

January 2014

INTERNATIONAL PACIFIC HALIBUT COMMISSION

PERFORMANCE REVIEW 2012

A Progress Report

A performance review of the International Pacific Halibut Commission (IPHC, or Commission) was completed in 2012. Since then, the Commission has incorporated the recommendations of the review into its ongoing efforts to improve its operations and processes. This report documents the Commission's response to the 2012 performance review through January 2014, including:

- The background and results of the review;
- A discussion of the implementation of review recommendations; and
- The Commission's intentions for carrying the review process forward.

Also included as an appendix is a detailed discussion of the Commission's response for each recommendation from the review.

Background and results of the review

Performance reviews of international resource management organizations such as the IPHC are encouraged by the Food and Agriculture Organization of the United Nations (FAO), and a number of regional fisheries management organizations have undergone performance reviews in recent years. The IPHC's Contracting Parties, Canada and the United States, initiated a performance review process for the IPHC in 2011, with the goals of building upon the Commission's work to date and ensuring its continued relevance and effectiveness.

The Commission contracted with CONCUR, Inc. (<http://www.concurinc.com/index.html>), to perform the review. CONCUR's statement of work included the following objectives:

- ...assess the performance of the Commission against the goals set out in the Treaty as amended.
- In assessing the work of the Commission ...determine how and to what extent the work of the Commission over the review period has contributed to the achievement of the Convention's goal of developing the stocks of halibut in convention waters to levels that will permit the optimum yield from the fishery and to maintain the stocks at those levels.
- ...consideration shall be given to leading international fisheries and oceans management agreements and determining the extent to which the Commission might benefit from the incorporation of best practices from these agreements.

The Commission specified assessment criteria to be used for the review, and required a deliverable report to describe the results of the assessment, identify achievements and areas that could be improved, and make recommendations to the Commission.

The CONCUR performance review report includes the following twelve recommendations:

1. Adopt clear and comprehensive protocols / rules of procedure
2. Improve Commission transparency
3. Revisit stakeholder engagement structure
4. Develop strategic approach to research
5. Strengthen stock assessment process
6. Expand Commission composition
7. Build long-term strategic plan
8. Structure staff advice to strengthen the delineation between scientific analysis and policy options
9. Commissioners should seek and take advantage of opportunities to model and exert leadership
10. Elevate the importance of Tribes and First Nations
11. Strengthen interim and annual meeting process
12. Improve communications

Details for each recommendation are included as an appendix to this report, and the complete 2012 performance review report is posted on the Commission's webpage at (<http://iphc.int/meetings-and-events/review.html>).

Implementation of review recommendations

The Commission received the performance review report in May, 2012, and solicited public comment until June 30, 2012. At its September 2012 work meeting, the Commission reviewed the recommendations and the comments received in order to formulate preliminary views and assign tasks for the IPHC staff in advance of the 2012-2013 meeting cycle.

While noting that policy decisions stemming from performance review recommendations would ultimately be taken at the Annual Meeting, the Commission directed the necessary preparatory staff work to:

- Develop or amend rules of procedure for all IPHC advisory bodies. [from Recommendations #1 and #2]
- Define roles and responsibilities for all participants in the IPHC structure. [from Recommendations #1 and #2]
- Formalize the structure, appointments, and function of the Research Advisory Board (RAB). [from Recommendation #1]
- Develop a Management Strategy Advisory Board (MSAB) to advise on the development and evaluation of the Commission's Management Strategy Evaluation (MSE). [related to Recommendation #8]
- Revise the draft five-year research plan. [related to Recommendation #4]
- Develop a continuing program of scientific review, including an annual review of the stock assessment. [related to Recommendation #5]
- Revise the draft strategic plan. [related to Recommendation #7]

In addition, the Commission decided to make the following immediate changes in preparation for the 2012-2013 annual public meeting cycle:

- Approve the proposed stock assessment scientific review format and timing for 2012. [related to Recommendation #5]
- Adopt the proposed new structure for stock harvest advice. [related to Recommendation #8]
- Change meeting formats and schedules on a trial basis for the 2012 Interim Meeting and the 2013 Annual Meeting [related to Recommendations #2, #11, and #12], including:
 - o Opening both meetings to the public as much as possible.
 - o Providing more information to the public, including posting as much information as possible on the IPHC public website ahead of the meeting.
 - o Adding time and agenda space to accommodate additional topics and public discussion.

The Commission further decided to:

- Meet with the Seattle headquarters staff. [related to Recommendation #9]
- Analyze Commission communications functions. [related to Recommendation #12]

Two recommendations from the performance review were not adopted by the Commission: a recommendation to expand the number of Commissioners (Recommendation #6) and a recommendation to elevate the importance of Tribes and First Nations in the Commission process (Recommendation #10). The Commission was satisfied with the current complement of six Commissioners and felt that the initiatives to improve communication and transparency would address the perceived need for more Commissioners. Both the U.S. and Canada have well-developed processes for addressing their unique relationships and responsibilities to Tribes and First Nations, and the Commission respects that those processes occur independently within the two countries.

Finally, the Commission requested that the national panelists (the Contracting Parties' representatives for the performance review process) prepare a follow-up performance review presentation, including recommended changes and related IPHC planning efforts, for public discussion at the 2012 Interim Meeting.

At the 2012 Interim Meeting, the national panelists facilitated a webcast performance review discussion (http://iphc.int/meetings/2012im/im2012_performance_review.pdf) as the lead agenda item. For the first time, the web audience had the opportunity to submit comments and questions to be addressed by the Commission during the meeting. The Interim Meeting had been webcast for several years previously, but this interactive component was the first public demonstration of changes made in response to the performance review.

For each recommendation, the discussion featured a summary of comments received, a compilation of the Commission's preliminary views on the topic, a review of actions taken since the work meeting, and the proposed next steps to be decided at the Annual Meeting.

During the 2012 Interim Meeting, the Commission directed the IPHC staff regarding implementation of specific recommendations, including:

- Development of rules of procedure.
- Changes planned for the 2013 Annual Meeting.
- Development of the MSE process and the MSAB.
- Development of the long-term scientific review process.
- Research planning.

The Commission also gave guidance to its advisory bodies regarding anticipated discussion at the 2013 Annual Meeting and action desired from them during coming year.

The 2013 Annual Meeting was the first opportunity for the Commission to make substantial decisions based on the recommendations from the 2012 performance review. At the meeting, the national panelists presented an update on the review and the implementation of its recommendations (<http://iphc.int/meetings/2013am/documents/IPHCperfreview.pdf>). In the course of the Annual Meeting, the Commission took the following actions related to performance review recommendations:

- Approved implementation of the MSE process and formation of the MSAB.
- Approved the long-term scientific review process and formation of the Scientific Review Board (SRB).
- Requested the advisory bodies (Conference Board [CB], Processor Advisory Group [PAG], and Research Advisory Board [RAB]) develop or refine their rules of procedure, and provided examples for their use.
- Directed the IPHC staff to review the Commission's own rules of procedure and financial regulations and develop recommendations for changes.
- Directed the IPHC staff regarding research planning.
- Approved plans to improve public communication of the activity of the Commission and its advisory bodies.
- Approved changes made to the formats of the Interim Meeting and Annual Meeting, and invited public comment on the changes, as well as ideas for further improvements.

At its September 2013 work meeting, the Commission reviewed the progress made in implementing performance review recommendations. Major milestones achieved during the year included:

- The first meeting of the MSAB and inauguration of the MSE process (June 2013).
- The first meeting of the SRB and inauguration of the standing scientific peer review process (August 2013).
- Completion of draft rules of procedure and financial regulations for the Commission to consider at the 2013 Interim Meeting
- Completion of draft rules of procedure by CB and PAG for consideration at the 2013 Interim Meeting.

The Commission discussed preparations for the 2013 Interim Meeting and the 2014 Annual Meeting, incorporating experience with changes made during the previous meeting cycle and inviting the advisory bodies to discuss further changes at the 2013 Interim Meeting.

To mark the progress made in the performance review process to date, the Commission directed preparation of this report for consideration during the 2013-2014 meeting cycle, with a view to making it public after the 2014 Annual Meeting.

Carrying the review process forward

Performance reviews are an important tool to help ensure the Commission continues to fulfill its mission and maintain accountability to its stakeholders and community. The Commission has benefitted significantly from the 2012 performance review and intends to continue the work stemming from that review.

In assessing the results of the 2012 review, the Commission notes that many of its recommendations have been accomplished or are in work. Some recommendations resulted in immediate changes to the Commission's operations, while others are the subject of longer-term development and experimentation. In both cases, they have become part of standard practice and continuing work, and the focus is now less on the review itself and more on its products and results.

The Commission also notes that there were gaps in the 2012 performance review, notably the comparison of the Commission's operations to best practices from leading international fisheries and oceans management agencies. During 2013, the IPHC staff conducted a study of international best practices and their applicability to the IPHC, a draft of which was presented to the Commission following the 2013 Interim Meeting.

One fundamental best practice that stands out in the literature is the need to review performance on a regular basis. The Commission intends to make periodic performance reviews a regular feature of its operations. Future reviews may be structured as broad looks or as more focused evaluations, depending on conditions and developments at the time. They may be performed by internal or external reviewers. Key to a successful review program is to track all recommendations, actions, and outcomes, so that each review builds on its predecessors.

The Commission also continues to solicit comment and advice from stakeholders on its ongoing performance review process.

Appendix: Details of Commission response for each recommendation from the 2012 performance review

This section discusses each recommendation from the 2012 performance review, including significant public comments, actions taken as of December 2013, and future intentions.

The 2012 performance review report prepared by CONCUR includes the following twelve recommendations, each accompanied by a detailed discussion of rationale and recommended actions:

1. [Adopt clear and comprehensive protocols / rules of procedure](#)
2. [Improve Commission transparency](#)
3. [Revisit stakeholder engagement structure](#)
4. [Develop strategic approach to research](#)
5. [Strengthen stock assessment process](#)
6. [Expand Commission composition](#)
7. [Build long-term strategic plan](#)
8. [Structure staff advice to strengthen the delineation between scientific analysis and policy options](#)
9. [Commissioners should seek and take advantage of opportunities to model and exert leadership](#)
10. [Elevate the importance of Tribes and First Nations](#)
11. [Strengthen interim and annual meeting process](#)
12. [Improve communications](#)

The complete report is posted on the Commission's webpage at (<http://iphc.int/meetings-and-events/review.html>), as are the national panelists' Interim and Annual Meeting presentations (http://iphc.int/meetings/2012im/im2012_performance_review.pdf and <http://iphc.int/meetings/2013am/documents/IPHCperfreview.pdf>).

Recommendation #1: Adopt clear and comprehensive protocols/rules of procedure.

[Related to recommendations #2, #3, #9, and #11.]

Comments received were generally supportive of moving forward on this recommendation.

Actions taken:

- The IPHC advisory bodies were directed to develop or amend their rules of procedure in order to make their operations more transparent and predictable. In addition, the Commission asked the RAB to formalize its structure, appointments, and function. The IPHC staff provided sample texts for the existing bodies (CB, PAG, and RAB) to use in this task. New advisory bodies (MSAB and SRB) were directed to consider their rules of procedure in their initial series of meetings. The CB and PAG presented draft rules of procedure to the Commission at its September 2013 work meeting and discussed them with the Commission at the 2013 Interim Meeting and the 2014 Annual Meeting. Rules for the other bodies are under consideration.

- The IPHC staff was directed to review the Commission's own rules of procedure and financial regulations and propose revisions. Draft texts were presented to the Commission at its September 2013 work meeting and discussed at the 2013 Interim Meeting and the 2014 Annual Meeting.
- Apart from the specific tasks regarding rules of procedure, the Commission urged all participants in the IPHC structure to define roles and responsibilities for in order to make the IPHC more transparent and accessible to different sectors of the halibut community and the public. This is a continuing effort, requiring and building upon input and participation from throughout the IPHC structure.

Intentions for the future:

- Approve the Commission's revised rules of procedure and financial regulations during 2014.
- Approve the CB and PAG draft rules of procedure during 2014.
- Continue work within RAB, MSAB, and SRB to codify and document their structures and processes.
- Institute a regular review of the rules of procedure and other governing documentation for the Commission and its advisory bodies.
- Continue to invite all participants in the IPHC structure to help clarify roles and responsibilities and make suggestions for further improvement.

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Recommendation #2: Improve Commission transparency. [Related to recommendations #1, #3, #11, and #12.]

Comments received were generally supportive and expressed interest in articulating the basis for Commission decisions. While there was broad support for opening meetings to the public, there was recognition by some of the value and necessity of in-camera sessions.

Actions taken:

- 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.
- These changes were put into effect on a trial basis for the 2012-2013 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.
- 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.
- The Commission also directed the CB and PAG to open their meetings to the public.

Intentions for the future:

- Maintain the changes instituted during the 2012-2013 meeting cycle, and continue to make improvements in meeting processes to improve transparency.
- Post the revised rules of procedure on the IPHC website after completion.

Recommendation #3: Revisit stakeholder engagement structure. [Including creation of a single advisory body similar to those used by the U.S. fisheries management councils. Related to recommendations #1 and #2.]

Many comments were received regarding this recommendation, and the majority did not support the recommendation related to one integrated advisory body, although there was limited support for alternatives similar to the U.S. council process advisory bodies with limited participation. There was some support for other elements of the recommendation, including updating rules of procedure, improved accreditation processes, public comment periods, and national section voting, with a range of views expressed on these subjects.

Actions taken:

- The Commission assessed that it would be better served by retaining the current CB, PAG, and RAB structures, and decided against consolidating its advisory bodies into one. CB, PAG, and RAB were asked to recommend improvements to increase the effectiveness and efficiency of their processes.
- In addition, the Commission decided to expand its advisory structure by adding the MSAB and SRB to meet particular new and specialized advisory needs.

Intentions for the future:

- The Commission expects that improvements to advisory body functionality will be made in the efforts to improve transparency and to develop their rules of procedure and define roles and responsibilities per Recommendations #1 and #2.

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Recommendation #4: Develop strategic approach to research.

Comments received expressed broad support for this initiative. Stakeholders expressed interest in being able to provide input into the formulation and review of research plans. Concerns were also expressed by some related to ensuring that this initiative would not require significant resources to implement.

Actions taken:

- The Commission directed the IPHC staff to continue work on the 5-Year Research Plan which was already in development at the time of the performance review.
- The Commission noted that a primary purpose of the RAB is to provide stakeholder input to IPHC research planning,

Intentions for the future:

- Further refine the Commission's research planning and execution, to include clear linkage between the 5-Year Research Plan and annual planning, emphasizing RAB's contribution to planning, and adding an SRB review of research products.

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Recommendation #5: Strengthen stock assessment process.

Comments received were generally supportive, but there was a divergence of views related to the best approach to use, including consideration of increased public and/or Tribes/First Nations and stakeholder involvement. Some concerns were also expressed regarding costs to implement this recommendation.

Actions taken:

- Consistent with decisions taken at the 2012 Annual Meeting, the Commission approved the proposed stock assessment scientific review format and timing for 2012, and directed the IPHC staff to develop a long-term scientific peer review process.
- In support of a continuing program of scientific review, the IPHC staff developed a framework for the SRB to formalize its structure, appointments, and function. The SRB provides an independent scientific review of Commission science products and programs, and supports and strengthens the stock assessment process.
- At the 2013 Annual Meeting, the Commission approved the long-term scientific review process, including an annual review of the stock assessment, and the formation of the SRB.
- The Commission approved board members nominated by the Executive Director and the SRB met for the first time in August 2013. It held its second meeting in October 2013, and began to make reports to the Commission during the 2013-2014 meeting cycle.

Intentions for the future:

- Continue strengthening the stock assessment process with the assistance of the SRB. The SRB has developed an annual cycle of meetings: a Spring meeting to review technical aspects of the assessment process and provide guidance for staff on desired changes; a Fall meeting to review implementation of the current-year assessment model and identify improvements for the next assessment cycle; and a December meeting to review the current year's assessment results. Review of other research conducted by Commission staff will be conducted in conjunction with these meetings.

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Recommendation #6: Expand Commission composition.

The comments received suggested opposition to the idea of expanding the Commission, including little interest in pursuing a change in representation through the use of alternates. There was support for ensuring more timely Commission appointments, however.

Actions taken:

- The Commission 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.
- 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 to ensure timely appointments, as well as to facilitate smooth transitions through succession planning.
- The Commission directed the IPHC staff to refine the IPHC Commissioner orientation process to support smooth transitions for new Commissioners.

Intentions for the future:

- Aside from incremental improvements to the Commissioner orientation process incorporating the feedback and experience of new Commissioners, the Commission does not intend to take further action on this recommendation.

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Recommendation #7: Build long-term strategic plan.

The comments received suggested general support, but all expressed concern that effort put toward this planning not compromise higher priorities. There was a lack of clarity regarding the purpose and elements of such a plan.

Actions taken:

- The Commission noted that the IPHC staff had prepared a draft strategic plan for its consideration, but gave it a low priority in light of other more pressing planning efforts, such as the 5-Year Research Plan, the standing scientific peer review process, the MSE process, and standing up the SRB and the MSAB.
- The Commission postponed action on this recommendation until after higher-priority activities were complete.

Intentions for the future:

- Return to consideration of the strategic planning process during the 2013-2014 meeting cycle.
- Revise the draft strategic plan to increase its usefulness in guiding the Commission's planning and its work at the strategic and operational/tactical levels.

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Recommendation #8: Structure staff advice to strengthen the delineation between scientific analysis and policy options.

Comments generally supported this approach, including presenting information related to risk rather than a single number for allocation. Comments 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.

Actions taken:

- The Commission adopted a new structure for harvest advice proposed by the IPHC staff, including a decision-table presentation format to support risk-based decision-making, beginning with the advice for 2013. This new advice structure was thoroughly examined and revised as part of the stock assessment review by outside scientific reviewers in September 2012. The 2012 Interim Meeting and the 2013 Annual Meeting featured detailed presentations of the purpose and use of the new harvest advice structure, and there was extensive public discussion during both meetings by the Commission and stakeholders.
- As part of the SRB's annual review of the stock assessment, it examines the structure and content of the harvest advice developed by the staff. The SRB began this work at its initial meetings in 2013, and its findings are included in its reports to the Commission, beginning in the 2013-2014 meeting cycle.
- The Commission also decided to implement the MSE process to better inform its policy analysis and choices, and to charter the MSAB to oversee the MSE process and to advise the Commission and IPHC staff on the development and evaluation of candidate objectives and strategies for managing the fishery. The MSE process will help the Commission develop and thoroughly test alternative management procedures prior to actually implementing management changes for the fishery.
- At the 2013 Annual Meeting, the Commission approved the formation of the MSAB and solicited nominations from the public. The Commission selected board members from among the nominees and the MSAB met for the first time in June 2013. It held its second meeting in October 2013, and began to make reports to the Commission during the 2013-2014 meeting cycle.

Intentions for the future:

- Continue to refine the development and presentation of scientific analysis in support of risk-based policy decision-making by the Commission, including independent review by the SRB.
- Continue the MSE process through the MSAB and the IPHC staff to advise the Commission on management strategy options for the fishery.

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Recommendation #9: Commissioners should seek and take advantage of opportunities to model and exert leadership. [Related to recommendation #1]

Comments expressed full support for the recommendation. There were few specific comments except to request that individuals have authority from their federal governments to exercise decision-making.

Actions taken:

- 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 described elsewhere in this report.
- The Commission noted that the clarification of roles and responsibilities in response to recommendation #1 will also affect this area.
- The Commission met with the IPHC headquarters staff at the time of the 2012 Interim Meeting, to follow up on the staff's comments on the performance review.

Intentions for the future:

- The Commission intends to continue to lead and make progress on key initiatives, as determined in consultation with stakeholders.

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Recommendation #10: Elevate the importance of Tribes and First Nations.

Comments received questioned whether there was more that needed to be done to involve Tribes and First Nations in the IPHC process.

Actions taken:

- The Commission noted the importance of Tribes and First Nations within the domestic processes of Canada and the United States, and that issues pertaining to 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.
- The Commission also stressed that the Tribes and First Nations have a very important existing participatory role in the Commission process, 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.

Intentions for the future:

- 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. and Canadian domestic processes.
- The Commission welcomes suggestions on how its interaction with Tribes and First Nations can be facilitated and improved.

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Recommendation #11: Strengthen interim and annual meeting process. [Including adding a third meeting to the annual cycle. Related to recommendations #1 and #2.]

Comments diverged, with some supporting the addition of another public meeting focused on science and research and others opposing it. There was general support for ensuring that meeting materials are provided in advance and implementing other improvements to IPHC meeting processes.

Actions taken:

- The Commission decided not to add the proposed third meeting to the annual cycle at present.
- With regard to the 2012 Interim Meeting and the 2013 Annual Meeting, the Commission decided to open both meetings to the public as much as possible, including the following:
 - o Webcast all Interim Meeting sessions except the Finance and Administration sessions.
 - o Open all Commission sessions at the Annual Meeting except the Finance and Executive sessions to public attendance and webcast.
 - o Expand the Commission's public session webcasts at both meetings to include the ability for the web audience to submit questions or comments during the proceedings.
 - o Open CB and PAG sessions at the Annual Meeting to the public.
 - o Add time and agenda space to both meetings to accommodate additional topics and public discussion.
 - o Provide more information to the public, including posting as much information as possible on the IPHC public website ahead of the meetings, with an emphasis on presenting the most relevant material to the audience in the most accessible manner as soon as possible.
- The Commission instituted these changes on a trial basis for the 2012-2013 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 likely to be an iterative process.

Intentions for the future:

- Building on the success of trial changes implemented during the 2012-2013 meeting cycle, the Commission intends to make those changes permanent.
- The Commission intends to continue modifying IPHC meeting processes to increase the effectiveness, efficiency, and transparency of Commission operations, and to solicit stakeholder input and suggestions for further improvements.

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Recommendation #12: Improve communications. [Related to recommendations #1 and #2.]

Comments supported this recommendation, but included concern that any incremental efforts in this regard be cost-neutral. Comments suggested that more thorough meeting summaries and clear articulation of the rationale for Commission decisions would be useful.

Actions taken:

- As described elsewhere in this report, the Commission has taken a number of actions to improve communications with the public, including:
 - o Opening meetings to greater public participation, both in person and via the web.
 - o Adding more opportunities for public comment and discussion to meeting formats.
 - o Posting more complete and useful meeting-related information for the public, and posting it as early as possible.
- In order to focus its communications efforts, the Commission designated an experienced staff lead for communications. A number of communications improvements were instituted during 2013, including:
 - o Updates to the main IPHC website and the addition of dedicated websites for the advisory bodies to communicate with the public.
 - o Development of additional web tools to improve internal communications and operations.
 - o Adding social media to the Commission's communications portfolio by starting a Facebook page for interaction with the halibut community ([facebook.com/InternationalPacificHalibutCommission](https://www.facebook.com/InternationalPacificHalibutCommission)).

Intentions for the future:

- The Commission intends to explore all available means to improve communication throughout its structure and with the public, increasing staff capability and incorporating best practices from other agencies, as well as input from stakeholders. The Commission recognizes that this is an iterative process, and intends to pursue this as a continuing objective.

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