

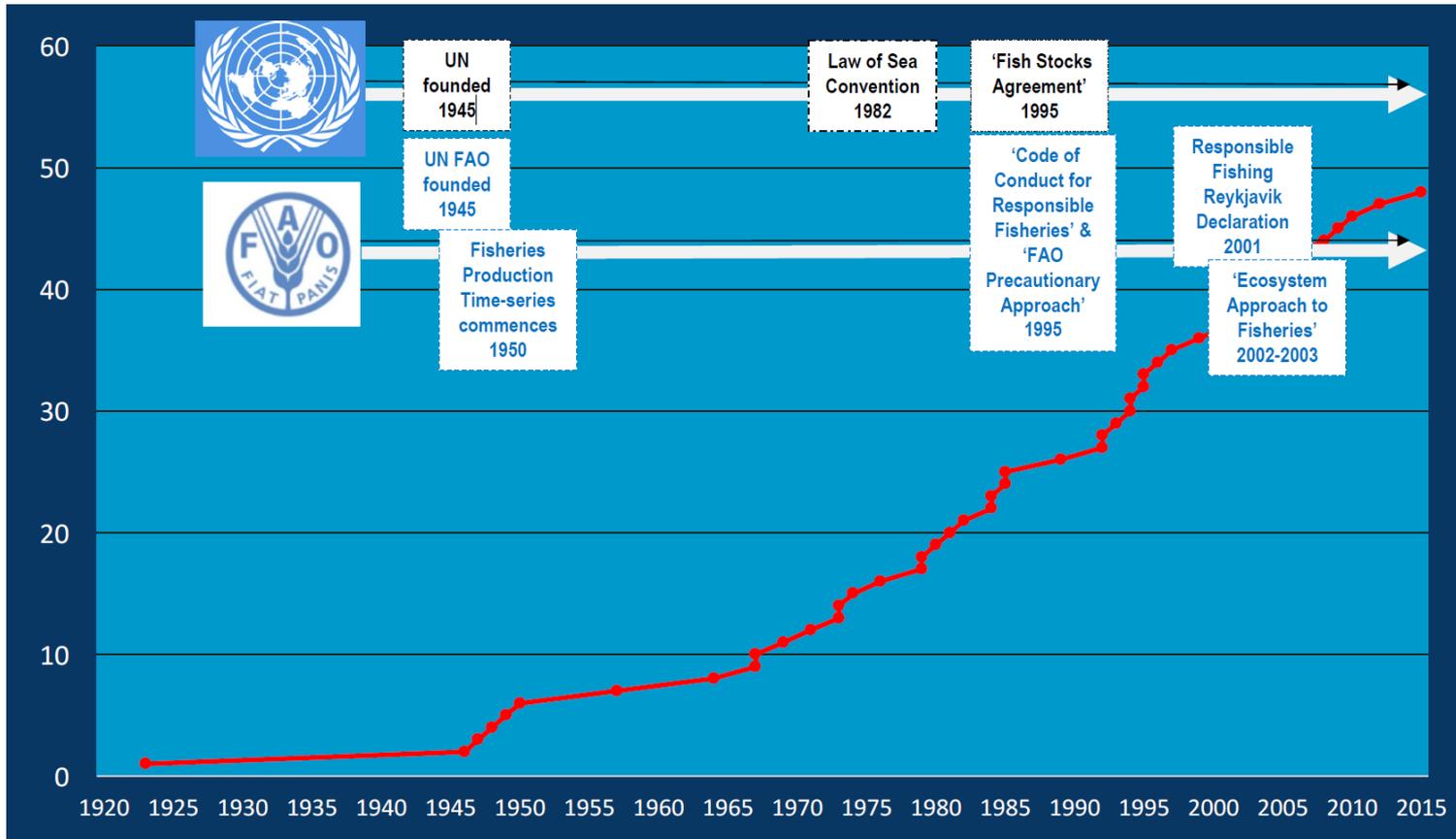


Effective Performance Review

**14th Informal Consultation of States Parties to
UNFSA
Robert Day, Canada**

Lake Laberge, Yukon Territory, Canada. Shutterstock

Brief Historical Context

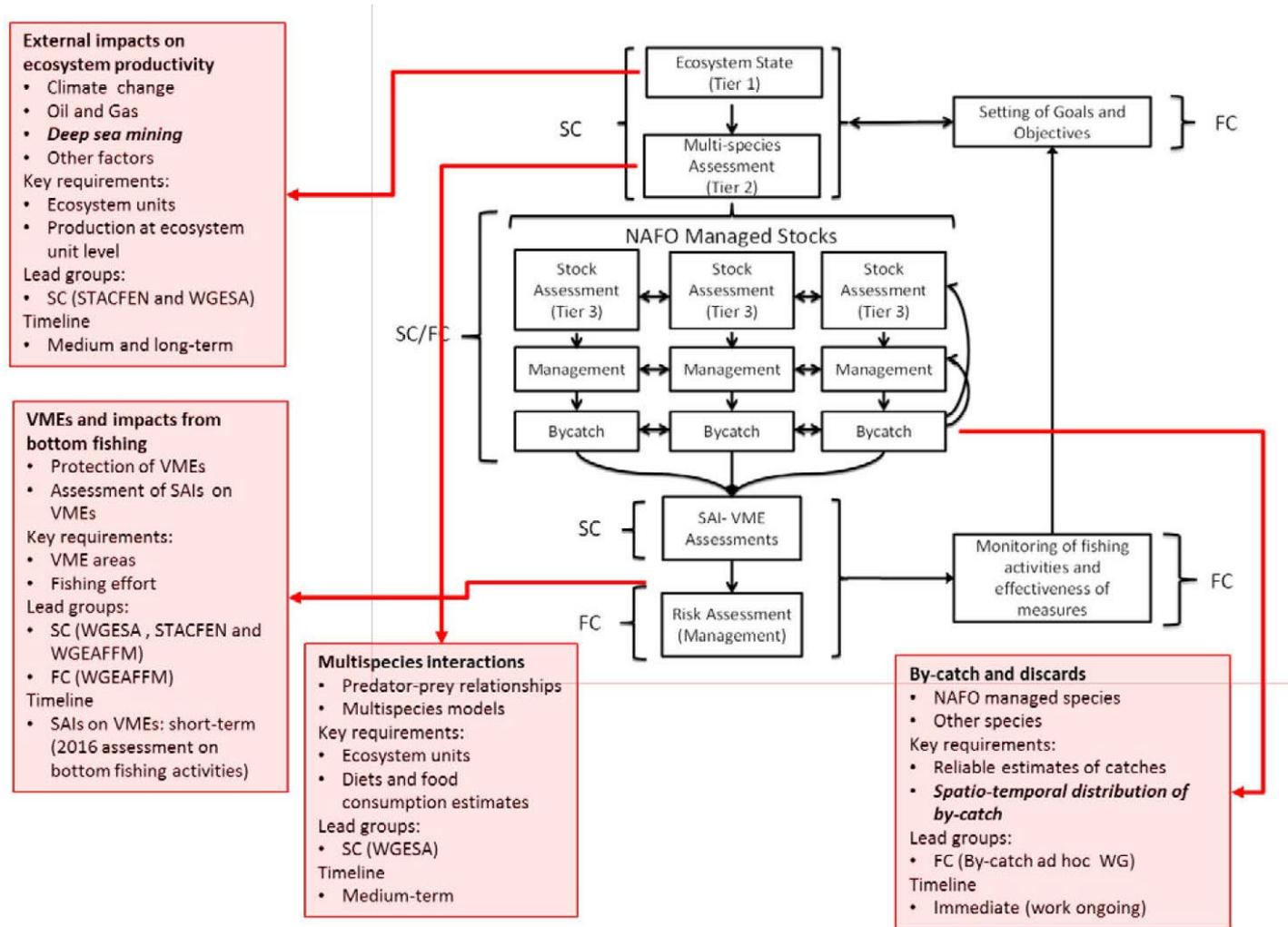


Source: FAO

Canada's Interest in Shared Fisheries

- Domestic and international protection and conservation of fishery resources - stable and sustainable fishing sector
- Decision-making framework designed for management action based on principles of sustainability, precaution and ecosystem considerations
- Continuous efforts to improve shared management since the early 1900's
- Active support for effective regional management through regional bodies such as NAFO, including on:
 - Ecosystem approach to fisheries management
 - Reforms to the decision-making process
 - Strengthening obligations of Contracting Parties
 - Implementing a formal dispute resolution mechanism

NAFO Ecosystem Approach to Fisheries Roadmap

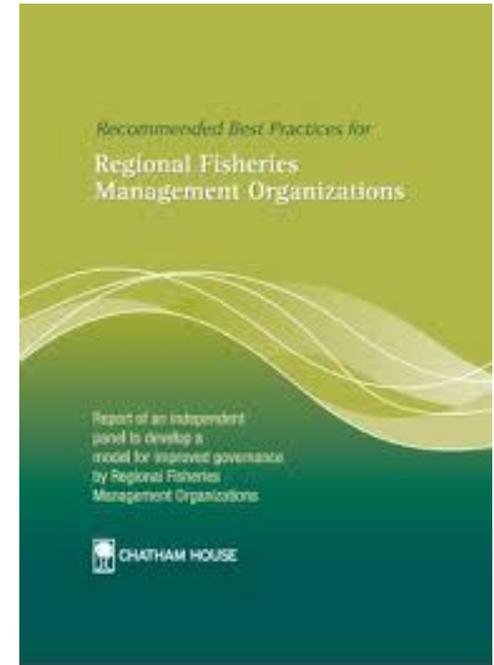


Current and Emerging Global Mechanisms

- Support for updates to global systems such as UNFSA, and the FAO Code of Conduct for Responsible Fisheries
- Active engagement in UN negotiations to develop a new treaty to address the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction (BBNJ)
 - Provision in Res 72/249 that BBNJ process should “not undermine existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies”, including RFMOs
 - Need to address cumulative impacts, including from fisheries

Strengthening the UNFSA Review Process: a Canadian contribution

- “Recommended Best Practices for Regional Fisheries Management Organizations: Report of an independent panel to develop a model for improved governance by Regional Fisheries Management Organizations” (Chatham House, London)
 - Recommended best practices for RFMOs, known as a “model RFMO”.
 - Can serve as a basis for evaluating the effectiveness of the bodies through regular performance reviews - Lodge et al, 2007.



Performance Review Timing

- Performance reviews can be time-consuming
 - Need to balance the contribution to continual improvement of the body, with resources required to undertake them (human and financial costs)
- No “one size fits all” sequence for performance reviews, but a general format could be:
 - Five year cycle of review, followed by implementation of recommendations
 - Subsequent performance reviews would be less onerous than the first, focus more on specific key areas

Review Team – Canada's experience

- Reviews conducted by a range of experts:
 - fully external
 - mix of external and internal
 - external via a consultancy
- Successful reviews are undertaken with a combination of:
 - Internal experts representing the members, with knowledge of and experience with the body; and
 - External experts with a broader range of experience and expertise (i.e., in science, management and legal)

Implementation and Assessment

- Need for commitment among members to:
 - The process itself
 - Assessing results and considering implementation of recommendations
- Members need to consider their ability to adopt outcomes, taking into account their sovereign rights
- Identifying organizational weakness through reviews often cited as beneficial
- Consideration of requirements of developing state members of RFMOs, including small island states and participating territories
 - Underscored in UNFSA and specifically outlined in the Conventions of some RFMOs



Opportunities for Improvement

- Do we have the necessary political will?
- Importance of consensus-based decision-making
- Integration of external drivers / new processes
 - Res. 61/105 (bottom fisheries resolution)
Implementation of BBNJ objectives while not undermining RFMO mandates and activities
 - Impacts of climate change



