



DISPUTE SETTLEMENT

PREPARED BY: IOTC SECRETARIAT, 14 JANUARY 2015

REVIEW AREA: *Decision making and dispute settlement*

GENERAL CRITERION: *Dispute settlement*

DETAILED CRITERIA:

- 1) Extent to which the RFMO has established adequate mechanisms for resolving disputes.

SUPPORTING INFORMATION

Extent to which the RFMO has established adequate mechanisms for resolving disputes.

The IOTC has in place a formal procedure for resolving disputes.

Article XXIII of the IOTC Agreement addresses INTERPRETATION AND SETTLEMENT OF DISPUTES

Any dispute regarding the interpretation or application of this Agreement, if not settled by the Commission, shall be referred for settlement to a conciliation procedure to be adopted by the Commission. The results of such conciliation procedure, while not binding in character, shall become the basis for renewed consideration by the parties concerned of the matter out of which the disagreement arose. If as the result of this procedure the dispute is not settled, it may be referred to the International Court of Justice in accordance with the Statute of the International Court of Justice, unless the parties to the dispute agree to another method of settlement.

This procedure has not been invoked to-date.