



2nd IPHC Performance Review (PRIPHC02): Update

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PURPOSE

To provide the Commission with an opportunity to consider the Report of the 2nd Performance Review of the IPHC (PRIPHC02), and direct the IPHC Secretariat accordingly in terms of addressing recommendations from the PRIPHC02.

BACKGROUND

2019

The PRIPHC02 was carried out over the course of 2019 via three face-to-face meetings, one in Seattle, USA (4-6 June 2019); one in New York City, USA (25 August 2019); and one in Ottawa, Canada (7-11 October 2019). The Panel held several additional tele-conferences, both among themselves, and with stakeholders.

The meeting was also supported by Independent Legal and Science Experts who each dedicated additional working days to providing technical reviews and reports on specific components of the review criteria relevant to their areas of expertise.

The PRIPHC02 utilised documentation and presentations provided by the IPHC Secretariat, as well as feedback from Contracting Parties, Commissioners, and officers of the Commission's subsidiary bodies. During each discussion with these various group representatives, the PRIPHC02 pursued three basic themes:

- Impressions on progress since the first review in 2012 (or, for those who may not have been engaged in the IPHC then, thoughts on engagement with IPHC to date);
- View of the current status of the IPHC and the support/functioning of the IPHC Secretariat;
- Thoughts about what is needed for the future of IPHC – from the Secretariat and/or other engagements.

In accordance with Rule 15 (Reports and Records) of the IPHC Rules of Procedure (2019), the final Report of the 2nd Performance Review of the IPHC (PRIPHC02), IPHC-2019-PRIPHC02-R (adopted on 11 October 2019), was provided to the Commission via [IPHC Circular 2019-21](#) on 15 October 2019, and again at the 95th Session of the Interim Meeting (IM095) in November 2019 for consideration ([IPHC-2019-IM095-16](#)).

The report is also available for download from the IPHC website: <https://www.iphc.int/> or directly at the following link: <https://www.iphc.int/library/documents/post/iphc-2019-priphc02-r-report-of-the-2nd-performance-review-of-the-international-pacific-halibut-commission-priphc02>

The Panel for the 2nd Performance Review of the IPHC is as follows:

- a) Chairperson: **Mr Terje Løbach** (Norway).
- b) Contracting Parties: **Mr Robert Day** (Canada); **Ms Staci MacCorkle** (U.S.A.).
- c) Science Advisor: **Dr Kevin Stokes** (New Zealand).
- d) Regional Fishery Management Organisations: **Mr Peter Flewwelling** (North Pacific Fisheries Commission);
- e) Regional Fishery Management Organisations: **Mr Jeongseok Park** (North Pacific Anadromous Fish Commission).

- f) Non-Governmental Organisations: **Ms Amanda Nickson** (The PEW Charitable Trusts).
- g) IPHC Secretariat: **Dr David T. Wilson** (Facilitator)

2018

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

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

Also at the AM094, the Commission agreed to defer the 2nd 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 2nd 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.

2017

At the 93rd Session of the IPHC Annual Meeting (AM093) in January 2017, the Commission noted paper [IPHC-2017-AM093-18](#), which outlined planning for the 2nd 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 2nd Performance Review throughout 2017, for presentation to the Commission at its 94th Annual Meeting in 2018.*

2014

In January 2014, the Commission issued a Progress Report, documenting the Commission’s response to the 1st 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 1st IPHC Performance Review.

2011-12

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](#)).

DISCUSSION

At the 95th Session of the IPHC Interim Meeting (IM095), the Commission considered the report of the PRIPHC02 and made the following request of the IPHC Secretariat:

Report of the 2nd IPHC Performance Review (PRIPHC02)

IM095-Req.09 ([para. 104](#)) “**NOTING** the 26 recommendations arising from the PRIPHC02, the Commission **REQUESTED** that the IPHC Secretariat prepare a table for consideration at AM096 which would include each recommendation, and proposed/draft 1) responsibilities, 2) timeline, 3) priorities; and 4) any initial comments of relevance. The intention will be for the Commission to review the table at AM096, modify and adopt plan for implementation moving forward.”

Provided at [Appendix A](#) is the requested table for Commission consideration.

RECOMMENDATION

That the Commission **NOTE** paper IPHC-2020-SS06-03 which provides the Commission with an opportunity to consider the Report of the 2nd Performance Review of the IPHC (PRIPHC02), and direct the IPHC Secretariat accordingly in terms of addressing recommendations from the PRIPHC02.

APPENDICES

[Appendix A](#): Table of recommendations arising from the PRIPHC02, including the Commission requested proposed/draft 1) responsibilities, 2) timeline, 3) priorities; and 4) any initial comments of relevance.



Appendix A
RECOMMENDATIONS OF THE 2ND PERFORMANCE REVIEW OF THE INTERNATIONAL PACIFIC HALIBUT COMMISSION (PRIPHC02)

REF#	RECOMMENDATION	PRIORITY	RESPONSIBILITY	TIMELINE	UPDATE/STATUS
PRIPHC02 –Rec.01 (para. 32)	Legal analysis of the IPHC Convention The PRIPHC02 RECOMMENDED that consideration be given to updating the Convention at the next opportunity, to become consistent with newer international legal instruments, and specifically consider including the following elements: a) – z)	N/A	N/A	N/A	N/A: At this time, the Contracting Parties do not wish to commence the process of updating the IPHC Convention.
PRIPHC02 –Rec.02 (para. 33)	The PRIPHC02 RECOMMENDED to update the Convention, while in the interim period seek alternate mechanisms to implement international best practices and* legal principles. <u>Commission directive:</u> The Commission RECOMMENDED the exploration and implementation of alternate mechanisms to implement international best practices, such as revisions to the IPHC Rules of Procedure, IPHC Financial Regulations and IPHC Fishery Regulations.	N/A High	N/A Commission	N/A 2020-24	N/A In progress: The IPHC Rules of Procedure and the IPHC Financial Regulations will be periodically updated and where possible, should accommodate applicable improvements as recommended in the legal review.
PRIPHC02 –Rec.03 (para. 44)	Science: Status of living marine resources The PRIPHC02 RECOMMENDED that opportunities to engage with western Pacific halibut science and management agencies be sought, to strengthen science links and data exchange. Specifically, consider options to investigate pan-Pacific stock structure and migration of Pacific halibut.	High	IPHC Secretariat	2020-24	In progress: There are three non-Contracting Parties who exploit Pacific halibut: Russia, Rep. of Korea and Japan. Most recently we have engaged Russian scientists working on Pacific halibut through PICES (https://meetings.pices.int/).

REF#	RECOMMENDATION	PRIORITY	RESPONSIBILITY	TIMELINE	UPDATE/STATUS
PRIPHC02 –Rec.04 (para. 45)	The PRIPHC02 RECOMMENDED that: a) further efforts be made to lead and collaborate on research to assess the ecosystem impacts of Pacific halibut fisheries on incidentally caught species (retained and/or discarded); b) where feasible, this research be incorporated within the IPHC’s 5-Year Research Plan (https://www.iphc.int/uploads/pdf/besrp/2019/iphc-2019-besrp-5yp.pdf); c) findings from the IPHC Secretariat research and that of the Contracting Parties be readily accessible via the IPHC website.	Medium	IPHC Secretariat	2020-24	In progress: The IPHC’s work in this area has been limited to date. However, some efforts to incorporate ecosystem considerations into the MSE work has commenced.
PRIPHC02 –Rec.05 (para. 63)	Science: Quality and provision of scientific advice The PRIPHC02 RECOMMENDED that simplified materials be developed for RAB and especially MSAB use, including training/induction materials.	High	IPHC Secretariat	2020-24	In progress: The IPHC Secretariat continues to seek ways to ensure broad stakeholder understanding of our work. For the MSAB and associated MSE work, a webpage is in development to provide a user friendly means to explore and understand the utility of MSE and the simulation results arising.
PRIPHC02 –Rec.06 (para. 64)	The PRIPHC02 RECOMMENDED that consideration be given to amending the Rules of Procedure to include appropriate fixed terms of service to ensure SRB peer review remains independent and fresh; a fixed term of three years seems appropriate, with no more than one renewal.	Medium	Commission; IPHC Secretariat	2020	In progress: The IPHC Secretariat will provide with Commission with revised Rules of Procedure for consideration at AM096.
PRIPHC02 –Rec.07 (para. 65)	The PRIPHC02 RECOMMENDED that the peer review process be strengthened through expanded subject specific independent reviews including data quality and standards, the FISS, MSE, and biological/ecological research; as well as conversion of “grey literature” to primary literature publications. The latter considered important to ongoing information outreach efforts given the cutting-edge nature of the Commission’s scientific work.	High	Commission; IPHC Secretariat	2020-24	In progress: The Commission has approved peer review of the IPHC stock assessment which was concluded in 2019, the IPHC MSE which is due to be undertaken in 2020, and has indicated its strong support topic based peer review moving forward.
PRIPHC02 –Rec.08 (para. 66)	The PRIPHC02 RECOMMENDED that the IPHC Secretariat develop options for simple graphical summaries (i.e. phase plot equivalents) of fishing intensity and spawning stock biomass for provision to the Commission.	High	IPHC Secretariat	2020	In progress: The IPHC Secretariat has provided a number of examples of phase plots over the past years, with the most recent examples being presented at IM095 (IPHC-2019-IM096-09 Rev 1). Additional options will be provided at AM096 .

REF#	RECOMMENDATION	PRIORITY	RESPONSIBILITY	TIMELINE	UPDATE/STATUS
PRIPHC02 –Rec.09 (para. 73)	Conservation and Management: Data collection and sharing The PRIPHC02 RECOMMENDED that observer coverage be adjusted to be commensurate with the level of fishing intensity in each IPHC Regulatory Area. <u>Commission directive:</u> The Commission RECOMMENDED that the IPHC Secretariat, in consultation with the Commission, develop minimum data collection standards for Pacific halibut by scientific observer programs. The intention would be for the Commission to review and approve the minimum standards, and recommend them for implementation by domestic agencies.	N/A High	N/A Contracting Parties	N/A 2020-24	N/A Pending:
PRIPHC02 –Rec.10 (para. 82)	Conservation and Management: Consistency between scientific advice and fishery Regulations adopted The PRIPHC02 RECOMMENDED that the development of MSE to underpin multi-year (strategic) decision-making be continued, and as multi-year decision making is implemented, current Secretariat capacity usage for annual stock assessments should be refocused on research to investigate MSE operating model development (including consideration of biological and fishery uncertainties) for future MSE iterations and regularised multi-year stock assessments.	High	IPHC Secretariat	2021-24	Pending: To be considered once the initial MSE products are delivered at AM097 in January 2021.
PRIPHC02 –Rec.11 (para. 83)	The PRIPHC02 RECOMMENDED that ongoing work on the MSE process be prioritised to ensure there is a management framework/procedure with minimal room for ambiguous interpretation, and robust pre-agreed mortality limit setting frameworks.	High	IPHC Secretariat	2020-21	In progress: See current status IPHC-2020-AM096-12 .
PRIPHC02 –Rec.12 (para. 88)	Fishing allocations and opportunities The PRIPHC02 STRONGLY URGED the Commission to conclude its MSE process and RECOMMENDED it meet its 2021 deadline to adopt a harvest strategy.	High	IPHC Secretariat	2020-21	In progress: See current status IPHC-2020-AM096-12 .
PRIPHC02 –Rec.13 (para. 96)	Compliance and enforcement: Port State measures The PRIPHC02 RECOMMENDED that Contracting Party enforcement agencies adopt common standards for assessment of implementation of the principles of port State measures.	Medium	Contracting Parties	2020-24	Pending: Potentially to be incorporated into the Contracting Party National Reports at each Annual Meeting. The Secretariat will work with each Contracting Party.

REF#	RECOMMENDATION	PRIORITY	RESPONSIBILITY	TIMELINE	UPDATE/STATUS
PRIPHC02 –Rec.14 (para. 105)	Compliance and enforcement: Monitoring, control and surveillance (MCS) The PRIPHC02 RECOMMENDED enhancement of coordination of MCS activities to result in a common, integrated enforcement report for each Contracting Party to facilitate assessment of compliance efforts, trends and input into management decisions.	Medium	Contracting Parties	2021-24	Pending: Potentially to be incorporated into the Contracting Party National Reports at each Annual Meeting.
PRIPHC02 –Rec.15 (para. 106)	The PRIPHC02 RECOMMENDED that the Commission re-assess the ‘derby-style’ fisheries management concept in operation in IPHC Regulatory Area 2A in terms of available resources, impact on validity of monitoring results, and safety of fishers, and amend the management processes, if and as necessary.	High	IPHC Secretariat; Commission	2020	In progress: The IPHC Secretariat is coordinating with relevant Contracting Party domestic agencies regarding shifting management of all Pacific halibut fisheries in IPHC Regulatory Area 2A from the IPHC to the relevant domestic agencies. At IM095, the Commission requested: IM095 (para. 89) <i>The Commission WELCOMED the PPMC’s commitment to transition management of Pacific halibut fisheries in IPHC Regulatory Area 2A from the IPHC to domestic agencies and REQUESTED that the IPHC Secretariat continue to support this process in the short-term, with the aim of transitioning management of the fishery to the domestic agencies at the earliest opportunity.</i>
PRIPHC02 –Rec.16 (para. 108)	Compliance and enforcement: Follow-up on infringements The PRIPHC02 RECOMMENDED that the IPHC request information regarding Contracting Party follow-up of infringements, to assist in determining the overall efficacy of MCS and enforcement activities. This would support best practices with respect to transparency.	High	IPHC Secretariat; Commission	2020	In progress: The IPHC Secretariat has requested this information be provided by domestic agencies via the Contracting Party National Reports to the Commission.
PRIPHC02 –Rec.17 (para. 109)	The PRIPHC02 RECOMMENDED that the Commission improve the process of Contracting Party reporting to the Commission by aggregating individual agency reports into a consolidated, standardised, Contracting Party report to the Commission.	Medium	IPHC Secretariat; Contracting Parties	2020	In progress: The IPHC Secretariat has requested this information be provided by domestic agencies via a consolidated Contracting Party National Report to the Commission. This will likely take several years to become an efficient process of reporting.

REF#	RECOMMENDATION	PRIORITY	RESPONSIBILITY	TIMELINE	UPDATE/STATUS
PRIPHC02 –Rec.18 (para. 124)	Governance: Decision-making The PRIPHC02 RECOMMENDED that the IPHC Rules of Procedure be modified to include a clear category and recognition for observer organisations, which would be in addition to the general public.	Low	IPHC Secretariat	2020-21	Completed: IPHC Rules of Procedure (2020) published on 7 February 2020.
PRIPHC02 –Rec.19 (para. 128)	Governance: Dispute settlement The PRIPHC02 RECOMMENDED updating the rules of procedure to reflect intersessional decision making approaches.	Medium	IPHC Secretariat	2020-21	Completed: IPHC Rules of Procedure (2020) published on 7 February 2020.
PRIPHC02 –Rec.20 (para. 137)	Governance: Transparency The PRIPHC02 RECOMMENDED that the significant level of transparency achieved across Commission business continue to be improved.	High	Commission; IPHC Secretariat;	2020-24	In progress:
PRIPHC02 –Rec.21 (para. 146)	International cooperation: Relationship to non-Contracting Parties The PRIPHC02 RECOMMENDED that the Commission prioritise scientific work to confirm the full range of the Pacific halibut stock.	High	IPHC Secretariat;	2020-24	In progress: There are three non-Contracting Parties who exploit Pacific halibut: Russia, Rep. of Korea and Japan. Most recently we have engaged Russian scientists working on Pacific halibut through PICES (https://meetings.pices.int/).
PRIPHC02 –Rec.22 (para. 147)	The PRIPHC02 RECOMMENDED that if the full range of the Pacific halibut stock extends outside the Convention Area, the Contracting Parties invite collaboration with all parties involved in the harvest of this stock, to ensure science and management includes accurate data regarding all removals from the stock.	Low/ Medium	IPHC Secretariat	2020-24	Pending:
PRIPHC02 –Rec.23 (para. 156)	Efficiency and transparency of financial and administrative management: Availability of resources for IPHC activities The PRIPHC02 RECOMMENDED the continued establishment of a Business Continuity Plan (BCP), which will serve to strengthen the long-term viability of IPHC Secretariat functioning and accountability, in line with best practices of an organisation of its size and breadth. Prioritising a financial and administrative BCP, with the ultimate goal of establishing a comprehensive BCP for the IPHC Secretariat as a whole.	High	IPHC Secretariat; FAC	2020	In progress: The IPHC Secretariat has been developing a BCP for the Administrative Services Branch (financial and administrative BCP) over the past months, and will move to consolidate with other Branches of the organization throughout 2020.

REF#	RECOMMENDATION	PRIORITY	RESPONSIBILITY	TIMELINE	UPDATE/STATUS
PRIPHC02 –Rec.24 (para. 162)	<i>Efficiency and transparency of financial and administrative management: Efficiency and cost-effectiveness</i> The PRIPHC02 RECOMMENDED the FAC produce a report detailing the actual FAC meeting and that the presentation of the report be incorporated into the Annual Meeting agenda and report, along with the final decisions of the Commission.	High	FAC; IPHC Secretariat	2020-24	Completed: The first report of the IPHC Finance and Administration Committee (FAC) was adopted on 4 February 2020, and presented to the Commission at its 96 th Session for consideration.
PRIPHC02 –Rec.25 (para. 165)	<i>Efficiency and transparency of financial and administrative management: Advisory structure</i> The PRIPHC02 RECOMMENDED that when revisiting PRIPHC01 Recommendation 3.1 on unifying subsidiary bodies, treat the CB and PAB as non-science process and maintain separated RAB and MSAB at least until the 2021 adoption and implementation of a new management strategy.	N/A	Commission	N/A	Completed: The Commission agreed to keep the two subsidiary bodies separate moving forward.
PRIPHC02 –Rec.26 (para. 166)	The PRIPHC02 RECOMMENDED that continued support for high quality stakeholder engagement through the science-focused subsidiary bodies (RAB and MSAB) or any future subsidiary bodies be maintained.	High	Commission; IPHC Secretariat	2020-24	Completed: The Commission agreed to keep the two subsidiary bodies separate moving forward, and for them to be enhanced wherever feasible.