

Performance review of international organisation. The NPAFC experience

1. The scope of performance review

For the first time, the North Pacific Anadromous Fish Commission (NPAFC) agreed to undertake a performance review at the 15th Annual Meeting in Vladivostok, Russia in October 2007. The main goal was to assess the NPAFC performance since 1993 against the objectives set out in the *Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean*, the United Nations Convention on the Law of the Sea relating to the anadromous stocks, and other relevant international instruments and to identify achievements as well as areas for improvement. At the 16th NPAFC Annual Meeting in November 2008, the membership of the Performance Review Panel was agreed, and detailed review criteria were adopted by the Commission.

The criteria included several issues as follows:

In scientific research fields:

1. National participation in cooperative mechanisms for the conduct of scientific research in the Convention Area (e.g., participation and exchanges of personnel on surveys or to laboratories of other member states);
2. National participation in cooperative programs to collect fishing information in the Convention Area for the purpose of scientific research on anadromous stocks and ecologically-related species (e.g. contributions to Commission statistical yearbooks, contributed documents which present such information, etc.);
3. National framework for the submission and review of proposed scientific research programs in accordance with Article VII, paragraph 6 of the Convention¹;
4. National framework for the coordination and assessment of scientific studies to ensure the identification of the location of origin of anadromous stocks migrating in the Convention Area and areas adjacent to it;
5. National documents contributed to the Commission relating to scientific information and views on ecologically-related species, including the impact of bycatches in related fisheries of species of concern designated by the Commission;
6. National framework for the review and coordination of the collection and exchange of scientific data and specimens of anadromous species;
7. National framework for the coordination of scientific information exchanges, seminars, workshops, field research, and data analyses;

¹ The Parties shall submit to the Commission scientific research programs to be conducted by their nationals or vessels involving directed fishing for, or incidental takes of significant levels of, anadromous fish in the Convention Area sufficiently in advance of the conduct of such research to allow appropriate scientific review by all Parties. If all Parties that are States of origin, except for the requesting Party, notify the Commission within thirty (30) days of their receipt of the program from the Commission that they regard the fishing involved in such program to be a violation of paragraph 1 (a) or (b) of Article III, the program shall not be implemented pending a decision by the Commission.

8. Cooperation within and by the Commission with relevant international organizations to obtain the best available information, including scientific advice, to further the attainment of the objectives of the Convention;
9. National procedures for the review and approval of reports submitted for publication through the Commission and recommendations regarding other reports to be published by the Commission;
10. Preparation and submission of the Committee on Scientific Research and Statistics annual report to the Commission;
11. Recommendations to the Commission for the conservation in the Convention Area of anadromous stocks and ecologically-related species of concern designated by the Commission, including any specific requests to the Commission for scientific advice;
12. Recommendations to the Commission to avoid or reduce incidental taking of anadromous fish in the Convention Area;
13. The existing Committee on Scientific Research and Statistics structure efficiency, including its Rules of Procedure.

In the enforcement activities:

1. National measures in place to prevent trafficking in anadromous fish taken in violation of the prohibitions provided for in the Convention and to penalize persons involved in such trafficking (please provide copies of relevant legislation if possible);
2. Any occasions on which your State has drawn the attention of any other State or entity not party to the Convention to matters relating to the fishing activities which could adversely affect the conservation of anadromous stocks within the Convention Area;
3. National measures in place to prevent transferring vessel registration for the purpose of avoiding compliance with the provisions of the Convention;
4. Any instances of cooperation between your State and other States (both parties and non-parties to the Convention) in taking legal actions against directed fishing for and the minimization of incidental taking of anadromous fish in the Convention Area;
5. National measures in place to ensure that nationals and fishing vessels of the Contracting Parties comply with the provisions of the Convention;
6. Any cooperative action taken with other States (both parties and non-parties to the Convention) in the exchange of enforcement information, including contraventions, disposition of cases and directed or incidental taking of anadromous fish in the Convention Area by national, residents and vessels of any State or entity not party to the Convention;
7. Enforcement actions taken by national authorities in accordance with your obligations under the Convention;
8. Cooperation by the NPAFC with relevant international organisations;
9. Invitations that have or that could be made to States or entities not parties to the Convention to consult and cooperate with the NPAFC with respect to matters relating to the conservation of anadromous stocks;

10. The contribution of the NPAFC to the implementation of United Nations General Assembly Driftnet Resolutions and to the implementation of the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

In the Administration and Finance:

1. The Rules of Procedure and their implementation;
2. Effectiveness of Commission publications and publicity;
3. Management and efficiency of the Secretariat;
4. Implementation of the NPAFC Financial Rules;
5. Effectiveness of the financial management of the Commission
6. The Commission's auditing procedures.

The process and structure of performance review

The Performance Review Panel consisted of two external panelists (both as co-chairpersons) and the chairpersons of the NPAFC three committees, the Committee on Scientific Research and Statistics (CSRS), the Committee on Enforcement (ENFO), and the Committee on Finance and Administration (F&A), plus one person from each Contracting Party not holding any committee chair, i.e., one representative from each of five NPAFC member countries. The Panel ensured broad consultation and contribution by NPAFC Member States to its work. A wide group of experts involved in the Commission's activities were interviewed and/or invited to submit information and/or comments on the matters outlined in the listed review criteria adopted by the NPAFC, and to provide any comments they might wish to make on past, present and future issues of interest and importance to the work of the NPAFC, as well as any other comments or information which they think would be relevant and useful to the Performance Review Panel in the completion of its work.

It was agreed by the Commission that the review should be conducted based on the functioning structure of the NPAFC – the Committee on Scientific Research and Statistics (CSRS), the Committee on Enforcement (ENFO) and the Committee on Finance and Administration (F&A) to:

- promote the acquisition, analysis and dissemination of scientific information pertaining to anadromous stocks and ecologically related species in the North Pacific Ocean;
- coordinate efforts to conserve anadromous stocks in the North Pacific Ocean in order to prevent unauthorised fishing activities and trafficking in illegally harvested anadromous fish; and
- establish an effective mechanism of international cooperation to promote the conservation of anadromous stocks in the North Pacific Ocean.

It was agreed that the performance criteria would be based on:

1. specific and relevant articles, annexes, and amendments of the Convention; and

2. compliance with other relevant regional and global principles of resource conservation and management.

It was further agreed that the review should point to achievements as well as to areas for improvement.

Following appointment, the Review Panel was provided with the Performance Review Criteria adopted by the NPAFC. The Performance Review Panel met during the 17th Annual Meeting of NPAFC in Niigata, Japan, in November 2009 to discuss its working procedures and establish a timetable for completion of its work. Review Panel members also took the opportunity to interview members of the national delegations. The Chair of the Review Panel subsequently visited the Secretariat in Vancouver to obtain documents, interview Secretariat staff, and discuss issues of relevance to the review. Due to budgetary and logistical constraints, however, the rest of the Review Panel's work was conducted electronically.

To gain an insight into the concerns and suggestions member states might have regarding the NPAFC's performance the Review Panel developed a questionnaire, based on the Review Criteria, for circulation to the member states. Only one response was received. This was analysed by the Review Panel and its comments and ideas have informed the reflections and recommendations contained in the report.

The Performance Review report is organised into 5 chapters, including specific chapters assessing the performance of the Commission based on the functioning of its three standing committees as required by the review criteria. Chapter 1 provides the geographic, historical and legal background and context of the NPAFC; Chapter 2 reviews conservation of anadromous stocks as conducted by the Committee on Scientific Research and Statistics; Chapter 3 reviews enforcement activities as conducted by the Committee on Enforcement; and Chapter 4 reviews financial and administrative activities conducted by the Committee on Finance and Administration. A concluding Chapter 5 contains general comments and a consolidated list of the Performance Review Panel's recommendations for easy reference.

Implementation of the recommendations and other follow-up to performance review

There were 54 recommendations, which were thoroughly studied by the committees and responded as related actions were implemented. In general, the List of actions on prioritized recommendations from the Performance Review report has provided the basis for committees' activities planning for many years.

At the 18th NPAFC Annual Meeting in 2010, the Commission agreed to prioritize the performance review panel's recommendations and report on the specific actions to be undertaken in response to the recommendations. The specific actions taken in response to the recommendations were compiled into a List of Actions and these 26 actions were adopted by the Commission at its 19th Annual Meeting in 2011.

The Committee on Enforcement (ENFO) was responsible for five recommendations from the List. One of them was implemented the next year with changing a format of annual inter-sessional

Enforcement Evaluation and Coordination Meetings (EECM). In 2014, revised ENFO Terms of Reference was adopted with tasking the committee to study a possible further contribution of the NPAFC to the implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU). Implementation of two remained recommendations are still ongoing. Despite a significant progress in Parties' joining to the FAO Agreement on Port State Measures, two of five States still do not complete the process of PSMA ratification. Development of collaborative enforcement strategy with the North Pacific Fisheries Commission (NPFC) was also delayed while the newly established NPFC developed their conservation and management measures and created the Technical and Compliance Committee (TCC). In June 2018, the 3rd NPFC Meeting in Tokyo, Japan marked a significant transition for the NPFC in the field of compliance, with the approval of the High Seas Boarding and Inspections (HSBI) Implementation Plan. This creates new opportunities in aligning the NPAFC and NPFC efforts, particularly around surveillance resources. The NPFC is set to officially launch HSBI operations on April 1, 2019.

The Committee on Scientific Research and Statistics (CSRS) was responsible for implementation of ten panel's recommendations of 26. Eight of them were implemented in one-year term. At the 20th NPAFC Annual Meeting in 2012, CSRS reported on removal of non-anadromous species from compiled fishery statistic tables, agreement to reassess salmon stock status and update evaluations approximately every five years, revision of Terms of Reference (ToR) for the CSRS itself, Science Sub-Committee, and working groups, linking the committee and groups meetings' agendas with the appropriate ToR. Main CSRS goals or purposes of specific actions in relation to the Convention were defined and written up as a preface to its ToR. A report on comparison of at-sea sampling methods was finalized and uploaded on the NPAFC website. The Commission adopted the CSRS recommendation that the Parties annually provide a full accounting of all salmon catches including subsistence and sport fishing.

Two other recommendations were implemented in 2014, when NPAFC Unified Statistical Data Files were uploaded on the Commission's website to replace all other obsolete formats of statistical information and the archival tag data became accessible in the Members' Area of the NPAFC website. In 2016, CSRS recommended to make the disk tag-recovery database open to the public without request through the public area of the NPAFC website.

The Committee on Finance and Administration (F&A) was responsible for implementation of the greatest number of recommendations from the List – 11. Nevertheless, eight of them were implemented the next year. The Rules of Procedure were amended with necessary clarifications, a policy on the provision of interpretation at the Commission's meetings for new member states was developed, a Publication Policy Working Group were created, the notice period required for the seating of observers was shortened from 120 to 90 days, measures were planned to increasing the Secretariat's IT capacity while some databases remained on the national servers, the NPAFC Communication Plan was developed to properly address the issue of publicity for the Commission and to ensure maximum public relations gains, new position was added to the staff to increase administrative support within the Secretariat. Nevertheless, recommendations to establish two *ad hoc* working groups and modify the current practice of Executive Director were declined after the detailed consideration.

Lessons learned and best practices from the past performance review

Planning process in the NPAFC Secretariat was significantly enhanced after completing the performance review. Several progressive approaches, even were not recommended by the Performance Review panel, were later adopted and practiced. The NPAFC Secretariat Business Plan addresses human resources issues including succession planning and financial planning was prepared for the new Executive Director Contract term (July 1, 2013 – June 30, 2017) with a commitment to promote employee productivity and the overall organizational health and excellence of the Secretariat. The Business Plan lists the main objective and expected results of the Secretariat's activities, the main tasks to be fulfilled through enforcement and scientific activities, outlines key management measures to accomplish listed tasks, provides analysis of the Commission's financial situation, and summarizes the Budget appropriation, estimate, and forecast for four fiscal years. In 2017, the Commission decided that the Business Plan term should coincide with the five-year Science Plan term, and second Business Plan was adopted for 2017-2020.

Significant progress was reached in the NPAFC communication activities after the Commission accepted the Communications Plan at the 21st Annual Meeting in November 2013. The goal of the Communications Plan is to enhance the effectiveness of NPAFC communications and advance the NPAFC mission of conserving Pacific salmon and steelhead stocks in the North Pacific Ocean. Till May 2016, the Secretariat completed 11 of 30 Plan's recommendations since Plan approval by the Commission in November 2013. Another 10 recommendations are in progress or ongoing (for activities and practices that will be continued in future), and another 9 were not implemented. Implementation of several recommendations from the latter group required the NPAFC website reconstruction that was implemented in 2018. Second Communication Plan Progress report was presented in 2018. The outside reviewer recommends re-examining the NPAFC Communications Plan, especially considering the recent progress on the International Year of the Salmon (IYS), an initiative which includes 'Outreach and Communication' as one of its main themes. In a course of implementing the Communications Plan, the NPAFC activities became more transparent and understandable for public, attracted potential partners among media and academia. In results, it helped to gather a necessary potential to plan and implement such major the Commission's project as the International Year of the Salmon (IYS).

Since 2015, the new format of the Joint Patrol Schedule Meeting (JPSM) was developed and implemented as a part of pre-season planning of enforcement activities. A conference call practice that did not give equal opportunities to the ENFO Parties to participate due to time difference and language barriers was replaced by e-mail conferences. New approach was easily accepted by the Committee on Enforcement. It is practiced to date. A practice of intersessional ENFO and CSRS meetings held annually was eliminated that provided with significant savings of the Commission's budget. Together with other revealed reserves, this led to the NPAFC financial stability and there was no necessity to increase the Parties' contribution during last nine years.

The Secretariat staff's performance appraisal became be based on individual work plans, in addition to regularly updated job descriptions. This approach together with annual open reporting sessions increase transparency and tighten working relationships within the Secretariat that

increased its capacity. It occurred to be helpful in situation required a weighted re-structuring of the staff classification in the Secretariat that was successfully made in accordance to the Canadian Party's proposal in 2015. In 2015, the Secretariat developed the NPAFC Staffing Guidelines that includes a section on the supervisory practices including probation period management in the Secretariat. In 2015-2017, no employee required a probation period extension after their performance appraisal in established interim periods of their employment; in 2018, one employee's probation time was extended by 6 months.

Actions needed to further strengthen the effectiveness of the performance review process

Everyone seems to agree that the performance review of international organisations should be performed regularly. Especially, the performance review looks to be necessary after completion of large multi-year projects or programs. E.g., the NPAFC is expecting to start the second performance review after completion of the International Year of the Salmon (IYS) project. Another potential milestone for the next performance review can be an expected changing of the organisation membership or leadership. In general, a ten-year period should be considered as the time scale interval, when the performance review should be organized.

Preparation to the performance review should include exploring of recent best practices of partner organizations. Exchange results, approaches, criteria, opinions are extremely helpful in organizing review properly. As a rule, experts of a partner organisation could be the best candidates for external panelists' positions. It would be also useful, if the UN DOALOS and/or RSN could recommend external panelists, who are well experienced in reviewing on the international level.

Since expenditures related to a performance review are usually significant for organisations with small secretariats, all necessary expenses should be properly budgeted.

Inside the organisation, chairpersons/representatives of major subsidiary bodies should be involved into the review process, in better way – as panelists. Nevertheless, wider members' participation is important that can be reached through individual interviews and questionnaires. A secretariat of organisation shall not be a part of the review panel but should work closely to provide support to the panel activities, access to information and facilities.

Outcomes of the performance review should be as open-ended and inclusive as feasible. Transparency is crucial to effectiveness to further development of organisation through implementation of performance review recommendations. No recommendation should be left without response even if it will require several years to explore and/or test a feasibility of its implementation.