



## **TWENTY SIXTH MEETING OF THE COUNCIL**

7 - 8 MARCH 2018, TROMSØ, NORWAY

**DOCUMENT 06      PERFORMANCE REVIEW**

**Submitted by:      Secretariat**

**Action requested:**

- Take note of the status
- Provide input

## NAMMCO PERFORMANCE REVIEW PROCESS

### 1. BACKGROUND

At its 25th Annual Meeting, NAMMCO Council agreed to undertake a Performance Review of the organisation and adopted a process for conducting such a review, which can be downloaded [here](#)<sup>1</sup>.

The objectives of the Performance review are:

- To assess the performance and accordance of the organization with the NAMMCO Agreement and other relevant international instruments addressing the conservation and management of marine mammals,
- To assess the performance of the Parties in responding to NAMMCO recommendations and proposals,
- To propose ways ahead for areas where improvements are required.

The review criteria for the Performance Review were developed from the “Kobe Criteria for Reviewing the Performance of RFMOs” (FAO 2015<sup>2</sup>) and amended to reflect NAMMCO’s mandate and membership.

The Performance Review Panel should be composed of external experts, non-nationals and non-residents of any NAMMCO member countries to ensure objectivity and neutrality. Council agreed to ask FAO, IWC and NAFO to nominate one expert each to the panel.

It was anticipated that the review could be accomplished by one to two, 3-5-day face to face meetings of the Review Panel, the preparatory and subsequent tasks being conducted by correspondence, with a total of 5 supplementary working days.

### 2. STATUS

FAO, IWC and NAFO nominated Dan Goodman (JP / CA), Caterina Fortuna (IT / UK, Chair of the IWC Scientific Committee) and Russell Smith (USA) respectively (see short CVs in appendix 1).

The nomination of the Experts was somewhat delayed, and the Panel had their first meeting (skype) on January 11, 2018.

Since that the Panel, with and without the Secretariat, has held regular skype meetings and will meet for their first face to face meeting in conjunction with the Council and Management Committees meetings, which they will observe.

---

<sup>1</sup> [http://nammco.wpengine.com/wp-content/uploads/2017/03/22-nammco-25\\_performance-review-1.pdf](http://nammco.wpengine.com/wp-content/uploads/2017/03/22-nammco-25_performance-review-1.pdf)

<sup>2</sup> FAO. 2015. *The implementation of performance review reports by regional fishery bodies, 2004–2014*, by Péter D. Szigeti and Gail L. Lugten. FAO Fisheries and Aquaculture Circular No. 1108. Rome, Italy. Available at <http://www.fao.org/3/a-i4869e.pdf>

## **2.1 Modus operandi**

The Review Panel has developed of a Modus Operandi inspired by the Multilateral Organization Performance Network's methodology digest MOPAN 3.0, which should provide for a high-quality review of NAMMCO's performance.

The Performance Review Panel has been seeking views on the performance of the North Atlantic Marine Mammal Commission [and its members] in implementing the 1992 Agreement on Cooperation in Research, Conservation and Management of Marine Mammals in the North Atlantic from NAMMCO stakeholders - the NAMMCO Community and the bodies and or persons having participated in, cooperating with or observing the work of the Commission. This is done in three ways:

- by sending a multiple-choice questionnaire reflecting the criteria identified by the NAMMCO Council in 2017 for this Performance Review to NAMMCO stakeholders.
- by sending specific questions to the NAMMCO and non-NAMMCO scientists, who have been involved in the work of the Scientific Committee and its Working Group.
- by arranging for interviews with a number of NAMMCO and non-NAMMCO participants to the meetings of the Management Committees and the 26th Council.

The Performance Review Panel has also begun the process of evidence collection by asking the Secretary to prepare a significant number of overview documents covering activities and achievement related to all aspects of NAMMCO activity domain, inclusive financial and administrative, as well as the historic status of each marine mammal stocks in the purview of NAMMCO.

## **2.2 Worktime allocated**

The time allocated was considered unrealistic by the Panel. At its request, the number of working days allocated to complete the review and the report was increased to a maximum of 30 days per Panel member, plus 3 days for the Chair to present the report to the Council.

## **3. EXPECTED TIME LINE**

The final report of this Performance Review is to be presented by the Chair of the Panel to the 2019 annual meeting of NAMMCO in Spring. The Panel agreed that the final draft of the review report should be finalized by December 2018, making allowance for fact checking by the Parties and minor corrections to the report, if needed. It would also allow the Council to get it well in advance of the Council meeting.

## Appendix 1: Short CVs of the members of the Performance Review Panel

**Dan Goodman, FAO nominee**, is a Canadian citizen residing in Japan and has a background as a biologist. He is employed by the Fisheries Agency of Japan and is also a Counsellor at the Institute of Cetacean Research in Tokyo. Goodman is one of the primary drafters of the 1990 Memorandum of Understanding establishing the North Atlantic Commission (NAC) and the 1992 Agreement on Cooperation in Research, Conservation and Management of Marine Mammals in the North Atlantic (NAMMCO). He served as Canadian observer to meetings of NAMMCO 1992-1997 and as Japan's observer to meetings of NAMMCO in the period 2000-2009.

**Caterina Maria Fortuna, IWC nominee**, is an Italian citizen and has a background as marine biologist. She currently holds a permanent position as Researcher at the Italian National Institute for Environmental Protection and Research (ISPRA). She has 25 years of experience in the field of cetacean research and conservation/management. Her scientific expertise includes abundance estimation and population assessment of cetaceans, sea turtles and elasmobranchs. Fortuna is a member of IWC Scientific Committee since 2001 and currently serves as Chair of the Scientific Committee (2015-2018).

**Russell Smith, NAFO nominee**, is a US citizen and has a background as a lawyer. He has worked both in private practice in the USA and later for the US government, including for the Department of Justice, the Office of the U.S. Trade Representative and the National Oceanic and Atmospheric Administration (NOAA), focusing on international environmental and trade issues, among other things. He has served as the US Commissioner for the International Commission for the Conservation of Atlantic Tuna (ICCAT), the Western and Central Pacific Fisheries Commission (WCPFC), and the International Whaling Commission (IWC).