



Fisheries  
Transparency  
Initiative

# The FiTI Standard

20 April 2017

**This version of the FiTI Standard will be presented for adoption at the 2nd FiTI International Conference in Bali/Indonesia on 27 April 2017.**

The FiTI Standard

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# Foreword

Global fisheries are a critical source of jobs, food, and trade for millions of people around the world. But global fisheries face a variety of tremendous challenges, which we must address in a collective effort, by bringing governments, business, civil society, academia and media together on this important quest.

There is agreement that the way forward must address poor governance at all levels. This includes addressing the lack of transparency and participation in fisheries management. Yet, while numerous international efforts have recognised the need to enhance transparency and participation, there has been no global consensus so far on which information should be made transparent.

It is therefore my privilege to introduce the first global Standard of the Fisheries Transparency Initiative (FiTI). Through this document, the FiTI makes a unique contribution to the sustainable development of fisheries by setting clear requirements on what is expected from countries regarding transparency and multi-stakeholder participation in fisheries.

The FiTI Standard is the outcome of extensive multi-stakeholder discussions, spanning nearly two years, by members of the FiTI International Advisory Group, which I would like to thank for their support and dedication.

I would also like to thank our pilot countries for their ongoing leadership and encouragement in establishing this initiative. I also extend my gratitude to the FiTI International Secretariat (hosted by the HUMBOLDT-VIADRINA Governance Platform) and its Technical Advisor, Dr. André Standing, for their efforts in making the FiTI a reality.

The adoption of the first FiTI Standard at the 2nd FiTI International Conference on 27 April 2017 in Bali/Indonesia allows countries from all over the world to start implementing the FiTI. This is coming at a crucial point in time, where we all must work together to conserve and sustainably use our oceans, seas and marine resources.

I hope that many countries join the FiTI and contribute to increasing transparency and participation in fisheries governance for the benefit of a more sustainable management of our marine fisheries around the world. The more countries will implement this initiative, the more powerful it will be!



**Prof. Dr. Peter Eigen**

Chair of the FiTI International Advisory Group



# Introduction

There is a widely shared understanding of the need to achieve sustainable and responsibly managed marine fisheries. But coastal states and fishing nations face a complex challenge: ensuring that fishing and fish trade contribute to income, employment, food and nutrition for millions of people, while also conserving marine biodiversity for future generations.



The importance to conserve and sustainably use the oceans, seas and marine resources for sustainable development has been recognised and strengthened by the United Nations in 2015 as one of its sustainable development goals (SDG #14).

While there are many aspects to achieve sustainable fisheries, the public availability of credible information is essential. Indeed, the need for governments to share information on fisheries is already described in the 1982 United Nations Convention on the Law of the Sea and the subsequent FAO's Code of Conduct for Responsible Fisheries. Since then, the importance of collating and sharing information with all stakeholders has been a message conveyed in other landmark documents on fisheries reforms, such as the 2012 Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests and the 2015 Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication. Intergovernmental bodies, such as the European Union and the African Union, have also put forward transparency as an aspect of fisheries reforms that must be strengthened. This contributes to stronger demands for governments to disclose information on a range of issues. Large-scale commercial fishing companies are also experiencing growing public scrutiny about their economic, environmental and social impacts.

However, even with a greater public interest in the fisheries sector, basic information still often remains out of the public domain. Such information includes the status of fish stocks and marine ecosystems, conditions attached to fishing authorisations, the contracts of fishing access agreements signed between fishing nations and coastal states or the amount of fish taken from the ocean. But without such information, the quality and credibility of decision-making can be undermined, while the prospect of effective oversight and accountability diminishes.

Furthermore, incomplete or inaccurate data can lead to the marginalisation or under-valuation of certain groups or fisheries sub-sectors, whereby the entire sector may be given less visibility in national debates than it deserves. For example, small-scale fishers have for some time complained of being too often hidden or obscured in national fisheries data, with the consequence that they are not granted the support and resources needed to operate effectively.

Transparency is therefore a prerequisite for informed public debates on fisheries policies and for achieving meaningful participation in fisheries decision-making. But it is not only the availability of information that counts; it is also essential that it is accessible and that citizens have the assurance that the information provided by governments and fishing companies is credible. This challenge is unlikely to be met by a single actor or a stakeholder group alone. Instead, it needs a collective effort by all relevant stakeholders to incorporate a variety of perspectives and enhance transparency and trust over time.

## **About the Fisheries Transparency Initiative (FiTI)**

In this context, the Fisheries Transparency Initiative has been developed as a unique effort that complements and supports other national, regional and global efforts for achieving responsible fisheries governance. The purpose of the FiTI is to increase transparency and participation in fisheries governance for the benefit of a more sustainable management of marine fisheries. The FiTI is a global initiative and does not focus on a single country or on a region. Also, the FiTI is not owned or operated by one organisation nor does it represent the work of a single interest group. Instead, the diversity of different stakeholders is a central feature of how the FiTI works, for national implementations as well as international governance.

### **Standard of transparency in the fisheries sector**

At the heart of the initiative is the FiTI Standard, an agreement on what information on fisheries should be published online by public authorities. It comprises 12 transparency requirements and is applicable to all countries. The FiTI Standard provides governments, the fishing industry (both large-scale and small-scale), and civil society with a comprehensive and credible way to achieve and maintain high levels of transparency on the management of the marine fisheries sector and the activities of fishers and fishing companies.

## Progressive improvement of transparency

The FiTI does not expect all countries to have complete data for every transparency requirement from the beginning. Instead, public authorities must disclose the information they have, and where important gaps exist, they must demonstrate improvements over time. As such, engaging with the FiTI is not intended to be a burdensome and costly research activity. It has been designed to ensure that any country can implement it, including those where resources for collating information are limited. In fact, the FiTI may be particularly beneficial in such contexts, as it should support national authorities in their efforts to organise and present information.

## Transparency in the public domain

The FiTI emphasises the need for national authorities to develop and strengthen their own systems for collating and publishing information online in a complete and accessible manner. For this, the country's National Multi-Stakeholder Group will produce annual FiTI Reports that provide an assessment on the accessibility and completeness of information in the public domain for all transparency requirements set forth in the FiTI Standard. Where information in the public domain needs to be improved, the FiTI Report will publish this, but only as an *interim* mechanism. The goal of the FiTI is to ensure national authorities establish credible and comprehensive systems for publishing information on the fisheries sector.

## Multi-stakeholder participation and oversight in each country



The FiTI is a global multi-stakeholder initiative (Sustainable Development Goal #17). This multi-stakeholder principle is paramount for the success of the FiTI. The FiTI is implemented in countries through National Multi-Stakeholder Groups, consisting of representatives from government, business and organised civil society. These groups make decisions on how the FiTI is implemented in their countries. They must also work collectively to assess whether information in the public domain is perceived as accessible and complete and make recommendations on how to improve information published by national authorities.



## Voluntary initiative with mandatory requirements

The implementation of the FiTI is voluntary. In order to ensure that all implementing countries work towards the same levels of transparency, the FiTI Standard lays out minimum requirements for countries that seek to implement the FiTI. Compliance with these requirements will be validated regularly by the FiTI International Board. Validation does not only safeguard the integrity of the FiTI by holding all FiTI implementing countries to the same global standard, it also helps promoting dialogue and learning at the national level and across countries.

## From intention to candidate to compliant

The intention to join the FiTI must come from a country's government. A country must implement six sign-up steps and submit a Candidate application to the FiTI International Board. If the application is approved, the country is considered a FiTI Candidate country. The next phase involves implementing the FiTI, which requires producing the FiTI Report. After its first reports and undergoing successfully its first validation, a country is declared a FiTI Compliant country. This status is maintained if the country continues to adhere to the FiTI Standard throughout subsequent validations. The status as a FiTI Compliant country can be lost if the country fails to follow the FiTI Standard, including a failure to publish existing information for the transparency requirements or where there is evidence that multi-stakeholder participation is not being achieved effectively.<sup>1</sup>

## Public debate

The FiTI seeks to stimulate public debates on how the fisheries sector is managed, enabling relevant stakeholders as well as citizens of FiTI implementing countries to support reforms towards better governance of their marine fisheries. Therefore, the impact of the FiTI does not lie in the act of publishing information. It relies on how this information is used and on the willingness of decision makers to listen to the ideas and concerns of stakeholders on how marine fisheries should be managed. The FiTI does not directly tell countries how fisheries can be improved, nor does it set out to highlight mistakes or weaknesses in decision-making, or bad fishing practices. It does, however, offer an important means to raise levels of openness and public access to information which can support countries in maintaining or achieving robust democratic governance and accountability in their fisheries sector.

<sup>1</sup> Recent years have seen the emergence of several multi-stakeholder transparency initiatives across various industry sectors, for example the Extractive Industries Transparency Initiative (EITI). The FiTI builds on these experiences by replicating certain process and governance elements for a more comprehensive and consistent spread of multi-stakeholder transparency initiatives across industries. The FiTI also recognises that the fisheries sector has unique characteristics that require its own, tailor-made requirements regarding what kind of information and how information should be published.

## **Benefits for all stakeholders**

Stakeholders, such as governments and the fishing industry, are increasingly aware that improvements in transparency are not only expected of them, but will be beneficial to their interests. By making fisheries management more transparent and inclusive, the FiTI yields benefits for all stakeholders. The FiTI also helps tackling other issues which impact all actors in the fisheries sector, including contributing to food security and nutrition, and social stability, underpinning the sustainability of marine ecosystems, supporting the fight against corruption as well as Illegal, Unreported, and Unregulated Fishing. Furthermore, levels of accountability and openness can have a growing impact on the decisions of consumers and investors and it will become an ever-increasing factor for intergovernmental cooperation in trade and regional fisheries management.

## **About the FiTI Standard**

The global FiTI Standard sets out the requirements that countries must follow to be part of the FiTI. The FiTI Standard is the outcome of extensive discussions, spanning nearly two years, by members of the FiTI International Advisory Group, including representatives from governments, large-scale and small-scale fishing sector organisations, multinational and regional fisheries organisations and civil society groups working on fisheries and marine conservation.

The intention has been to produce a comprehensive Standard that covers all facets of the FiTI and provides clear direction to countries that want to be part of this initiative. Yet all those involved in this process appreciate that the FiTI will evolve further over time, and it will be the role of the FiTI International Board to review the FiTI Standard with the option of enhancing it.




The initial focus of the FiTI Standard was set on the following **12 transparency requirements**:

1. Public registry of national fisheries laws, regulations and official policy documents.
2. Summary of laws and decrees on fisheries tenure arrangements.
3. Publication of all foreign fishing access agreements.
4. Publication of existing national reports on the state of fish stocks.
5. Public online registry of authorised large-scale vessels, as well as information on their payments and recorded catches.
6. Information on the small-scale sector, including the numbers of fishers, their catches and financial transfers to the state.
7. Information on the post-harvest sector and fish trade.
8. Information on law enforcement efforts, including a description of efforts to ensure compliance by fishers and a record of offences in the sector.
9. Information on labour standards in the fisheries sector.
10. Information on government transfers and fisheries subsidies.
11. Information on official development assistance regarding public sector projects related to fisheries and marine conservation.
12. Information on the country's status regarding beneficial ownership transparency.

The FiTI Standard recognises that enhancing transparency on the fisheries sector must be achieved for all sectors, including both large-scale and small-scale fisheries, although the level of detail expected on each cannot be the same. Thus, information on large-scale fisheries is expected to be more detailed than it is for small-scale fisheries.

Where countries do not collate information, or the information they have may be incomplete or inaccessible, the FiTI requests that countries agree on recommendations and timeframes for this information to be published, based on national priorities.

Overall, the FiTI Standard is divided in two main parts: Part I is intended for countries, Part II outlines the provisions for the international governance of the initiative. Each part has dedicated sections, as summarised below:

| Part I<br>FiTI Standard for Countries                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><b>Section A</b><br/>Requirements for Countries Intending to Implement the FiTI</p> | <p><b>Objective</b><br/>Describe the requirements for countries intending to implement the FiTI. These “sign-up steps” require that the government issues a public commitment to the FiTI and that it demonstrates an enabling environment for stakeholder participation. This section further describes how countries need to appoint a FiTI National Lead, establish a National Multi-Stakeholder Group, establish a National Secretariat and provide a first Workplan.</p> |
|  <p><b>Section B</b><br/>Requirements for Implementing Countries</p>                  | <p><b>Objective</b><br/>Describe the requirements for countries to successfully implement the FiTI. These requirements include publishing information in the public domain, providing regular FiTI Reports, promoting the FiTI to contribute to the wider public debate, and maintaining a national implementation framework for the FiTI (including multi-stakeholder participation and oversight).</p>                                                                      |
|  <p><b>Section C</b><br/>Other Provisions for Implementing Countries</p>              | <p><b>Objective</b><br/>Describe other provisions applicable to FiTI implementing countries. These provisions include exceptional circumstances, such as national adaptations, extensions or hiatus, as well as the provision to appeal relevant decisions of the FiTI International Board.</p>                                                                                                                                                                               |

## Part II

### FiTI Standard for International Governance



#### Section D

Validation

#### Objective

Describe the provisions for the FiTI International Board and the FiTI International Secretariat on how to conduct validations of the FiTI Standard, ensuring that FiTI countries apply similar procedures and fulfil the FiTI requirements.



#### Section E

Non-Compliance

#### Objective

Describe the provisions for the FiTI International Board in case of non-compliance of countries to the FiTI Standard.

# The FiTI Principles

The FiTI Principles are the foundation of the initiative and its implementation. They lay down the beliefs, objectives and expectations of the FiTI Stakeholders. The Principles were unanimously adopted by acclamation at the 1st FiTI International Conference in February 2016.<sup>2</sup>

|                    |                                                                                                                                                                                                                                                                                                                                           |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Principle 1</b> | Sustainable fisheries contribute significantly to food security, poverty alleviation and sustainable development, and therewith to national and regional political stability and increased resilience to impacts of climate change.                                                                                                       |
| <b>Principle 2</b> | Sovereign governments are responsible for the sustainable management of fisheries, utilising the country's national fisheries wealth for the benefit of its citizens, to promote the national interest, food and nutrition security, and equitable socio-economic development.                                                            |
| <b>Principle 3</b> | All stakeholders have important and relevant contributions to make, including governments and their agencies, large-scale and small-scale fisheries, multilateral organisations, financial organisations, investors, organised civil society, and academia.                                                                               |
| <b>Principle 4</b> | Transparency is essential for responsible fisheries, as it can stimulate an active demand for accountability, contributing to improved decision-making in fisheries management.                                                                                                                                                           |
| <b>Principle 5</b> | Transparency is most effective when information is shared and verified through the active, free, effective, meaningful and informed participation of governments, business, civil society, scientists, and other stakeholders as equal partners, thereby allowing all stakeholders to ensure that information is credible and legitimate. |
| <b>Principle 6</b> | For transparency to be effective relevant information has to be made available in an accessible format and in a timely manner to society.                                                                                                                                                                                                 |
| <b>Principle 7</b> | Increasing transparency and participation must be feasible and introduced progressively in order to ensure the wide acceptance of this initiative.                                                                                                                                                                                        |

<sup>2</sup> **Nouakchott Declaration on the Fisheries Transparency Initiative (FiTI)**, 3 February 2016, Nouakchott, Mauritania; Declaration adopted by the participants of the 1st International Conference of the FiTI.

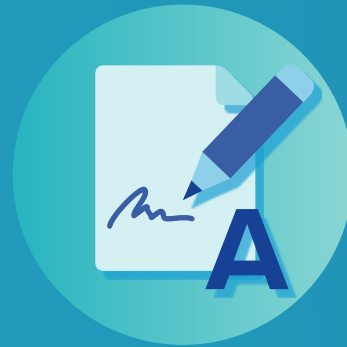
# Part I

## FiTI Standard for Countries



# Section A

## Requirements for Countries Intending to Implement the FiTI



This section lists six requirements (sign-up steps) that countries intending to implement the FiTI must adhere to. When a country has completed these requirements and wishes to be recognised as a FiTI Candidate, the government must submit a FiTI Candidate application to the FiTI International Board.





## A.1 Public Commitment

The government must make a clear public statement that it intends to implement the FiTI. This public statement must be made by the head of state or government, or an appropriately delegated government representative. It must be published in writing.

## A.2 Enabling Environment for Stakeholder Participation

The government must commit to work with civil society and business on the implementation of the FiTI. For this, the government must ensure that there is an enabling environment for business and civil society participation with regard to relevant laws, regulations, and administrative rules as well as actual practice in implementation of the FiTI. Such an enabling environment for stakeholder participation entails that relevant stakeholders, including but not limited to members of the National Multi-Stakeholder Group, must be able to:

- i. engage in the public debate related to the FiTI;
- ii. express their opinions about the FiTI without restraint, coercion or reprisal;
- iii. operate freely in relation to the FiTI;
- iv. communicate and cooperate with each other regarding the FiTI;
- v. engage fully, actively and effectively in the design, implementation, monitoring and evaluation of the FiTI; and
- vi. speak freely on fisheries governance issues.

## A.3 FiTI Lead Ministry and FiTI National Lead

The government must designate a ministry to lead the FiTI implementation.

The government must appoint a senior government official from this ministry to lead the implementation of the FiTI in the country. This official, referred to as the FiTI National Lead, should have the confidence of all stakeholders, the authority and freedom to coordinate action on the FiTI implementation across relevant ministries and agencies, and be able to mobilise resources for the FiTI implementation.

The appointment must be publicly announced.



## A.4 FiTI National Multi-Stakeholder Group

The government must establish a FiTI National Multi-Stakeholder Group (hereafter National MSG) to oversee the implementation of the FiTI (section B).

The FiTI National Lead must coordinate the establishment of the National MSG. In establishing the National MSG, the government must ensure that:

- i. the National MSG comprises of representatives from three stakeholder groups:
  - government (which may also include parliamentarians);
  - business (including large-scale fisheries and small-scale fisheries associations); and
  - organised civil society (including independent civil society groups and other civil society such as academia, media and unions).
- ii. the invitation to participate in the National MSG is open and made public.
- iii. each stakeholder group has the right to identify and nominate its own representatives through a process that is independent and free from any suggestion of coercion. It is encouraged that the nomination process considers the desirability of pluralistic and diverse representation.
- iv. the three stakeholder groups in the National MSG are represented equally.
- v. senior government officials are represented on the National MSG.

Representatives from government, business and organised civil society must be appropriately qualified and fully, actively and effectively engaged in the FiTI.

Representatives from organised civil society must be operationally, and in policy terms, independent from government and/or business.

The National MSG must agree on clear, formally documented, public and accessible Terms of Reference (ToR) for its work. The ToR must contain a set of minimum provisions as set out in the *Guidance Note for countries intending to implement the FiTI*.

The government may consider establishing a legal basis for the National MSG.

## A.5 FiTI National Secretariat

The National MSG must establish a properly authorised and resourced FiTI National Secretariat to provide administrative and operational support to the National MSG. The FiTI National Lead must coordinate the establishment of the FiTI National Secretariat.

In case similar secretariats or organisations that support other multi-stakeholder initiatives are already established in the country, the National MSG is encouraged to explore operational synergies.

The National MSG must agree on clear, formally documented, public and accessible Terms of Reference (ToR) for the FiTI National Secretariat.

The FiTI National Secretariat is accountable to the National MSG.



## A.6 Workplan

The National MSG must provide a public Workplan for the country's first reporting period (B.2.2). The first Workplan must:

- i. define **objectives** for the first reporting period. The primary objective must be to meet the requirements set forth in section B of the FiTI Standard. The National MSG may consider other objectives linked to the FiTI Principles.
- ii. identify **constraints** in achieving the agreed objectives, stemming from
  - potential capacity constraints in government agencies, business and civil society;
  - potential legal or regulatory obstacles to FiTI implementation;
  - any other obstacles.
- iii. specify **activities** to achieve the agreed objectives as well as to address the identified constraints. For each activity the following information must be provided:
  - Responsibility;
  - Timeline, taking into account administrative requirements such as procurement processes and funding;
  - Costs;
  - Funding sources, including domestic and external funding sources and technical assistance, where appropriate.
- iv. state the **output(s)** for each activity.

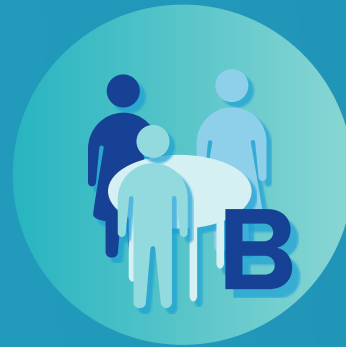
It is encouraged that the Workplan reflects input from stakeholders outside of the National MSG. The National MSG is encouraged to conduct an initial baseline survey to inform the design of the national FiTI process and the first Workplan.

The Workplan must be approved by the National MSG.

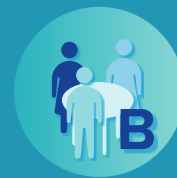
The Workplan must be made widely available to the public, for example published on a national FiTI website or in places that are easily accessible to the public.

# Section B

## Requirements for Implementing Countries



This section lists the requirements that countries need to adhere to in order to become and remain a FiTI Compliant country.



## B.1 Transparency Requirements

Implementing countries must provide accessible and complete information on the fisheries sector in the public domain (i.e. online) according to 12 transparency requirements.

In case information on the transparency requirements is not published online, the implementing country is still able to achieve an overall FiTI Compliant status, as long as it:

- i. provides existing information in its FiTI Report (B.2), or
- ii. demonstrates that the information is not collated.

Implementing countries must demonstrate progressive improvement over time in collating and publishing accessible and complete information online, if applicable.

These transparency requirements are minimum requirements, and FiTI implementing countries are encouraged to expand them if justified and agreed upon by the National MSG and if this enables the FiTI to better address national priorities for the fisheries sector.

### B.1.1 Public Registry of National Fisheries Laws, Regulations and Official Policy Documents

Implementing countries must provide an online, up-to-date registry of all national legislation and official policy documents related to the marine fisheries sector. The National MSG must decide on which areas of fisheries this applies to; however, at a minimum copies of national laws, decrees and policy documents on fisheries management, trade and investment, as well as fisheries management plans must be included.

### B.1.2 Fisheries Tenure Arrangements

Implementing countries must publish a summary description of laws and decrees on fisheries tenure arrangements, including the following information:

- i. A description of the rights and authorisations applicable by law or decree, including those based on an individual or collective quota systems, for commercial, recreational, scientific or exploratory fisheries or for cultural use, and for access to and use of traditional sites, for landing fish, for temporary fish camps, for fish processing, or for other traditional use.
- ii. The fees, duration, transferability and divisibility of such rights and authorisations.
- iii. The persons that are legally entitled to issue access rights and fishing authorisations, the mandatory administrative procedures required to determine their issue, and the nature of any oversight or public consultation processes involved.
- iv. The conditions applied to fishing authorisations including those relating to fishing effort and ecosystem impact, landings, transshipping and catch reporting.



- v. The procedures and rules for authorising a nationally-flagged vessel to fish in a third country or on the High Seas, including information on the fees paid to the national government for providing this authorisation, reporting requirements and the provisions for terminating such authorisations.

In case tenure, access or user rights are not codified, information on the current and planned approaches to securing such rights must be published.

### B.1.3 Foreign Fishing Access Agreements

Implementing countries must publish the contracts of all foreign fishing access agreements, including their associated protocol(s). This includes agreements that allow access for foreign vessels to fish in the country's marine jurisdictional waters (i.e. Territorial Sea and Exclusive Economic Zone) as well as agreements that allow nationally-flagged vessels to fish in a third country. Foreign fishing access agreements that are already in force by the time a country reaches the status of a FiTI Candidate country, and for which there is an agreement or expectation of confidentiality between the parties to this agreement, must be made public within 3 years from becoming a FiTI Candidate country.

Implementing countries must publish studies or reports undertaken by national authorities or foreign parties to an agreement providing evaluation or oversight of the agreement, if available, including those that describe the number of fishing authorisations issued, the reported catch of these vessels and any assessment of compliance with the terms and conditions of the agreement.

Documentation derived from any national stakeholder consultation undertaken with respect to the preparation, negotiation or monitoring of the agreements must be published, if available.

### B.1.4 The State of the Fisheries Resources

Implementing countries must publish the most recent national reports on the state of fish stocks, including any information on trends in the state of stocks and conclusions on the reasons for change, as well as studies or reports undertaken by national authorities that assess the sustainability of fishing. Information on the methods and data used to assess fish stocks must be described. Information on ongoing or planned efforts to update and expand fish stock assessments must be described.

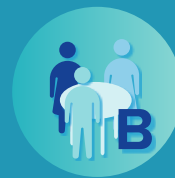


## B.1.5 Large-Scale Fisheries

### Vessel registry

Implementing countries must provide an online, up-to-date registry of all nationally-flagged and foreign-flagged large-scale vessels authorised to fish in the country's marine jurisdictional waters, and of all nationally-flagged large-scale vessels authorised to fish in third countries' marine jurisdictional waters and on the High Seas, including the following information:

- i. The name of the vessel.
- ii. The legal owner of the vessel, including their address and nationality.
- iii. The registered port of the vessel.
- iv. The flag state of the vessel.
- v. The unique identification number(s) of the vessel.
- vi. The type of vessel, according to fishing gear or fishing method, following the definition set in the country's legislation.
- vii. The physical characteristics of the vessel, including length, beam, tonnage and engine power.
- viii. The name of the vessel's agent, if applicable.
- ix. The access agreement under which the vessel is granted authorisation to fish, if applicable.
- x. The type of fishing authorisation held by the vessel.
- xi. The quantity and names of target species, permissible by-catch and discards that the vessel is authorised to fish, if specified in the vessel's fishing authorisation.
- xii. The duration of the fishing authorisation, indicating start and end date.
- xiii. The rights holder for whom the vessel is fishing, if applicable, including the name and nationality of the rights holder.
- xiv. The country and/or regions of the High Seas where the vessel is authorised to fish (applicable for nationally-flagged vessels operating in third countries or on the High Seas).



### Payments for fishing

Implementing countries must publish accessible and complete information on payments made by each vessel listed under B.1.5 for their fishing activities:

- i. The name of the natural person or legal entity that made the payment.
- ii. The name of the national authority who received the payment.
- iii. The date on which payment was received by the national authority.
- iv. The purpose of the payment.

Information on payments to port authorities must be separated from payments for fishing activities.

### Recorded catch data

Implementing countries must publish information from vessels listed under B.1.5 (Vessel registry):

- i. **Catches by nationally-flagged vessels:** The quantity of annual recorded retained catch according to species or species groups, disaggregated by fishing authorisations or gear type as well as marine jurisdictional waters, High Seas and third country waters, presented for the flag state.
- ii. **Catches by foreign-flagged vessels:** The quantity of annual recorded retained catch according to species or species groups, disaggregated by fishing authorisations or gear type, presented for each flag state separately.
- iii. **Landings in national ports:** The quantity of annual recorded landings in national ports according to species or species groups caught in the country's marine jurisdictional waters, disaggregated by fishing authorisations or gear types, presented for each flag state separately.
- iv. **Transshipments and landings in foreign ports:** The quantity of annual recorded transshipments at sea or landings in foreign ports according to species or species groups caught in the country's marine jurisdictional waters, disaggregated by fishing authorisations or gear types, presented for each flag state separately.

Implementing countries must publish information on recorded quantities of discards according to species or species groups, disaggregated by fishing authorisations or gear types, presented for each flag state separately, if available. Information must be published on how information on discards is gathered by national authorities.

Implementing countries must publish the most recent studies and reports on recorded fishing effort by vessels, disaggregated by fishery or gear type and by flag state, if available.

Implementing countries must publish evaluations or audits of the economic, social and food security contribution of the large-scale fishing sector, if available.





### B.1.6 **Small-Scale Fisheries**

Implementing countries must publish information on the small-scale fisheries sector:

- i. The total numbers of small-scale fishing vessels, disaggregated according to categories of fishing or gear types as set out in the national legislation.
- ii. The total number of fishing licenses issued to small-scale fishing vessels, disaggregated according to categories of fishing authorisations as set out in the national legislation.
- iii. The total numbers of fishers engaged in the fishing sector, indicating the gender of fishers and the proportion that are engaged in full-time work, seasonal or part time fishing, occasional fishing or recreational fishing.
- iv. The total payments made from small-scale fisheries related to fishing authorisations, catches and landings, disaggregated according to categories of fishing authorisations or gear types as set out in national legislation and indicating the recipient of these payments.
- v. The quantity of catches, disaggregated according to species, categories of fishing authorisations and gear types as set out in the national legislation.
- vi. The total volumes of discards, disaggregated according to species, categories of fishing authorisations and gear types as set out in the national legislation.

Implementing countries must publish the most recent studies and reports on quantities and species of fish discarded by the small-scale fisheries sector, if available.

Implementing countries must publish evaluations or audits of the economic, social and food security contribution of the small-scale fisheries sector, if available.

### B.1.7 **Post-Harvest Sector and Fish Trade**

Implementing countries must publish information on the post-harvest sector and fish trade:

- i. Total quantity of fish and fish products produced, disaggregated by species and fish products.
- ii. The total quantity of imports of fish and fish products, disaggregated by species and fish products, indicating the country of their origin.
- iii. The total quantities of exports of fish and fish products, disaggregated by species and fish products, indicating the country of their destination.
- iv. The total number of people employed in commercial fisheries sectors, including the number of men and women working in specific sub-sectors.
- v. The total number of people employed in informal fisheries sectors, including the number of men and women working in specific sub-sectors.

Implementing countries must publish reports or studies on wages in the post-harvest sector, if available.



### B.1.8 Fisheries Law Enforcement

Implementing countries must publish information relating to fisheries law enforcement:

- i. The national activities and strategies used for ensuring compliance of fishing vessels and the post-harvest sector with national legislation.
- ii. The financial and human resources deployed by the government to ensure compliance with national legislation.
- iii. The total numbers of inspections of fishing vessels at sea and in ports.

Implementing countries must publish a record of convictions for major offences in the fisheries sector, indicating the name of the company or vessel owner, the nature of the offence and the penalty imposed. The record must be up-to-date and include information on convicted offences at least for the last five years.

### B.1.9 Labour Standards

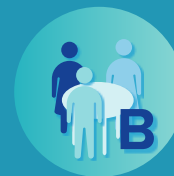
Implementing countries must publish a summary description of national laws on labour standards applicable for national and foreign workers employed in the fishing sector at sea and in the post-harvest fisheries sector.

Implementing countries must publish information relating to the enforcement of labour standards:

- i. The public authorities responsible for monitoring and enforcing laws on labour standards.
- ii. Documents, including policy statements and evaluations, regarding a national strategy, if applicable, or related activities for enforcing the laws on labour standards in the fisheries sector, including total figures on the financial and human resources deployed by the government.
- iii. The role and legal standing of any body that has a governmental mandate to receive labour-related complaints from workers in the fishing sector and in the post-harvest sector.
- iv. The total number of offences committed by employers in the fisheries sector that have been resolved by the authorities.

### B.1.10 Fisheries Subsidies

Implementing countries must publish information on the type, values and recipients of government financial transfers or subsidies to the fisheries sector, including the average annual value of any fuel subsidies per unit of fuel in nominal and percentage terms.



### B.1.11 Official Development Assistance

Implementing countries must publish information on public sector projects related to fisheries and marine conservation, funded by bilateral and private donors, including information on the projects' value, purpose and outputs, as well as corresponding project evaluations, if applicable.

### B.1.12 Beneficial Ownership

Implementing countries must publish information on the country's status regarding beneficial ownership transparency:

- i. The legal basis for beneficial ownership transparency in the country.
- ii. The country's legal definition of beneficial ownership.
- iii. The availability of a public register of beneficial owners.
- iv. The rules and procedures for incorporating beneficial ownership in filings by companies to corporate regulators, stock exchanges or agencies regulating the access to fisheries.
- v. The current status and discussions around beneficial ownership transparency in fisheries.

## B.2 FiTI Report

The National MSG must produce regular FiTI Reports according to the provisions set forth in this section. The purpose of a FiTI Report is:

- to demonstrate whether the FiTI transparency requirements have been fulfilled, i.e. if the information published by national authorities is accessible and complete, and represents the best available information.
- to provide a succinct summary of information on the transparency requirements to contribute to public debates.
- to communicate the recommendations of the National MSG, including improving the publication of data on the transparency requirements in the public domain, e.g. government databases, websites, online reports.



### B.2.1 Reporting Requirements

The National MSG must produce a FiTI Report annually. For each transparency requirement set forth in B.1, the National MSG must assess whether information is provided by public authorities in the public domain and whether this information

- is considered accessible (i.e. information is freely available online and is presented in such a way to make it comprehensible) and complete (i.e. information in government systems, such as public records, registries or databases contains no omissions), and
- represents the best available information. If there are other sources of information, such as studies, evaluation reports, or surveys, that contradict, challenge, support or complement the information published by national authorities, the National MSG must seek to reconcile the information and must consider describing these other sources in the FiTI Report.

The FiTI Report must include information for each transparency requirement:

- i. A succinct summary of the main findings according to the FiTI Report's reporting period (B.2.2).
- ii. An explanation of significant deviations from information published by national authorities, if applicable, including the names of individual vessels which do not comply with catch, landings and transshipment reporting provisions according to the country's rules and procedures on access rights and fishing authorisations.
- iii. A reference on where detailed information can be found in the public domain, if applicable.
- iv. An explanation of significant deviations from previous reporting periods, if applicable.
- v. Information on whether complementary information from other stakeholders is used by the national authorities, if applicable.
- vi. Recommendations for improvements on how to strengthen the availability of accessible, complete and up-to-date information in the public domain, if applicable.

Where existing information is not published by public authorities in the public domain or is assessed as inaccessible or incomplete, the Report Compiler must seek to collate this information and must present it in the FiTI Report. However, FiTI Reports must be used as an interim measure for providing accessible and complete information on fisheries in the public domain. In case the Report Compiler is unable to collate complete information, the reasons must be stated in the FiTI Report.



## B.2.2 Reporting Deadlines and Periods

The National MSG must publish their first FiTI Report within the subsequent year of becoming a FiTI Candidate country. The first FiTI Report must contain information on transparency requirements 1 – 6, set forth in section B.1, from the complete calendar year when the country becomes a FiTI Candidate country.

Afterwards, implementing countries must publish FiTI Reports on an annual basis, comprising of information from the complete calendar year preceding the current year.

Every second FiTI Report must also include information on transparency requirements 7 – 12 set forth in section B.1. This information must be disaggregated by calendar years.

The National MSG must ensure that there are no gaps between two consecutive FiTI Reports.

## B.2.3 Reporting Process

### Appointing a Report Compiler

The information on the transparency requirements set forth in section B.1 must be compiled by a Report Compiler demonstrating professional conduct.

The Report Compiler cannot be a member of the National MSG. The Report Compiler must be perceived by the National MSG to be independent, credible, trustworthy and technically competent. The National MSG must endorse the appointment of the Report Compiler.

The National MSG and the Report Compiler must agree on Terms of Reference (ToR) for the FiTI Report. These ToR must be based on standard Terms of Reference and minimum procedures for FiTI Reports, endorsed by the FiTI International Board. The ToR must include, inter alia, strict provisions regarding data confidentiality, as the Report Compiler must have access to details of information which, in such detailed way, might not be made public in the final FiTI Report. The ToR may be adapted to include additional transparency requirements beyond those established in the FiTI Standard, if this is agreed upon by the National MSG. Other deviations from the ToR or minimum procedures for FiTI Reports must be approved by the FiTI International Board in advance.

### Collecting information for the FiTI Report

The National MSG and the Report Compiler must work jointly to ensure that the entire FiTI reporting process is perceived as open and inclusive.

The Report Compiler must consult with relevant national and international organisations and experts to ensure that the assessment on the transparency requirements is perceived as credible and trustworthy, and that all appropriate sources of information are considered. This includes, but is not limited to, vessel owners, right-holders, small-scale fishing associations, civil society organisations, academia, media, and the FiTI International Secretariat.



The Report Compiler must undertake a thorough review of information provided by public authorities in the public domain for each transparency requirement, in order to assess if the information is accessible, complete and represents the best available information. To assess the completeness of information, the Report Compiler must be able to request additional information from the national authorities.

Where information on the transparency requirements is not published online in the required level of detail, the Report Compiler must request information from the relevant national authorities, on behalf of the National MSG and in close collaboration with the country's FiTI National Lead. All relevant information held by government authorities must be made available to the Report Compiler. Failure of the government to provide existing information may result in the failure of the country to be compliant with the FiTI (section E.2.2).

Where information on the transparency requirements is published online, but information from other stakeholders shows discrepancies, the Report Compiler must seek to resolve the discrepancies. For this, the Report Compiler must request additional assurance that support the accessibility and completeness of the provided information. In case the discrepancies can be resolved and indicate omissions in the information provided by the public authorities in the public domain, the Report Compiler must, with the support of the National Lead and the National MSG, make authorities aware of these. It is encouraged that amendments to published information by national authorities are made before the FiTI Report is completed. These amendments must be described in the FiTI Report. In case discrepancies cannot be resolved, the FiTI Report must clearly state them and the National MSG must provide recommendations for improvements in upcoming reporting periods.

The Report Compiler must consolidate the findings in a preliminary FiTI Report and submit it to the National MSG for review. Preliminary versions of the FiTI Report must clearly state that the report is a draft awaiting final approval by the National MSG, and may therefore be modified.

### **Reviewing and approving the FiTI Report**

Upon receiving the report of the preliminary findings by the Report Compiler, the National MSG must review these findings and provide comments. The National MSG is encouraged to consult with others outside of the National MSG in undertaking this review. The Report Compiler must then adapt the preliminary FiTI Report based on the review comments.

The final FiTI Report must only be made publicly available when the National MSG reaches a consensus on the substance of the information, and the FiTI Report is approved by the National MSG.

Prior to publishing its first FiTI Report, the National MSG must consult with the FiTI International Secretariat to review completeness against the FiTI reporting requirements.



#### B.2.4 **Report Dissemination and Public Debate**

The National MSG must ensure that the FiTI Report is comprehensible and written in a clear and accessible style. It is encouraged that the FiTI Report is translated into appropriate languages.

The National MSG must ensure that the FiTI Report is widely distributed among key audiences, including government, parliamentarians, companies, civil society groups, academia, the media, and international stakeholders.

The National MSG must ensure that the main findings of the FiTI Report contribute to public debates on how the fisheries sector is managed, enabling relevant stakeholders as well as citizens of FiTI implementing countries to demand reforms towards better governance of their marine fisheries.

The National MSG is encouraged to contribute the lessons learnt and recommendations from FiTI Reports to policy dialogues and broader conversations about national reform efforts.

The National MSG may also encourage outreach events, whether organised by government, civil society or business, to spread awareness on and facilitate dialogue around the FiTI across the entire country.

The FiTI Report must be published online under an open license. The National MSG must make users aware that information can be reused without prior consent.

In case the FiTI Report contains extensive primary information on transparency requirements, because the information is not published by public authorities in the public domain or is assessed as inaccessible or incomplete, the information must be provided as an annex to the main report. The National MSG is encouraged to make the relevant sections of the annex available online in an open data format (e.g. csv, xml).



## B.3 National Implementation Framework

### B.3.1 Enabling Environment for Stakeholder Participation

The government must maintain an enabling environment for business and civil society participation as specified in requirement A.2.

### B.3.2 Governance and Support

The government must maintain a FiTI Lead Ministry and a FiTI National Lead as specified in requirement A.3. Any changes to the FiTI Lead Ministry or the FiTI National Lead must be made public.

The National MSG must maintain a properly authorised and resourced FiTI National Secretariat as specified in requirement A.5.

### B.3.3 Multi-Stakeholder Oversight

The government must maintain a National MSG as specified in requirement A.4. Any changes to the National MSG or to its Terms of Reference must be made public.

### B.3.4 Annual Workplan

The National MSG must provide an updated Workplan for each upcoming reporting period. The Workplan must:

- i. provide a summary of FiTI activities undertaken in the previous reporting period, including an assessment of the level of progress in achieving the objectives set out in the previous Workplan(s);
- ii. outline objectives, constraints, activities and outputs in accordance with requirement A.6 based on:
  - uncompleted objectives of previous Workplan(s), if applicable;
  - activity planned for the upcoming reporting period;
  - recommendations identified by the National MSG in previous FiTI Report(s), if applicable;
  - recommendations from validations, if applicable.

The Workplan must be approved by the National MSG two months prior to the upcoming reporting period. In case a period of extension is granted to the country (C.1.2), the Workplan must be published no later than one month before the start of the upcoming reporting period.

For the Workplan to be useful as a management tool, the National MSG is encouraged to consider more regular updates and revisions.





### B.3.5 Impact Report

The National MSG must publish an Impact Report every three years, preferably aligned with upcoming validations.

The Impact Report must provide a narrative account of efforts to strengthen the outcomes and impact of FiTI implementation on fisheries governance. This narrative account must provide information on the dissemination efforts of FiTI Reports, primary information that has been published in the FiTI Report, as well as other activities conducted by the National MSG, if applicable, such as:

- i. communicating with relevant stakeholders about the FiTI implementation;
- ii. reaching out to national and international stakeholders that can provide capacity-building, especially for civil society organisations and small-scale fishing associations, to increase awareness of the FiTI, improve understanding of the information in the public domain as well as from FiTI Reports, and encourage the use of the information by citizens, the media, and others;
- iii. including the lessons learnt and recommendations from FiTI Reports into policy dialogues and broader conversations about national reform efforts;
- iv. promoting the availability of information required by the FiTI Standard through government reporting systems, such as databases, websites;
- v. linking information from FiTI Reports to wider international reform efforts, such as the UN Sustainable Development Goals;
- vi. connecting with relevant actors across FiTI implementing countries to learn from each other on how to engage more effectively.

It is encouraged that the Impact Report reflects input from stakeholders outside of the National MSG.

# Section C

## Other Provisions for Implementing Countries



This section covers other provisions applying to FiTI implementing countries, including procedures available to them in the FiTI implementation process.



## C.1 Exceptional Circumstances

### C.1.1 Adapted Implementation

In case an implementing country concludes that it faces exceptional circumstances that require a deviation from the FiTI requirements set forth in section B, it must seek approval from the FiTI International Board prior to an adapted implementation. Any such request must explain the rationale for the adapted implementation, indicate implications for the current Workplan and be approved by the National MSG.

In considering such requests, the FiTI International Board will place a priority on the need for consistent treatment between countries and on ensuring that the FiTI Principles are upheld, including ensuring that the FiTI implementation is sufficiently inclusive, and that the FiTI Report is comprehensive, reliable and will contribute to public debate.

Upon approval by the FiTI International Board, the adapted implementation must be reflected in the upcoming Workplan of the National MSG.

### C.1.2 Extension

An implementing country may apply for an extension if it is unable to meet the required deadlines of FiTI implementation (i.e. publication of FiTI Report, Workplan, Impact Report, as well as undergoing validation) due to exceptional or unforeseen circumstances. The FiTI International Board will assess extension requests by the following criteria:

- i. The request must be made in advance of the deadline and be approved by the National MSG.
- ii. The exceptional and unforeseen circumstance(s) that caused the delay must be explained in the request from the National MSG.
- iii. The National MSG must demonstrate that it has been making continuous progress towards meeting the deadline. In assessing continuous progress the FiTI International Board will consider:
  - The National Implementation Framework (B.3), in particular a clear, strong commitment from the government and the functioning of the National MSG.
  - The status and quality of information in the public domain, including demonstrating progressive improvement in collating and publishing information online.
  - The status and quality of FiTI Reports, including meaningful progress in meeting the requirements for timely reporting and efforts to address recommendations for improving FiTI reporting.

Extensions are not granted by the FiTI International Board to extend timeframes for suspension and probation in accordance with E.1.



### C.1.3 **Hiatus**

In cases where political instability, conflict, or natural disaster manifestly prevent a FiTI implementing country from adhering to a significant aspect of the FiTI Principles or requirements, it may be necessary for that country to temporarily pause FiTI implementation.

An implementing country may apply for hiatus. For this, the government must send an application for hiatus to the FiTI International Board. The government's application must explain the relevant circumstances and note the views of the National MSG.

The implementing country may apply to the FiTI International Board to have the hiatus status lifted at any time. Such a request must document the steps agreed by stakeholders to restart the FiTI implementation and validation process as well as the Workplan to achieve compliance. The FiTI International Board will lift the hiatus status if it is satisfied that the reasons for the hiatus have been addressed. Upon lifting the status, the FiTI International Board will consider setting new reporting and validation deadlines as appropriate, and may choose to postpone the country's next scheduled validation in accordance with the amount of time the country spent on hiatus.

An implementing country on hiatus that is unable to restart FiTI implementation within 12 – 18 months will be subject to FiTI International Board review for possible delisting.

An implementing country on hiatus that is unable to restart FiTI implementation by the 24th month will be delisted. A country delisted due to prolonged hiatus can reapply when circumstances improve and it once again has the capacity to implement the FiTI.

## C.2 **Appeal**

With regard to decisions by the FiTI International Board to impose consequences for non-compliance (E.2), the country concerned may petition the FiTI International Board to review its decision at the following FiTI International Board meeting.

# Part II

## FiTI Standard for International Governance



# Section D

## Validation



Validation is an essential part of the FiTI process. It serves to assess an implementing country's compliance with the FiTI Standard. Validation also helps promote dialogue and learning at the country level, and safeguards the integrity of the FiTI by holding all FiTI implementing countries to the same global standard. This section lists provisions that the FiTI International Board applies when conducting validations.



## D.1 Validation Assessments

### D.1.1 Assessment of Individual FiTI Requirements

First, the validation process assesses the implementing country's level of compliance for each individual FiTI requirement set forth in section B.

Detailed guidance on the types of evidence that are required in order to make an assessment on individual requirements is set out in the FiTI Validation Guide.

An implementing country's level of compliance with each FiTI requirement will be indicated by applying one of the following designations:

- i. **Compliant:** Validation demonstrates that all aspects of the requirement have been implemented and that the broader objective of the requirement has been fulfilled.
- ii. **Meaningful progress:** Validation demonstrates that significant aspects of the requirement have been implemented and that the broader objective of the requirement has been fulfilled.
- iii. **Inadequate progress:** Validation demonstrates that significant aspects of the requirement have not been implemented and that the broader objective of the requirement is not fulfilled.
- iv. **No progress:** Validation demonstrates that all or nearly all aspects of the requirement have not been implemented, and that the broader objective of the requirement is far from being fulfilled.



## D.1.2 Assessment of Overall Compliance

Second, based on the assessment of individual FiTI requirements, the FiTI International Board assesses the overall compliance with the FiTI Standard.

For assessing the overall compliance, the FiTI International Board will take into account provision E.2.2, as well as the following factors:

- i. The advice and recommendations of Validators;
- ii. The nature of the outstanding requirements and how close the requirements are to being met;
- iii. The magnitude and complexity of the fisheries sector of the country;
- iv. Other barriers to meeting requirements, such as but not limited to state fragility and recent or ongoing political change, and the extent to which the National MSG has undertaken actions to resolve barriers encountered;
- v. The good faith efforts undertaken by the National MSG to comply with the requirements;
- vi. The reasons and justifications for not complying with the requirements; and
- vii. Any plans agreed by the National MSG to address the requirements in the future.

In assessing an implementing country's overall compliance, the FiTI International Board will apply the same designations as used for the assessment of individual requirements outlined in provision D.1.1.

## D.2 Validation Procedures

### D.2.1 Initial Data Collection and Stakeholder Consultation

First, the FiTI International Secretariat initiates the validation process, as requested by the FiTI International Board, by reviewing a country's relevant information, visiting the country and consulting with stakeholders. This will include meetings with the country's National MSG, the Report Compiler and other key stakeholders, including stakeholders that are not directly participating in the National MSG.

The FiTI International Secretariat will prepare a report making an initial evaluation of progress against requirements in accordance with the Validation Guide. The report will not include an overall assessment of compliance. The National MSG will be invited to comment on the report. The report will then be submitted to the Validator.





### D.2.2 Independent Validation

Second, the FiTI International Board will appoint an independent Validator, who reports to the FiTI International Board.

Based on the report of the FiTI International Secretariat, the Validator will conduct an assessment of each individual requirement and provide a recommendation for the overall compliance designation.

Additionally, the Validator will document:

- i. Efforts that go beyond FiTI requirements, including efforts by the National MSG to address optional aspects of the FiTI Standard. It will also include efforts by the National MSG to successfully achieve any Workplan objectives that fall outside the scope of the FiTI Standard, but that have been identified by the National MSG to be necessary objectives for the FiTI to address national priorities for the fisheries sector.
- ii. The direction of progress towards meeting each FiTI requirement as compared to the country's previous validation(s), indicating whether implementation is improving or deteriorating.

The Validator will provide a final report to the FiTI International Board, documenting the assessments, presenting the evidence, stakeholder views, references and conclusions.

### D.2.3 Determination of Validation Outcome

Third, the FiTI International Board, or a committee of Board members designated by the Board, will review the Validator's assessments and recommendations, and any feedback from the National MSG.

The FiTI International Board makes the final determination whether the individual requirements are met or not, and determines the implementing country's overall level of compliance in accordance with provision D.1.2.



### D.3 Validation Outcomes

Where the FiTI International Board determines that a country has achieved a compliant designation on the assessment of:

- i. A “compliant” designation on the assessment of the individual requirements regarding enabling environment for stakeholder participation and multi-stakeholder oversight (B.3.1 and B.3.3), and
- ii. At least “meaningful progress” designations on the assessment of the individual transparency requirements (B.1),

the FiTI International Board will assign the status of “FiTI Compliant” to an implementing country.

Where the FiTI International Board determines that a country’s level of overall compliance is not sufficient to assign the implementing country a Compliant status, the provisions of E.2.3 apply.

### D.4 Validation Deadlines and Periods

FiTI Candidate countries may choose to undergo the first validation prior to publishing their first FiTI Report, but must undergo a validation prior to publishing their second FiTI Report. If a Candidate country does not achieve compliant status at its first validation, subsequent validation schedules will be established by the FiTI International Board in accordance with the procedures set out in E.2.3.

FiTI Compliant countries must be re-validated every three years. A country may request an extension of this timeframe from the FiTI International Board in accordance with provision C.1.2.

The FiTI International Board reserves the right to require a country to undergo a validation outside of the regular validation timeframe.

National stakeholders may also petition the FiTI International Board if they consider that the country’s Compliant status should be reviewed. This request must be mediated through a stakeholder’s constituency representative(s) from the FiTI International Board. The FiTI International Board will review the situation and exercise its discretion as to whether an extraordinary validation is required.

# Section E

## Non-Compliance



This section outlines the consequences for FiTI implementing countries in case of non-compliance with the requirements set forth in section B of the FiTI Standard.



## E.1 Consequences of Non-Compliance

### E.1.1 Suspension

Where it is manifestly clear that one or more aspects of the FiTI requirements, particularly reporting deadlines and other technical requirements (E.2.1), are not adhered to by a FiTI implementing country, the country will be suspended.

Suspension of a FiTI implementing country is a temporary mechanism. The implementing country will have up to 9 months to address the reasons for suspension. During the period of suspension, a country will have the status “Suspended”.

If the matter is resolved within the given timeframe, the country’s previous Candidate or Compliant status is re-instated. If the matter has not been resolved within the given timeframe, the country will be delisted, or in certain validation scenarios, given another suspension (see provision E.2.3).

### E.1.2 Probation

Where it is manifestly clear that a FiTI implementing country has breached one or more aspects of the FiTI Principles or the spirit of the initiative (E.2.2), the FiTI International Board will put the country on probation.

Probation of a FiTI implementing country is a temporary mechanism. The FiTI International Board will set a time limit up to 12 months for the FiTI implementing country to address the reasons for probation. During the period of probation, the country will have the status “On probation”.

If the matter is resolved to the satisfaction of the FiTI International Board within the given timeframe, the country’s previous status will be re-instated. If the matter has not been resolved to the satisfaction of the FiTI International Board within the given timeframe, the FiTI International Board will delist the country.

Where the FiTI International Board is concerned that adherence to the FiTI Principles or the spirit of the initiative is compromised, it may task the FiTI International Secretariat with gathering information about the situation and submitting a report to the FiTI International Board.



### E.1.3 Delisting

The FiTI International Board will revoke a country's status as a FiTI implementing country by delisting the country from the initiative, if:

- i. A FiTI implementing country has been subject to suspension (E.1.1), and the matter has not been resolved to the satisfaction of the FiTI International Board within the given timeframe.
- ii. A FiTI implementing country has been subject to probation (E.1.2), and the matter has not been resolved to the satisfaction of the FiTI International Board within the given timeframe.
- iii. The outcome of a validation regarding the assessment of overall compliance (E.2.3) demonstrates that a country has not made the required progress in implementing the FiTI within the established timeframes.
- iv. A FiTI implementing country has been on prolonged hiatus (C.1.3), and is still unable to re-commence the FiTI implementation process.

Additionally, where it is manifestly clear that a significant aspect of the FiTI Principles or requirements is not adhered to by an implementing country, particularly if the offence is egregious or reoccurring, the FiTI International Board reserves the right to delist the country directly.

A delisted country may reapply for admission as a FiTI Candidate at any time, after implementing the requirements set forth in section A. With respect to assessing FiTI Candidate applications of previously delisted countries, the FiTI International Board will also assess previous experience in FiTI implementation, including previous barriers to effective implementation, and the implementation of corrective measures.



## E.2 Types of Non-Compliance

### E.2.1 Non-adherence to Deadlines or Other Technical Requirements

Implementing countries must adhere to the deadlines for annual FiTI Reports (B.2.2), annual Workplans (B.3.4) and Impact Reports (B.3.5). Non-adherence to deadlines will result in an automatic suspension for a period of 3 months for a late Workplan, 6 months for a late Impact Report and 9 months for a late FiTI Report. If a country has submitted an extension request prior to the missed deadline (C.1.2), the suspension will not take effect until the FiTI International Board has addressed the extension request.

“Other technical requirements” refers to observable and evident non-compliance with the FiTI Report requirements, particularly, but not limited to, omissions of reporting on transparency requirements or non-adherence to reporting periods. In between validations, such non-compliance with the FiTI requirements may be reported to the FiTI International Board or the FiTI International Secretariat, and cases of non-compliance will be assessed and addressed, as appropriate, by the FiTI International Board.

### E.2.2 Breach of Principles and Spirit of the Initiative

#### **Ad-hoc restrictions on the participation of a FiTI stakeholder group or its representatives**

*For purposes of this section, references to “stakeholders” include representatives from the three FiTI stakeholder groups (government, business and civil society) and in particular civil society and small-scale fisheries representatives who are substantively involved in the FiTI implementation, including but not limited to members of the National MSG. References to the “FiTI implementation” include activities related to preparing for the FiTI sign-up; National MSG meetings; stakeholder side-meetings on FiTI, including interactions with National MSG representatives; producing FiTI Reports; producing materials or conducting analysis on FiTI Reports; expressing views related to FiTI activities; and expressing views related to the governance of marine fisheries.*

In accordance with the FiTI Principles 3 and 5, and as set out in requirements A.2, A.4, B.3.1 and B.3.3, the meaningful participation of representatives from each of FiTI’s three stakeholder groups is fundamental to achieving the objectives of the FiTI.



The ability of FiTI stakeholder representatives to participate freely and fully in the FiTI process is key to ensuring that the transparency created by the FiTI leads to greater accountability. Therefore, any restriction(s) imposed that hinder their participation are considered to constitute a fundamental breach of the initiative's Principles and requirements. Allegations of such restrictions are subject to FiTI International Board investigation and response.

- **Investigating allegations:** In the case of allegations of restrictions on representatives of a particular stakeholder group in a FiTI implementing country due to the stakeholder's involvement in the FiTI process, the issue should first be discussed and addressed by the implementing country's National MSG, subject to any safety concerns that an impacted party may have regarding directly raising such issues domestically. If this is not sufficient to resolve the issue, the FiTI International Board may be called on to investigate the allegations. The FiTI International Board will consider such requests with regard to the facts of the case, the need to uphold the Principles of the FiTI as well as the principle of consistent treatment between countries. In cases where the FiTI International Board has insufficient information to make a decision, the FiTI International Board may task the FiTI International Secretariat with gathering information about the situation and submitting a report to the FiTI International Board.

In considering allegations of restrictions on a particular stakeholder group or its representatives regarding the FiTI implementation, the FiTI International Board will, as appropriate, strive to establish whether there is a direct link to the FiTI process, including by (i) documenting the facts of the case; (ii) gathering stakeholders' views; and (iii) applying the assessment criteria set out in the *"Guidance Note for countries intending to implement the FiTI: The Sign-up Steps"* or the Validation Guide for determining whether the requirements for stakeholder engagement are being met.

- **Responding to allegations:** Depending on the circumstances of the case, including the extent to which it can be established that there is a direct link between the concerns raised and the FiTI implementation, the FiTI International Board will consider an appropriate response. This could, for example, include a letter from the Chair or the FiTI International Board to the government concerned; FiTI International Board or FiTI International Secretariat missions to the country; commissioning independent assessments; issuing FiTI International Board declarations; agreeing to remedial actions including monitoring of implementation; or calling for a validation of a country's adherence to the provisions concerned. In accordance with provision E.1.2 and E.1.3, the FiTI International Board may also put the country on probation or delist the country. In cases where the FiTI International Board concludes that the concerns observed do not breach a provision or are not sufficiently linked to the FiTI process, it will exercise its discretion as to whether to take any further actions.



### **Wilfully providing misinformation and/or wilfully withholding information required for FiTI implementation**

In accordance with the FiTI Principles 4 and 6, and as set out in requirement B.1, implementing countries must report on all FiTI transparency requirements. Credible information is important to ensure that the information provided in the FiTI can lead to better fisheries management. Therefore, wilful use of misinformation and/or wilful withholding of information required for FiTI implementation will be considered to constitute a fundamental breach of the initiative's Principles and requirements. Allegations of such behaviour are subject to FiTI International Board investigation and response.

- **Investigating allegations:** The FiTI International Board may be called on to investigate the allegations, and apply consequences of non-compliance, as appropriate. The FiTI International Board will consider such requests with regard to the facts of the case, the need to uphold the Principles of the FiTI as well as the principle of consistent treatment between countries. In cases where the FiTI International Board has insufficient information to make a decision, the FiTI International Board may task the FiTI International Secretariat with gathering information about the situation and submitting a report to the FiTI International Board. In considering such allegations, the FiTI International Board will strive to establish (i) whether there is indeed missing information or misinformation present; and (ii) whether the missing information was deliberately withheld, and/or whether the misinformation was the result of an honest mistake or was used with the intent to mislead.
- **Responding to allegations:** Depending on the circumstances of the case, including the extent to which it can be established that the omission or error was wilful, the FiTI International Board will consider an appropriate response. In the case of accidental omissions or errors, the FiTI International Board may choose to issue a warning or suspend a country in accordance with provision E.1.1. Where the FiTI International Board concludes that wilful misconduct occurred, in accordance with provisions E.1.2 and E.1.3, the FiTI International Board will either put the country on probation or immediately delist the country. The FiTI International Board will exercise its discretion in applying any consequences of non-compliance, placing priority on the need to uphold the Principles of the FiTI and to ensure consistent treatment between countries.





### E.2.3 Less than “Compliant” Validation Outcomes

**Non-compliant finding due to breach of Principles and spirit of the initiative:** If the overall outcomes of a validation indicates that a FiTI Candidate country or a FiTI Compliant country has breached the Principles and spirit of the initiative (E.2.2) the country will be put on probation or will be delisted.

**For a FiTI Candidate country undergoing its first validation:** When the overall outcome of a FiTI Candidate country’s first validation is less than “Compliant”, but it has not been found to have breached the Principles and spirit of the initiative (E.2.2), the FiTI International Board will apply the following consequences of non-compliance:

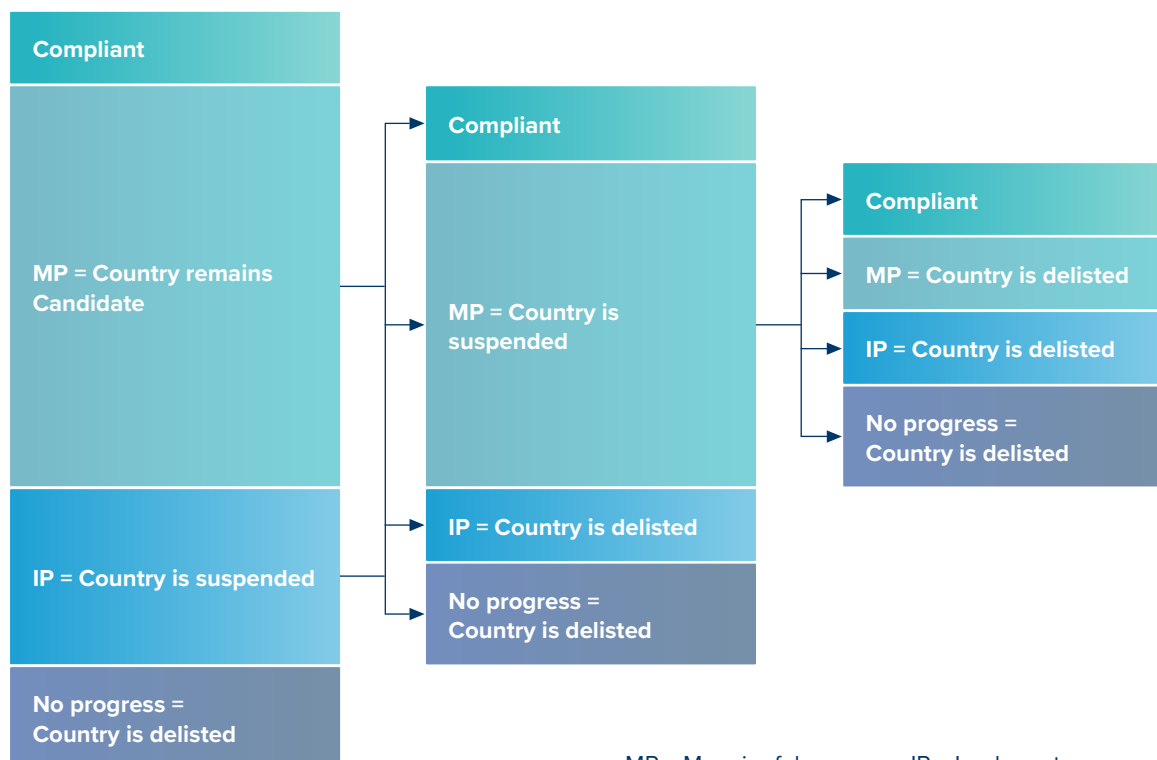
- i. **No progress:** The country will be delisted.
- ii. **Inadequate progress:** The country will be suspended and requested to undertake corrective actions until the second validation within the timeframe set forth by the FiTI International Board (E.1.1). If the country achieves:
  - meaningful progress in the assessment of overall compliance in the second validation, the country remains suspended and requested to undertake corrective actions until the third validation within the timeframe set forth by the FiTI International Board (E.1.1). When the overall outcome of the country’s third validation is less than “Compliant”, the country will be delisted.
  - inadequate progress or no progress in the second validation, the country will be delisted.
- iii. **Meaningful progress:** The country will remain a FiTI Candidate country and be requested to undertake corrective actions until the second validation within the timeframe set forth by the International Board. If the country achieves:
  - meaningful progress in the assessment of overall compliance in the second validation, the country will be suspended and requested to undertake corrective actions until the third validation within the timeframe set forth by the FiTI International Board (E.1.1). When the overall outcome of the country’s third validation is less than “Compliant”, the country will be delisted.
  - inadequate progress or no progress in the second validation, the country will be delisted.



Outcome of **first** validation

Outcome of **second** validation

Outcome of **third** validation



MP = Meaningful progress; IP = Inadequate progress

**For a FiTI Compliant country undergoing a validation:** When the overall outcome of a country’s validation is less than “Compliant”, but it has not been found to have breached the Principles and spirit of the initiative (E.2.2), the FiTI International Board will apply the following consequences of non-compliance:

- i. **No progress:** The country will be delisted.
- ii. **Inadequate progress:** The country will be delisted.
- iii. **Meaningful progress:** The country will be suspended and requested to undertake corrective actions until the subsequent validation within the timeframe set forth by the FiTI International Board. When the overall outcome of the subsequent validation is less than “Compliant”, the country will be delisted.



### E.3 **Responding to Appeal Request**

In accordance with provision C.2, a FiTI implementing country may petition the FiTI International Board to review its decision regarding the application of consequences of non-compliance.

In responding to such a request, the FiTI International Board will consider the facts of the case, the need to preserve the integrity of the FiTI and the principle of consistent treatment between countries. The FiTI International Board makes the final decision.



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