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## 2<sup>nd</sup> IPHC Performance Review (PRIPHC02): Update

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### PURPOSE

To provide the Commission with an update on progress regarding the 2<sup>nd</sup> Performance Review of the IPHC (PRIPHC02) and an opportunity to direct the IPHC Secretariat regarding its completion.

### BACKGROUND

In response to calls from the international community for a review of the performance of Regional Fisheries Management Organizations (RFMOs), the International Pacific Halibut Commission (IPHC) agreed in 2011 to implement a process of Performance Review. The IPHC contracted with CONCUR, Inc., a U.S.-based firm, to undertake the review. CONCUR performed its work independently of IPHC Commissioners and staff, and concluded its report to the Commission in April 2012.

In undertaking the Performance Review, the contractor relied on the following approaches to assess the Commission's work and practices, track effectiveness, and gauge the need for revised approaches:

- 1) Conducting a set of 43 in-depth interviews with a representative and diverse set of stakeholders;
- 2) Observing the 2011 Interim and 2012 Annual Meetings and reviewing Commission background materials;
- 3) Reviewing practices at other regional fishery management organizations; and
- 4) Drawing on its professional judgment and experience.

In 2012, the contractor published a report outlining 12 recommendations (containing 39 parts) to improve the functioning of the IPHC ([McCreary & Brooks, CONCUR, Inc. 2012](#)).

In January 2014, the Commission issued a Progress Report, documenting the Commission's response to the 1<sup>st</sup> IPHC Performance Review ([PERFORMANCE REVIEW 2012: A Progress Report](#)). At Interim and Annual Meetings since then, Contracting Parties have noted the status of implementation of each of the recommendations arising from the report of the 1<sup>st</sup> IPHC Performance Review.

The Recommendations arising from the 1<sup>st</sup> Performance Review of the IPHC are provided at [Appendix A](#), with responsibilities, updates, timelines for implementation, and proposed priorities, incorporated for the Commission's consideration. All but one of the original recommendations have now been completed.

At the 93<sup>rd</sup> Session of the IPHC Annual Meeting (AM093) in January 2017, the Commission noted paper [IPHC-2017-AM093-18](#), which outlined planning for the 2<sup>nd</sup> IPHC Performance Review, and provided the following direction to the IPHC Secretariat:

*AM093—Rec.13 (para. 153) The Commission **RECOMMENDED** that the IPHC Secretariat finalise the draft performance review terms of reference and criteria to conduct the review, and implement the 2<sup>nd</sup> Performance Review throughout 2017, for presentation to the Commission at its 94<sup>th</sup> Annual Meeting in 2018.*

At the 94<sup>th</sup> Session of the IPHC Annual Meeting (AM094) in January 2018, the Commission adopted Terms of Reference, criteria, process and budget to conduct the 2<sup>nd</sup> Performance Review of the IPHC:

[Terms of Reference, criteria, process, and budget to conduct the 2<sup>nd</sup> Performance review of the IPHC](#) (Adopted 26 January 2018)

Also at the AM094, the Commission agreed to defer the 2<sup>nd</sup> IPHC Performance Review until FY2019 (1 Oct. 2018 to 30 Sept. 2019), due to budget limitations in the current financial year (para. 94 of [IPHC-2018-AM094-R](#)).

The “*Terms of Reference and Criteria to Conduct the 2<sup>nd</sup> Performance Review of the IPHC*,” includes six specific criteria for the review. Criteria 1, “*Legal analysis of the Convention to ensure its adequacy relative to current global best practice principles of fisheries management*,” is the foundation element, upon which the rest of the review will rest.

## DISCUSSION

Two (2) Panel meetings will be held in 2019 as follows, noting the dates will be flexible depending on panel member availability:

1<sup>st</sup> Meeting PRIPHC02: USA – Seattle or Alaska

Option 1: 24-25 April 2019

Option 2: 30 April – 1 May 2019

2<sup>nd</sup> Meeting PRIPHC02: Canada - Victoria, Vancouver or Ottawa

Option 1: 4-5 September 2019

Option 2: 11-12 September 2019

The IPHC Secretariat will undertake and complete the 2<sup>nd</sup> Performance Review in 2019, with the intention of presenting the final report and associate recommendations at the 95<sup>th</sup> Interim Meeting in November 2019, and for final adoption at the AM096 in January 2020.

## RECOMMENDATIONS

That the Commission:

- 1) **NOTE** paper IPHC-2019-AM095-21 which outlines progress on the 2<sup>nd</sup> IPHC Performance Review (PRIPHC02).
- 2) **NOTE** the status of each of the recommendations from the 1<sup>st</sup> IPHC Performance Review (PRIPHC01).

## APPENDICES

[Appendix A](#): Update on progress regarding the implementation of the 1<sup>st</sup> IPHC Performance Review recommendations

## APPENDIX A

**UPDATE ON PROGRESS REGARDING THE IMPLEMENTATION OF THE 1<sup>ST</sup> IPHC PERFORMANCE REVIEW  
RECOMMENDATIONS**

RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN / TIMELINE	PRIORITY
<b>GOVERNANCE</b>				
<p><b>1. Adopt clear and comprehensive protocols / rules of procedure</b></p> <p>1.1 Update and expand the existing Rules of Procedure for the Commission, Secretariat and each current stakeholder body (PAG, Conference Board and RAB).</p>	<p><i>Commission, IPHC Staff, Advisory Bodies</i></p>	<p><b>Completed:</b> The Commission's Rules of Procedure were updated in 2017 and incorporate a requirement for review and revision every two (2) years. They contained formal process for each of its subsidiary bodies (IPHC Rules of Procedure (2017)).</p> <p>Further revisions to the Rules of Procedure will be provided to the Commission at IM094 and AM095 for potential adoption.</p>	<p>2013-2014 - 2016/2017</p>	<p>High</p>
<p><b>2. Improve Commission transparency</b></p> <p>2.1 Conduct the bulk of the Commission's deliberations at the Interim and Annual meetings in public.</p>	<p><i>Commission</i></p>	<p><b>Completed:</b> The Commission decided to treat all meetings as open unless specifically closed (meetings pertaining to personnel or financial discussions are expected to be closed). This would include the opportunity for attendees and web audience participants to engage the Commission in two-way dialogue during the meeting.</p> <p>These changes were put into effect on a trial basis for the 2012-13 public meeting cycle. The agendas for those meetings were changed to incorporate more time for public comment and discussion, and the web broadcast was modified to allow submission of comments and questions from the on-line audience.</p> <p>In addition, more meeting materials and updates were posted, and posted earlier, at the IPHC website than had been previous practice. This greatly increased the information available to the public before, during, and after the meetings.</p> <p>The Commission also directed the CB and PAB to open their meetings to the public.</p>	<p>2012 +</p>	<p>High</p>

RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN / TIMELINE	PRIORITY
2.2 The Commission should retain the flexibility to conduct Commission-only retreats to foster candid deliberations on its own internal mechanisms and effectiveness.	<i>Commission</i>	<b>Completed:</b> The Commissioners meet daily at the Annual and Interim Meetings for brief planning Sessions. In addition, the Commissioners meet once per year for a 1.5 to 2-day closed Work Meeting to plan for the Interim and Annual Sessions.	2013 +	High
2.3 Discussion summaries from any in camera sessions – whether as part of the Interim/Annual meeting cycle or as a separate retreat – should be produced and made available (within four to six weeks) to any interested party. Exceptions should be made for those items (i.e., personnel and contractual matters) appropriately deemed confidential.		<b>Completed:</b> Commission reports are now draft, adopted and published within 2 weeks of the close of the session.	2013 +  2016 +	High
2.4 Refrain from taking policy actions in executive session. Aside from personnel matters, contractual issues and/or pending litigation, the Commission should refrain from taking policy actions in executive session.	<i>Commission</i>	<b>Completed:</b> The Commissioners reserve the right to hold closed Sessions when discussing sensitive matters. However, wherever possible, the rationale for making decisions in closed session is communicated during public sessions, as noted in the IPHC Circular series.	2013 +	High
<b>3. Revisit Stakeholder Engagement Structure</b> 3.1 Adopt a multi-step process over the next two years to transition the current stakeholder advisory arrangement into a unified, integrated body.	<i>Commission; IPHC Secretariat</i>	<b>Completed:</b> The Commission assessed that it would be better served by retaining the current CB, PAB, and RAB structures, and decided against consolidating its subsidiary bodies into one.	2013 +	Medium

RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN / TIMELINE	PRIORITY
<b>RESEARCH</b>				
<b>4. Develop Strategic Approach to Research</b>				
4.1 Develop a strategic Five Year Research Plan that links research projects to Commission objectives, with an accompanying and predictable budget. The Research Plan should address the specific organizing questions that structure the research, as well as the timeline of projects and deliverables. The Research Plan should also address specific objectives of cooperative research. Some specific topics to address may include size at age, migration, and impacts of bycatch, but these should be revised and confirmed as the Research Plan is drafted.		<b>Completed:</b> The IPHC Secretariat continues to refine the Commission's research planning and execution, to include clear linkage between the 5-Year Research Plan and annual planning. In addition, the annual research planning process has been revised to add rigor and strengthen its connection to long-term research goals and priorities.		High
4.2 Bolster and formalize RAB. The RAB currently lacks any written Protocols/Rules of Procedure nor does it have any formal composition. Consistent with the steps outlined above to have clear guidelines and balanced participation, we recommend the Commission take steps to formally establish the RAB with associated objectives, participation criteria and other operational aspects.		<b>Completed:</b> IPHC Rules of Procedure (2017) adopted at the 93 <sup>rd</sup> Session of the Commission.		High
4.3 Consider periodic peer review. As the Commission moves forward, it should consider the need for periodic peer review of its long-term and annual research plan. We also recommend it expand commitments to pursue cooperative research.		<b>Completed:</b> The IPHC Scientific Review Board (SRB) was formalized in the IPHC Rules of Procedure (2017) and contain peer review elements by independent experts in a range of fields covering IPHC research and assessment activities.		Medium
<b>STOCK ASSESSMENT</b>				
<b>5. Strengthen Stock Assessment Process</b>				

RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN / TIMELINE	PRIORITY
5.1 Foster regular peer review of stock assessment model and outputs, as well as the associated apportionment process. 5.2 Ensure adequate time and predictable process for stakeholder and Commissioner discussion of proposed changes to the assessment model and the associated apportionment methodology.	<i>IPHC Secretariat</i>	<b>Completed:</b> The Commission has instituted the SRB as a regular ongoing peer-review mechanism, and has adopted a regular sequence of annual SRB meetings to support the assessment, the management strategy evaluation, and the research program. As an indication of the state of IPHC science, IPHC scientists are regularly invited to present and instruct on assessment modeling and methods at international conferences.		
5.3 Augment Secretariat assessment staff.	<i>IPHC Secretariat</i>	<b>Completed:</b> Since the 1 <sup>st</sup> Performance Review, the Secretariat has hired top-level assessment and harvest policy scientists. The Commission has also brought in the services of graduate interns at appropriate points in the analytical process, and has budgeted for programming support of the management strategy evaluation		
<b>CONVENTION</b>				
<b>6. Expand Commission Composition</b>		<b>Completed:</b> Aside from incremental improvements to the Commissioner orientation process incorporating the feedback and experience of new Commissioners, the Commission has indicated that it does not intend to take further action on this recommendation.		
6.1 Add alternates to broaden representation on Commission.		<b>Completed:</b> The Commission has decided that it does not anticipate any expansion of the Commission at this time, which is a matter for the Contracting Parties and would require renegotiation of the Convention governing the IPHC.		
6.2 Articulate Commissioner recruitment criteria. 6.3 Press national government for more timely appointments. 6.4 Incorporate continuity as a consideration in revising Commission appointments.		<b>Completed:</b> This is a matter for the Contracting Parties. The Commission notes that the Contracting Parties are cognizant of the need for timely appointments and succession planning, and that the Commission will make all possible effort with both Canada and the United States of America to ensure timely appointments, as well as to facilitate smooth transitions through succession planning.		
6.5 Revise Rules of Procedure to accommodate alternates.		<b>Completed:</b> IPHC Rules of Procedure (2017) adopted at the 93 <sup>rd</sup> Session of the Commission.		

RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN / TIMELINE	PRIORITY
<b>PLANNING</b>				
<p><b>7. Build Long-Term Strategic Plan</b></p> <p>7.1 Articulate Overarching Goals and Objectives. Develop a concise statement of goals and objectives that takes the Commission forward over the next decade and beyond.</p> <p>7.2 Identify implementation strategies to fulfill Overarching Goals and Objectives. Develop an Annual Plan and budget that fits within the framework of the longer-term strategic plan.</p> <p>7.3 Identify milestones and performance measures to track progress.</p> <p>7.4 Consider budgetary implications of priorities identified in the strategic planning process.</p>		<p><b>In progress:</b> The Commission postponed action on this recommendation until after higher-priority activities were complete.</p> <p>The Secretariat began work on this recommendation during 2017-18 and will initially consider this an internal planning document.</p>		
<b>ADVICE</b>				

RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN / TIMELINE	PRIORITY
<p><b>8. Structure Staff Advice to Strengthen the Delineation Between Scientific Analysis and Policy Options</b></p> <p>8.1 Clarify the respective roles and responsibilities of Commissioners and staff for each step of the analysis and policy development cycle.</p> <p>8.2 Present options for Commission consideration.</p>		<p><b>Completed:</b> The Commission noted that the approach to delineation between science advice and policy options should follow accepted national and international best practices, and that as a first step towards implementation, an approach should be developed for risk-based harvest advice.</p> <p>The Commission has adopted a new structure for harvest advice proposed by the IPHC Secretariat, including a decision-table presentation format to support risk-based decision-making. This new advice structure clearly separates the scientific analysis from the management decisions, and was thoroughly examined and revised as part of the stock assessment review by outside scientific reviewers.</p> <p>The Commission also decided to implement the MSE process to better inform its policy analysis and choices, and chartered the MSAB in 2013 to oversee the MSE process and to advise the Commission and IPHC Secretariat on the development and evaluation of candidate objectives and strategies for managing the fishery.</p>		
<b>LEADERSHIP</b>				
<p><b>9. Commissioners Should Seek and Take Advantage of Opportunities to Model and Exert Leadership</b></p> <p>9.1 Take an active role in articulating a vision for the IPHC and engaging in actions to carry out that vision.</p> <p>9.2 Exercise and model a stance of principled negotiation in deliberations over Commission matters.</p> <p>9.3 Provide clear guidance to Commission executive staff on functions ranging from conducting assessments, to developing options for catch limits, to providing advice to member governments and other organizations.</p>		<p><b>Completed:</b> The Commissioners agreed that their role is to exercise leadership with regard to the work of the IPHC, and as such are demonstrating leadership through key initiatives. The Commission intends to continue to lead and make progress on key initiatives, as determined in consultation with stakeholders.</p>		
<b>COMMISSION STRUCTURE</b>				



RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN / TIMELINE	PRIORITY
<p><b>10. Elevate the Importance of Tribes and First Nations</b></p> <p>10.1 Ensure any revamping of the Commission structure, including but not limited to the industry advisors, RAB and Commissioner seats, accommodates tribal and First Nations participation along with other interested parties.</p> <p>10.2 Actively include First Nations and tribal scientists in structured peer reviews of the current assessment and apportionment methodologies, in particular when considering implementation of Recommendation #5.</p> <p>10.3 Ensure that Commission recommendations and consultations by national sections are consistent with the spirit and letter of U.S. and Canadian law and any associated rights of tribes and First Nations.</p>		<p><b>Completed:</b> The Commission notes the importance of Tribes and First Nations within the domestic processes of Canada and the United States of America, and that issues pertaining to Pacific halibut and these groups are domestic responsibilities of the two Governments. The Commission noted that the Contracting Parties consult directly with the Tribes and First Nations.</p> <p>The Commission also stressed that the Tribes and First Nations have a very important existing participatory role in Commission processes, along with other stakeholders, and that it continues to value their participation, and to consider the interests of the Tribes and First Nations in its actions.</p> <p>The Commission notes that the effort to define roles and responsibilities (in response to recommendation #1) should help articulate the current avenues of engagement and the relationship of the IPHC to U.S.A. and Canadian domestic processes.</p> <p>The Commission welcomes suggestions on how its interaction with Tribes and First Nations can be facilitated and improved.</p>		
<b>MEETING CYCLE</b>				
<p><b>11. Strengthen Interim and Annual Meeting process</b></p>		<p><b>Completed:</b> Beginning with the 2012 Interim Meeting and the 2013 Annual Meeting, the Commission decided to open both meetings to the public as much as possible, including steps noted in the sub-items below. The Commission instituted these changes on a trial basis for the 2012-13 meeting cycle, and solicited feedback from the on-site and web audiences, noting that development of appropriate and workable formats and procedures for public participation is an iterative process. All IPHC meetings are now open the public as determined in the IPHC Rules of Procedure (2017).</p>		
<p>11.1 Add a third meeting to the Annual Meeting cycle.</p>		<p><b>Completed:</b> The Commission decided not to add the proposed third meeting to the annual cycle at present, but rather, continue with an information 'Work Meeting' as the third meeting to discuss with staff and direct activities accordingly, prior to formal discussion at the Interim Meeting and Annual Meeting.</p>		

RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN / TIMELINE	PRIORITY
11.2 Foster stronger internal preparation for public meetings	<i>IPHC Secretariat</i>	<b>Completed:</b> The Secretariat continues to refine its internal processes and timelines in order to develop and publish meeting materials as far in advance of the meeting as possible.		
11.3 Provide meeting materials as early as possible, even if that means posting materials in batches on-line rather than waiting until a comprehensive set of back-up documents can be produced in a single comprehensive package.	<i>IPHC Secretariat</i>	<b>Completed:</b> These were clarified in the IPHC Rules of Procedure (2017), including deadlines of papers to be published 30 days prior to the commencement of a meeting.		
11.4 Expand the existing “Navigating the IPHC Meeting This Week” document to flesh out meeting objectives and protocols.	<i>IPHC Secretariat</i>	<b>Completed:</b> Meeting handouts are reviewed each year with an eye to making them more informative and useful for meeting participants.	2012 +	
11.5 Increase opportunities for public comment.		<b>Completed:</b> The Commission has opened all sessions at the Interim and Annual meetings to the public, both in person and via a webcast. Only human resources discussions are now held in private.		
11.6 Make greater use of webinars to streamline meetings.	<i>IPHC Secretariat</i>	<b>Completed:</b> All IPHC meetings are now webcast. Only human resources discussions are held in private. The webcasts at both meetings have been expanded to include the ability for the web audience to submit questions or comments during the proceedings.		
<b>COMMUNICATION</b>				
<b>12. Improve Communications</b>				
12.1 Improve timeliness and use of meeting summaries – both in real-time and post-meeting.	<i>IPHC Secretariat</i>	<b>Completed:</b> IPHC Rules of Procedure (2017) adopted at the 93 <sup>rd</sup> Session of the Commission. Meeting reports are now being published soon after a Session closes.		
12.2 Develop agreed upon written policy to guide staff comment – in writing or in testimony – on policies under consideration before other bodies.	<i>IPHC Secretariat</i>	<b>Completed:</b> The Secretariat has developed an internal process for comment, testimony, or written inputs to outside organizations or meetings, including internal and external briefing notes.		

RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN / TIMELINE	PRIORITY
12.3 Improve outreach to and discussions with non-traditional constituencies such as bycatch users and sport fishermen.	<i>IPHC Secretariat</i>	<b>Completed:</b> The IPHC Commissioners and Secretariat have continued to reach out to users of the Pacific halibut resource outside the commercial fishery. The Commission is extensively engaged with the North Pacific Fishery Management Council on bycatch issues, at both the scientific and the management levels. This process has will be ongoing.		
12.4 Explore opportunities to make better use of technologies – including from RSS feeds to social media forms such as Twitter and/or Facebook – to keep interested stakeholder apprised of recent IPHC-related news.	<i>IPHC Secretariat</i>	<b>Completed:</b> The IPHC Secretariat has developed a robust social media protocol and makes extensive use of Facebook and Twitter to reach stakeholders. The “live tweeting” of the Annual Meeting has become the favored means for news organizations to gather data for their reporting.		