes [5,17]. This suggests that the binding provisions in UNFSA have been integrated to RFMO procedures. UNFSA outline provision for public participation and access to timely information ([18] [Article 12]) that apply to all RFMOs regardless of when they were created [5,15,16].

The adoption of observer accreditation rules and improved access to information can also be understood as part of a broader normative shift towards transparency and participation in global environmental governance. The adoption of UNFSA came out of the 1992 Rio Conference [15,16] and a recommendation in Agenda 21 to convene an intergovernmental conference ‘to ensure that high seas fisheries are managed in accordance with the provisions of the United Nations Convention on the Law of the Sea’ ([45] [ch. 17.49]). The Rio Conference was well-attended by NGOs [46]. NGOs have had consultative status in the UN ever since the UN charter was adopted 1945 ([84] [Article 71]).²² Other IOs have also opened up access to NGOs [47]. For example, NGOs have participated in the IWC since the 1960s [16].

The demonstrated trends in NGO concerns over barriers to public participation indicate a shift from direct to indirect barriers. This shift may be a way for RFMO member states to follow the provisions in UNFSA and to demonstrate legitimacy and credibility in the eyes of the public, but at the same time, be able to limit NGO participation around particularly sensitive and contentious issues. Whether or not, and to what extent, NGOs should be allowed access to RFMOs has not been straightforward. Wiser [15] describes two competing views present among states during the negotiations of the Convention of WCPFC. Some governments viewed effective implementation of environmental resource management as dependent on successful cooperation between states and the continued support and input from NGOs. Others believed that a more closed decision-making process would be more efficient and easier to manage. This potential trade-off between transparency and effectiveness also features in previous literature [11]. The adoption of Rules of Procedures that allow members to deem sessions closed to observers and the tendency to apply these illustrate that some members are and have remained skeptical of NGO involvement. Early examples of denied observer status also illustrate this tension. The perceptions of some member states may affect their willingness to trust NGOs with sensitive information on compliance. Member states may fear being ‘named and shamed’ for non-compliance. Taken together, this could explain the identified barriers to access to outcomes, and in accessing compliance meetings and information in particular. Other states hold opposite viewpoints and have actively promoted NGOs participation and transparency in RFMOs. They have included NGOs on national delegations before they could attend as observers, argued for the benefits of being more inclusive to NGOs, and put forward proposals to enhance transparency.

²² ‘The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence’ ([84], [Article 71]).

6. Conclusion

This study represents a first step towards better understanding the role(s) of NGOs in relation to transparency in RFMOs. It shows that NGOs have made multiple requests that have been addressed by member states, but also expressed several concerns for transparency. Even though NGOs have access to all examined RFMOs, these concerns suggest that there are tendencies in some RFMOs to restrict access when it comes to sensitive and contentious issues. Some countries have been, and continue to be, skeptical of the inclusion of NGOs.

The demonstrated barriers to transparency may come with implications for RFMO effectiveness. It provides NGOs with fewer opportunities to learn about the policy process, develop issue-specific expertise and information, and provide additional resources to policy-makers [8,9]. Limited access to compliance-related meetings and information may also limit the ability of NGOs to perform accountability functions and monitoring compliance [4–7].

It is important to recognize that effectiveness would not automatically increase if these barriers were removed. RFMOs can be transparent and ineffective at the same time. RFMO effectiveness to sustainably manage fish stocks [48], respond to climate change [49], and reduce bycatch [50] as well as ecosystem impacts [51] has been questioned. Even with complete access to meetings and information, NGOs must be able to make use of those opportunities for them to contribute to effectiveness. Future research should continue to study the linkages between transparency and effectiveness more in depth, by considering the ability of NGOs to perform accountability functions and provide additional information, expertise, and resources in RFMOs with varying degrees of procedural transparency.

Authorship contribution statement

Matilda T. Petersson: Conceptualization, Data curation, Formal analysis, Writing.

Declaration of competing interest

The authors declare that they have no competing interests.

Acknowledgements

Earlier versions of this article were presented at the Expert Workshop on Transparency in Fisheries Governance, 20–21 May 2019, at Utrecht University and supported by the University of Sydney. I am particularly grateful to Solène Guggisberg, Tim Stephens, Lisa Dellmuth, Henrik Österblom, and Robert Blasiak, for providing helpful comments and suggestions.

Appendix A. Supplementary data

Supplementary data to this article can be found online at <https://doi.org/10.1016/j.marpol.2020.104128>.

Funding

This research is a product of the Nereus Program, a collaborative initiative funded by the Nippon Foundation and with 17 partners including Stockholm University and the University of British Columbia.

References

- [1] J. Kooiman, M. Bavinck, S. Jentoft, R. Pullin, *Fish for Life Interactive Governance for Fisheries*, Amsterdam University Press, Amsterdam, 2003.
- [2] M. Lockwood, J. Davidso, M. Hockings, M. Haward, L. Kriwoken, *Marine biodiversity conservation governance and management: regime requirements for global environmental change*, *Ocean Coast Manag.* 69 (2012) 160–172.
- [3] A. Florini, *The end of secrecy*, *Foreign Pol.* 111 (1998) 50–63.

- [4] A. Gupta, M. Mason, A transparency turn in global environmental governance, in: Aarti Gupta, Micheal Mason (Eds.), *Transparency in Global Environmental Governance – Critical Perspectives*, MIT Press, Cambridge, Massachusetts, 2014, pp. 3–38.
- [5] N.A. Clark, J.A. Ardron, L.H. Pendleton, Evaluating the basic elements of transparency of regional fisheries management organizations, *Mar. Pol.* 57 (2015) 158–166.
- [6] H. van Asselt, The role of non-state actors in reviewing ambition, implementation, and compliance under the paris agreement, *Clim. Law* 6 (2016) 91–108.
- [7] A. Orsini, S. Oberthür, J. Pozarowska, Transparency in governance of access and benefit sharing from genetic resources, in: Aarti Gupta, Micheal Mason (Eds.), *Transparency in Global Environmental Governance – Critical Perspectives*, MIT Press, Cambridge, Massachusetts, 2014, pp. 157–180.
- [8] Ö. Bodin, H. Österblom, International fisheries regime effectiveness – activities and resources of key actors in the Southern Ocean, *Global Environ. Change* 23 (5) (2013) 948–956.
- [9] J. Tallberg, L.M. Dellmuth, H. Agné, A. Duit, NGO influence in international organizations: information. access and exchange, *Br. J. Polit. Sci.* 48 (1) (2018) 213–238.
- [10] T.N. Hale, Transparency, accountability, and global governance, *Global Governance* 14 (2008) 73–94.
- [11] K. Raustiala, States, NGOs, and international environmental institutions, *Int. Stud. Q.* 41 (4) (1997) 719–740.
- [12] M.M. Betsill, E. Corell, *NGO Diplomacy: the Influence Of Nongovernmental Organizations In International Environmental Negotiations*, MIT Press, Cambridge, MA, 2008.
- [13] United Nations Environment Programme (UNEP), Rio declaration on environment and development; principle 10, in: *Proceedings of the United Nations Conference on Environment and Development*, 1992.
- [14] United Nations (UN), *The Future We Want. Outcome document of the United Nations Conference on Sustainable Development Rio de Janeiro, Brazil, 20–22 June 2012*, 2012.
- [15] G.M. Wiser, Transparency in 21st century fisheries management: options for public participation to enhance conservation and management of international fish stocks, *J. Int. Wildl. Law Pol.* 4 (2) (2001) 95–129, <https://doi.org/10.1080/13880290109353977>.
- [16] J. Ardron, N. Clarke, K. Seto, C. Brooks, D. Currie, E. Gilman, Tracking twenty-four years of discussions about transparency in international marine governance: where do we stand, *Stan. Envtl. LJ* 33 (2) (2013) 167–190.
- [17] E. Gilman, E. Kingma, Standard for assessing transparency in information on compliance with obligations of regional fisheries management organizations: validation through assessment of the western and central pacific fisheries commission, *Ocean Coast Manag.* 84 (2013) 31–39.
- [18] United Nations (UN), Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, Adopted 4 August 1995, Entered into Force 11 December 2001, 1995.
- [19] Food and Agriculture Organization (FAO), *Code of Conduct for Responsible Fisheries*, Rome, Italy, 1995. Available at: <http://www.fao.org/3/v9878e/v9878e00.htm>.
- [20] M.W. Lodge, D. Anderson, T. Lobach, G. Munro, S. Keith, W. Anna, Recommended Best Practices for RFMOs, Report of an Independent Panel to Develop a Model for Improved Governance by RFMOs, Chatham House, The Royal Institute for International Affairs, London, UK, 2007, 2007.
- [21] M. Hanegraaff, J. Beyers, I. De Bruycker, Balancing inside and outside lobbying: the political strategies of lobbyists at global diplomatic conferences, *Eur. J. Polit. Res.* 55 (3) (2016) 568–588.
- [22] L.M. Dellmuth, J. Tallberg, Advocacy strategies in global governance: inside vs. Outside lobbying, *Polit. Stud.* 65 (3) (2017) 705–723.
- [23] F. Dodds, From the corridors of power to the global negotiating table: the NGO steering committee of the Commission on Sustainable Development, in: Micheal Edwards, John Gaventa (Eds.), *Global Citizen Action*, Lynne Rienner, Boulder, CO, 2001, pp. 203–213.
- [24] M.E. Keck, K. Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics*, Cornell University Press, Ithaca, NY, 1998.
- [25] L.H. Gulbrandsen, S. Andresen, NGO influence in the implementation of the kyoto protocol: compliance, flexibility mechanisms, and sinks, *Global Environ. Polit.* 4 (4) (2004) 54–75.
- [26] M.T. Pettersson, L.M. Dellmuth, A. Merrie, H. Österblom, Patterns and trends in non-state actor participation in regional fisheries management organizations, *Mar. Pol.* 104 (2019) 146–156, <https://doi.org/10.1016/j.marpol.2019.02.025>.
- [27] General Fisheries Commission for the Mediterranean (GFCM), *Performance Review of the General Fisheries Commission for the Mediterranean and Black Sea*, 2011. Available at: http://gfcmsitesstorage.blob.core.windows.net/documents/web/GFCM/35/CAF_II_2011_Inf.5_COC_V_Inf.4_GFCM_XXXV_2011_Inf.8.pdf.
- [28] General Fisheries Commission for the Mediterranean (GFCM), *Agreement for the Establishment of the General Fisheries Commission for the Mediterranean*, 2014. Available at: <http://www.fao.org/3/a-ax825e.pdf>.
- [29] Northwest Atlantic Fisheries Organization (NAFO), *Report of the General Council and its Subsidiary Bodies (STACFAD and STACFAC)*, 18th Annual Meeting, 9–13 September, St. Petersburg, Russia., 1996.
- [30] Northwest Atlantic Fisheries Organization (NAFO), *Report of the Working Group on Transparency*, 27–29 May, Washington, D.C., USA, 1998.
- [31] Northwest Atlantic Fisheries Organization (NAFO), *Report of the General Council and its Subsidiary Bodies (STACFAD and STACFAC)*, 21st Annual Meeting, 13–17 September, Dartmouth, N.S., Canada., 1999.
- [32] Commission for the Conservation of Southern Bluefin Tuna (CCSBT), *Report of the Fourth Annual Meeting First Part*, 8–13 September, Canberra, Australia, 1997.
- [33] Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), *Report of the Ninth Meeting of the Commission*, 22 October – 2 November, Hobart, Australia, 1990.
- [34] K. Barclay, I. Cartwright, Governance of tuna Industries: the key to economic viability and sustainability in the western and central Pacific Ocean, *Mar. Pol.* 31 (3) (2007) 348–358.
- [35] International Commission for the Conservation of Atlantic Tunas (ICCAT), *Report for Biennial Period, 1998–99*, Part I, English version, Madrid, Spain, 1998.
- [36] Northwest Atlantic Fisheries Organization, NAFO, *Report of the General Council and its Subsidiary Body (STACFAD)*, 36th Annual Meeting of NAFO, 22–26 September 2014 Vigo, Spain., 2014.
- [37] Western and Central Pacific Fisheries Commission (WCPFC), *Review of observer participation in the WCPFC: paper by Secretariat*, WCPFC13-2016-33, in: *Presented at the Commission Thirteenth Regular Session*, 5 – 9 December, 2016, Denarau Island, Fiji, 2016.
- [38] Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), *Report of the Twenty-Sixth Meeting of the Commission*, 22 October – 2 November, Hobart, Australia, 2007.
- [39] J.A. Scholte, Global governance, accountability and civil society, in: J.A. Scholte (Ed.), *Building Global Democracy? Civil Society and Accountable Global Governance*, Cambridge University Press, Cambridge, 2011, pp. 8–41.
- [40] S. Guggisberg, *The Roles of Nongovernmental Actors in Improving Compliance with Fisheries Regulations*. RECIEL:1–14, 2019, <https://doi.org/10.1111/reel.12304>.
- [41] Food and Agriculture Organization (FAO), *Basic Text of the Food and Agriculture Organization of the United Nations. Volumes I and II*, 2017 Edition, 2017. Available at: <http://www.fao.org/3/k8024e/k8024e.pdf>.
- [42] Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), *Performance Review Panel Report*, 1 September 2008, 2008. Available at: http://www.ccamlr.org/en/system/files/e-Prfrm%20Review%20Report%20Jun09_0.pdf.
- [43] United Nations Conference on Environment and Development (UNCED), *AGENDA 21. United Nations Conference on Environment and Development. Rio de Janeiro: United Nations Conference on Environment and Development.*, 1992.
- [44] P. Willets, Consultative status for NGOs at the united nations, in: P. Willets (Ed.), *The Conscience of the World, the Influence of Non-governmental Organizations in the UN System*, The Brookings Institution, Washington, DC, 1996.
- [45] J. Tallberg, T. Sommerer, T. Squatrito, C. Jönsson, *The Opening up of International Organizations: Transnational Access in Global Governance*, Cambridge University Press, Cambridge, 2013.
- [46] S. Cullis-Suzuki, D. Pauly, Failing the high seas: a global evaluation of regional fisheries management organizations, *Mar. Pol.* 34 (5) (2010) 1036–1042.
- [47] B. Pentz, N. Klenk, S. Ogle, J.A.D. Fisher, Can regional fisheries management organizations (RFMOs) manage resources effectively during climate change?, *Mar. Pol.* 92 (2018) 13–20.
- [48] M.J. Juan-Jordá, H. Murua, H. Arribabalaga, N.K. Dulvy, V. Restrepo, *Report Card on Ecosystem-Based Fisheries Management in Tuna Regional Fisheries Management Organizations*, Fish and Fisheries: 1–19, 2017, <https://doi.org/10.1111/faf.12256>.
- [49] J. Bell, E. Guijarro, A. Kenny, Demersal fishing in areas beyond national jurisdiction: a comparative analysis of Regional Fisheries Management Organisations, *Front. Mar. Sci.* 6 (2019), <https://doi.org/10.3389/fmars.2019.00596>.
- [50] P. Heckler, Regional fisheries management organisations – defining the EU and member state roles, in: Ramses A. Wessel, Jed Odermatt (Eds.), *Research Handbook on the European Union and International Organizations*, 2019, pp. 429–445.
- [51] Northwest Atlantic Fisheries Organization (NAFO), *Report of the Fisheries Commission and its Subsidiary Body (STACTIC)*, Special Meeting 7.9 June 1995, Toronto, Canada., 1995.
- [52] Aarhus Convention, *Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters*, United Nations economic Commission for Europe (UNECE), 2001. Available at: <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf>.
- [53] Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), *Report of the Second Meeting of the Commission*, 19 August – 9 September, Hobart, Australia, 1983.
- [54] Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), *Report of the Third Meeting of the Commission*, 3 - 14 September, Hobart, Australia, 1984.
- [55] Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), *Report of the Fourth Meeting of the Commission*, 2–13 September, Hobart, Australia, 1985.
- [56] Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), *Report of the Fifth Meeting of the Commission*, 8–19 September, Hobart, Australia, 1986.
- [57] Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), *Report of the Sixth Meeting of the Commission*, 26 October – 6 November, Hobart, Australia, 1987.
- [58] Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), *Report of the Seventh Meeting of the Commission*, 24 October – 4 November, Hobart, Australia, 1988.
- [59] Commission for the Conservation of Southern Bluefin Tuna (CCSBT), *Report of the First Special Meeting*, 3 – 6 October, Canberra, Australia, 1995.

- [62] Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Report of the Third Annual Meeting, 24 - 28 September, Canberra, Australia, 1996.
- [63] Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Report of the Fourth Annual Meeting Third Part, 19 - 21 February, Canberra, Australia, 1998.
- [64] Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Report of the Fifth Annual Meeting Second Part, 10 - 13 May, Tokyo, Japan, 1999.
- [65] Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Report of the Seventh Annual Meeting of the Commission, 18 - 21 April, Sydney, Australia, 2001.
- [66] Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Report of the Ninth Annual Meeting of the Commission. 15-18 October, Canberra, Australia., 2002.
- [67] Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Report of the Tenth Annual Meeting of the Commission, 7-10 October, Christchurch, New Zealand., 2003.
- [68] Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Report of the Eleventh Annual Meeting of the Commission, 19-22 October, Busan, Republic of Korea, 2004.
- [69] Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Report of the Thirteenth Annual Meeting of the Commission, 10 - 13 October 2006, Miyazaki, Japan., 2006.
- [70] General Fisheries Commission for the Mediterranean (GFCM), General Fisheries Council for the Mediterranean Report of the Twenty-First Session, Alicante, Spain, 22-26 May 1995, 1995.
- [71] General Fisheries Commission for the Mediterranean (GFCM), General Fisheries Council for the Mediterranean Report of the Twenty-Third Session, 7-10 July, Rome, Italy, 1998.
- [72] General Fisheries Commission for the Mediterranean (GFCM), General Fisheries Council for the Mediterranean Report of the Twenty-Fifth Session, 12-15 September, Sliema, Malta., 2000.
- [73] General Fisheries Commission for the Mediterranean (GFCM), General Fisheries Council for the Mediterranean Report of the Twenty-Sixth Session, 10-13 September, Lacco Ameno, Ischia, Italy., 2001.
- [74] General Fisheries Commission for the Mediterranean (GFCM), General Fisheries Council for the Mediterranean Report of the Twenty-Seventh Session, 19-22 November 2002 Rome, Italy., 2002.
- [75] International Commission for the Conservation of Atlantic Tunas (ICCAT), Report for Biennial Period, 1990-91 Part II, Madrid, Spain., 1991.
- [76] International Commission for the Conservation of Atlantic Tunas (ICCAT), Report for Biennial Period, 1992-93 Part I, Madrid, Spain., 1992.
- [77] A. Leroy, M. Morin, Innovation in the decision-making process of the RFMOs, *Mar. Pol.* 97 (2018) 156–162.
- [78] Northwest Atlantic Fisheries Organization (NAFO), Report of the Fisheries Commission and its Subsidiary Body (STACTIC), 20th Annual Meeting, 14-18 September, Lisbon, Portugal., 1998.
- [79] C.A. Sénit, Leaving No One behind? the Influence of Civil Society Participation on the Sustainable Development Goals. *Environment and Planning C: Politics and Space*: 1–20, 2019, <https://doi.org/10.1177/2399654419884330>.
- [80] South East Atlantic Fisheries Organization (SEAFO), Report of the 4th Annual Meeting of the Commission. 8-11 October, Walvis Bay, Namibia., 2007.
- [81] South East Atlantic Fisheries Organization (SEAFO), Report of the 5th Annual Meeting of the Commission. 6-9 October, Walvis Bay, Namibia., 2008.
- [83] T. Skodvin, S. Andresen, Nonstate influence in the international whaling commission, 1970–1990, *Global Environ. Pol.* 3 (4) (2003) 61–86.
- [84] United Nations, *Charter of the United Nations*, Nations 24 (October 1945). <https://legal.un.org/reperatory/art1.shtml>.