

International Pacific Halibut Commission, Management Strategy Advisory Board: Draft Terms of Reference

1. Mandate

The Management Strategy Advisory Board (MSAB) will work with International Pacific Halibut Commission (IPHC) staff to develop a Management Strategy Evaluation (MSE) process for the Pacific Halibut fishery. An MSE is a formal process for designing a robust management regime through stakeholder consultation and simulation modelling. A robust management regime strives to meet both biological sustainability goals, and fishery sustainability and stability goals.

The MSAB will:

- define clear measurable objectives and performance measures for the fishery;
- define candidate management strategies, which include aspects of the fishery that can be managed (e.g., regulatory requirements); and
- advise IPHC staff about plausible scenarios for investigation, which include aspects of the fishery that cannot be managed (e.g., environmental conditions).

2. Organization

2.1 Membership

The MSAB will be inclusive of the following interests (in alphabetical order):

- Commercial fisheries
- First Nations/Tribal fisheries
- Government agencies
- Processors
- Recreational/Sport fisheries

The MSAB will consist of approximately 15-20 individuals approved by the IPHC.

Commissioners and government representatives are ex-officio participants, i.e., participants in the process by virtue of their position as commissioners and/or in government.

IPHC staff will provide technical, modelling, and conceptual support for the MSE process.

2.1.1 Selection of members

The MSAB will be nominated from existing IPHC advisory bodies, partner agencies, as well as through direct application from the public.

The MSAB membership will consist of:

- 6-8 commercial fishery representatives
- 2-4 First Nations/Tribal fishery representatives
- 2-4 processor representatives
- 2-4 Recreational/Sport fisheries

MSAB ex-officio participants and participant observers will consist of:

- 7-8 government agency staff, including science advisors to each national delegation
- 2 Commissioners

2.1.2 Length of Membership

There is no limit to an MSAB member's term length. Member continuity on the MSAB is key to the success of the MSE process. However, MSAB members serve at the discretion of the IPHC.

2.1.3 Observers

MSAB meetings are open to the public and observers may attend. Observers will be permitted to comment on agenda items at the sole discretion of the co-chairs. If the conduct of any member of the public in attendance is impeding the orderly progress of the meeting, the co-chairs may, at their sole discretion, ask the individual to leave. All meetings of the MSAB will be webcast.

2.1.4 Officers

Co-chairs

The MSAB will be co-chaired by two members, one from the United States of America and one from Canada. Co-chairs will be appointed by the MSAB.

The Co-Chairs will convene and adjourn meetings and preside over them, ensuring that meetings are conducted in an orderly, efficient, transparent, and respectful manner. They may, with concurrence of the MSAB, arrange for facilitation of the meetings by a third party, subject to sufficient financial resources from the IPHC.

The Co-Chairs will present the MSAB's decisions, recommendations, and advice to the IPHC.

The term of the Co-Chairs will be two years, and they may serve additional terms at the discretion of the MSAB.

Agenda Committee

The Agenda Committee will work with the Co-Chairs to develop draft agendas based on the advice of the MSAB and in alignment with the MSAB's objectives.

Agenda Committee members will be appointed by the MSAB.

The term of Agenda Committee membership will be two years, and they may serve additional terms at the discretion of the MSAB.

The Co-Chairs and Agenda Committee together constitute the MSAB Steering Committee.

Ad Hoc Working Groups

If the MSAB determines it is necessary, MSAB may convene ad hoc working groups comprised of MSAB members and experts. Ad hoc working groups will report only to the MSAB and serve at the discretion of the MSAB.

3. Procedures

3.1 Meetings

3.1.1 Time and Place

The MSAB normally meets twice per year, in the spring and in the fall. The MSAB may meet more or less frequently as business requires.

Six weeks prior to each MSAB meeting a notice of a meeting shall be forwarded by the Co-Chairs, or a delegate, to all MSAB members. The notice shall announce the date, time, venue, and webcast details for the meeting.

3.1.2 Agenda

Four weeks prior to each MSAB meeting a draft agenda shall be forwarded by the Co-Chairs, or a delegate, to all MSAB members for review and comment. Two weeks prior to each MSAB meeting a final draft agenda shall be forwarded by the Co-Chairs, or a delegate, to all MSAB members, and IPHC Conference board and Processor Advisory Group Co-chairs, and posted on the IPHC website. Final draft agendas will be reviewed, revised and adopted by the MSAB at the beginning of each meeting.

3.1.3 Decision-making Process

The MSAB will strive to develop consensus-based advice on the issues it discusses. Consensus is a process for making decisions, in this case, decisions on what advice to put forward, without the requirement that formal votes be taken. The main feature of this form of consensus is that the MSAB will not claim to have reached a common position unless all members of the MSAB can support the position or to at least agree not to obstruct the position. Consensus does not require that everyone be in complete agreement, but only that all will be willing to accept – consent to – a decision. In reaching a decision through a consensus process no one should feel that her/his position on the matter was misunderstood or that it was not given adequate hearing.

If consensus is not possible, the meeting minutes will reflect the points of views of the members of MSAB, and the MSAB's views will be conveyed in a manner that communicates the points of view expressed by all of its members.

3.1.4 Reports, Minutes, and Other Meeting Materials

Meeting Minutes

The Co-Chairs, or a delegate, will ensure that a concise meeting summary as well as more detailed meeting minutes listing key points from discussions, decisions, recommendations, and action items are recorded from each MSAB meeting.

The process to develop, review, and approve the meeting summary and minutes of meetings will be as follows:

- Initial draft of meeting summary and detailed meeting minutes will be distributed to all members within two weeks following each meeting.
- All MSAB members will have six weeks from the date of the meeting to provide initial comments and edits.
- Revised, final draft meeting summary and meeting minutes will be redistributed to all members no later than eight weeks from the date of the meeting.
- Final edits to, and approval of, meeting summary and meeting minutes will occur at the next meeting of the MSAB.

Final, approved meeting summary meeting minutes are considered public documents and will be made available on the IPHC's website.

3.2 Roles and Responsibilities

MSAB members will:

- Conduct meetings consistent with its Terms of Reference;
- Gather and clearly articulate the interests and concerns of constituents and incorporate them into the MSAB's discussions;
- Fully explore all matters on its agenda in a manner that seeks to understand, and where possible accommodate, the interests of all concerned; and,
- Encourage and allow members to test tentative ideas and exploratory suggestions without prejudice to future discussions;
- Represent information, views, and outcomes of the MSAB discussions to external parties accurately and appropriately; and
- Encourage the understanding and support of their constituencies for the MSAB process and for consensus positions developed by MSAB.

The Co-Chairs, with potential assistance from facilitators, will:

- Manage the process consistent with the Terms of Reference and agreed-upon agenda;
- Promote interactive dialogue, and enable all perspectives to be heard within the constraints of the time available;

- Support bringing issues to closure by ensuring that there is clarity on the topics being discussed, a summation of the collective advice of MSAB, and acknowledgement of any outstanding issues or concerns; and
- Identify areas where there are conflicts and support processes through which those conflicts can be addressed.

4. Changes

Any gaps or deficiencies in these Terms of Reference will be forwarded by the MSAB to the IPHC for resolution, along with any recommendations from the MSAB. Amendments or changes to these Terms of Reference must be approved by the IPHC.

5. Promulgation

The IPHC approves and promulgates these Terms of Reference for the MSAB as of ***.