

## PERFORMANCE REVIEW RECOMMENDATIONS FOR MC'S

### Dear NAMMCO Committees

**Ref.: Follow up of the NAMMCO Performance Review**

Council 27 established an *ad hoc* Working Group (PRWG) led by the Chair of Council, Kate Sanderson (Faroe Islands) to review and follow up on the recommendations introduced in the Report of the NAMMCO Performance Review (attached).

The PRWG met in Copenhagen in June 2019 to examine the over-arching conclusions of the Review Panel and decide on a way forward - see attached report. The PRWG now seeks the views of NAMMCO Committees and BYCELS on the recommendations specific to their areas of work. The Committees' views will represent an important input to the PRWG formulation of follow up actions to be forwarded to Council.

The PRWG would like to underline that the overall conclusions of the Performance Review (PR) were positive, and that NAMMCO is a well-functioning organisation, thanks to the Committees' input and work. There were, however, areas where NAMMCO could consolidate its work and performance. The PR report gives an excellent opportunity for reviewing working processes in NAMMCO and recommend and implement changes which would facilitate the workflow as well as the communication between NAMMCO's bodies.

The Committees are, therefore, requested to address the recommendations and issues forwarded to them (see specific recommendations below). In reviewing the recommendations, the Committees should

- a) **Consider the relevance of the recommendations.**
- b) **Identify any other related matters for which they may have suggestions for improvements to their work and working procedures,**
- c) **Propose ways for implementing the recommendations and improving processes, where relevant.**

The considerations and recommendations of the Committees should be clearly and thoroughly substantiated.

The Committees should consider their answer in the light of five general priorities identified by the PRWG (See Item 7 of the PRWG report for further details).

- 1) **High data quality and reliability** – as needed for high quality science, which is at the core of NAMMCO management, and referring both to data collection and reporting/sharing and the recurrent aim of reducing data gaps for ensuring the sustainable and precautionary management based on the best scientific evidence,
- 2) **Follow up on the advices provided by the Committees** – with the need of a clear, standardised and well described follow up process,
- 3) **Transparency** – referring to all processes and working procedures of the organisation and, particularly, the advice formulation process and the response from the member countries,
- 4) **Precautionary approach** – in the process of decision making and thereby also the management advice-generating process,
- 5) **Communication** – i.e. providing reliable information and raising awareness about the work of NAMMCO [with the website as the preeminent tool of communication and outreach of NAMMCO. The information contained should be complete, clear, updated and accurate].

The PRWG ask that these issues be dealt with by the Committees in the autumn 2019, so their response and input are available to the PRWG November meeting.

Thanks in advance for your input



Geneviève Desportes  
General Secretary  
Tromsø, 22 August 2019

**Points specific to the Management Committees**

Recommendations pertaining to the same issues and same PRWG comment have been grouped and coloured in the same shade of grey.

| General PRP Criteria | <b>Overarching recommendations</b>   | <b>PRWG comments</b>   | <b>Referred to:</b> |
|----------------------|--|--|---------------------|
|                      | <p><b>[PRP18-RC38]</b> The Panel <b>recommends</b> that as part of its efforts to develop a <b>Strategic Plan</b>, the Council consider how to make the process of developing conservation and management measures for stocks that have not been previously managed more efficient. This should include prioritizing stocks based on factors including the biological status of the stock ("unknown," "of concern," etc.). It may also include expanding NAMMCO's efforts to collect the data that is necessary to make determinations about which stocks are priorities and to conduct assessments of those stocks that are deemed priorities.</p> <p>In addition, Council, as part of its development of a Strategic Plan, <b>may wish to consider</b> expanding the level of support that the Secretariat can provide to the scientific enterprise, in the context of the more general recommendation that the Commission consider strengthening the capacity of the Secretariat to support its work.</p> | <p>Concerns poorly managed species/stocks. Are we effective and efficient in our management processes?</p> <p>Relation to management objectives, application of precautionary approach, quality of data.</p> | JMC                 |

| General PRP Criteria               | <b>AREA 1 – CONSERVATION AND MANAGEMENT OF STOCKS</b>   |   |                              |
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| 1.1 Status of marine mammal stocks | <p><b>[PRP18-RC5]</b> ...The Panel <b>views</b> these issues as important components of NAMMCO's credibility as a resource management organization. Therefore, it <b>urges</b> Member Countries to <b>apply the required level of precaution and recommends:</b></p>  | Is the precautionary principle sufficiently applied in provided management advice?  | MCs                          |
|                                    | <p><b>(1)</b> populations with observed declining trends and subject to hunting (e.g. hooded seals in Greenland Sea, grey and harbour seals in Iceland, ringed seals in Svalbard, grey seals in Trøndelag-Nordland, fin whales, humpback whales and white-beaked dolphins in West Greenland, minke in Icelandic coastal waters), as well as a number of poorly known stocks that are affected by direct and indirect takes (e.g. bearded seals in West and East Greenland, bearded seals in Svalbard, killer whales in West and East Greenland, possibly white-sided dolphins in Faroe Islands, Harbour porpoise in Norwegian waters) are given the proper attention;</p> | SC to prepare/review an overview of the stock status (AE, trends, removals, etc), then to MCs for prioritising the effort in managing the different stocks.   | SC (+Sec), MCs<br>// Parties |
|                                    | <p><b>(2)</b> all these cases be fully reconsidered as a matter of priority to (a) confirm that hunts are sustainable, (b) solve all inconsistencies and (c) produce and make publicly available, in a simplified manner, all necessary data that can confirm or otherwise that hunts do not harm these stocks;</p>   | But management decisions up to Parties.   |                              |
|                                    | <p><b>(3)</b> the Council implements PRP18-RC28 (section 2.2.5.3) on developing <b>clear and transparent working methods on interactions between Committee's;</b></p>   | <p>Better communication needed:</p> <ul style="list-style-type: none"> <li>- SC better to explain basis/explanations behind its advice.</li> <li>- MCs to explain more clearly reasons when not supporting an SC advice.</li> </ul> | MCs, SC                      |

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|  | <p>(6) NAMMCO Scientific Committee establish, with the support of the Secretariat, a <b>systematic procedure to assess species and stocks</b>. In order not to duplicate efforts and streamline existing approaches, this procedure should also codify the way NAMMCO Scientific Committee interacts with other bodies, such as the Scientific Committee of the IWC, various working groups of ICES and relevant Canadian research institutes and departments. This includes the adoption by the Council of a work plan to tackle the most urgent cases in terms of data collection and assessments, also taking into account the ageing of available abundance estimates. The Panel notes the positive improvement made at the last meeting of the Management Committees and the Council (2018) with the introduction of the list of "<i>Recent proposals for Conservation and Management and research recommendations</i>" as a tool to assess progress made on recommended conservation and management measures.</p>   | <p>An overview of SC assessment procedures is in progress.</p> <p>Defining coordination with other organisations.</p> <p>Prioritisation of assessment efforts.</p>  | <p>SC, MCs, CNL</p>                        |
|  | <p><b>[PRP18-RC24]</b> Given limited budgets, the Panel <b>recommends</b> that the Council, on a regular basis, review priorities given to addressing identified gaps in data collection.</p>   | <p>Relates to prioritisation of management efforts – cf RC5(1,2)</p>  | <p>MCs</p>                                 |
| <p>1.3/2.2<br/>Data collection &amp; sharing</p> | <p><b>[PRP18-RC12]</b> The Panel <b>recommends</b> that the NAMMCO Council encourage Member Countries to agree to a standard format for reporting and to implement better reporting of Struck &amp; Lost data for inclusion in National Progress Reports and a future NAMMCO Catch database or in the current NAMMCO data spreadsheet.</p>  |   |  |
|  | <p><b>[PRP18-RC13]</b> The Panel <b>believes</b> that NAMMCO is an important mechanism for improving the collection of data and data sharing in the region. It <b>recommends</b> that the Secretariat and the Chairs of relevant Committees work with other relevant IGOs (particularly the IWC) to avoid overlaps in deadlines and facilitate the data submission process (e.g. using similar systems).</p>  |   |  |
|  | <p><b>[PRP18-RC18]</b> With regard to Struck &amp; Lost rates, the Panel <b>notes</b> that data is only available for approximately 1/3 of the marine mammal hunts conducted in the waters of NAMMCO member countries and <b>agrees</b> with the suggestion from the Scientific Committee that given the difficulty of obtaining such data, efforts should focus on those cases where more reliable struck and lost data are a priority for improving assessments that would make the most significant difference in terms of quota allocation. The Panel also <b>notes</b> the significant work done on this issue by the Committee on Hunting Methods including the preparation and distribution of a detailed document on this subject. However, the Panel <b>expresses concern</b> about the lack of an agreed standardised method and format to report struck and lost data and, as with the recommendations concerning bycatch and strandings above (PRP18-RC12 and PRP18-RC17), <b>recommends</b> that NAMMCO agrees, as soon as possible, to a standardised method and format to report struck and lost data.</p> <p>Because of the loss to the hunters when an animal is lost, in addition to issues of animal welfare, the Panel <b>recommends</b> that efforts to reduce Struck &amp; Lost and to get reliable and accurate data on struck and lost data be continued.</p> | <p><b>Priority - Question of data quality: Strong attention to be given and action needed.</b></p> <p>Relates to quality of data collection and storage in all sectors.</p> <p>Also, an organisational question.</p> <p>Reliable database necessary – priority action, with guidelines on data quality and sharing process.</p> | <p>MCs, SC, CHM, BYCELS<br/>// Parties</p> |
|  | <p><b>[PRP18-RC20]</b> Measures of hunting effort related to catches of some species could be obtained relatively easily from analyses of hunting licenses issued, logbooks and inspection and observation reports and interviews with hunters. The Panel <b>recommends</b> that ship strikes [and strandings] be reported more consistently.</p>   | <p>SC, CHM, BYCELS to provide input to establish and maintain database.</p> <p>NAMMCO needs good data quality.</p>  |  |

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|   | <p><b>[PRP18-RC23]</b> The Panel <b>recommends</b> that hunting data gathered by NAMMCO continue to be shared among NAMMCO member countries as well as with relevant scientists from non-member countries and IGOs, as appropriate. To this end, the Panel also <b>recommends</b> the establishment of a proper searchable 'NAMMCO catch database' and development of the necessary data sharing procedures and confidentiality agreements. The Panel <b>stresses the importance</b> that the official 'NAMMCO catch database' contains the same data used by Member Countries for their assessment. Central databases are key for proper management of wild marine resources, particularly those on mortality data and abundance and distribution. Therefore, the Panel <b>believes</b> that NAMMCO <b>should</b> also consider any future NAMMCO catch database include all human-induced mortality (i.e., bycatch and ship strikes) and a sighting database. NAMMCO could explore the possibility to carry out these efforts in cooperation with other international organizations that are already managing similar databases (e.g. ICES, IWC, etc.).</p>   | <p>Seek advice from SC and CHM on how to proceed for generating reliable catch &amp; S&amp;L data.</p> <p>Standardised data reporting.</p>   |                |
|   | <p><b>[PRP18-RC25]</b> ... In particular, the Panel <b>suggests</b> that the use of a standard template, respects for deadlines, data collection, transmission to central administration, transmission of data from central administration to NAMMCO Secretariat, and creation and maintenance of appropriate NAMMCO databases, be considered.</p>  |  |                |
| <p>6.2<br/>Efficiency<br/>&amp; cost<br/>effectiveness</p>                    | <p><b>[PRP18-RC87]</b> The Panel <b>is of the view</b> that a centralized database on stock assessments (abundance &amp; removal data) and for the evaluation of trends in hunters' safety and hunting efficiency, is fundamental to providing repeatability and consistency in analyses and <b>recommends</b> that NAMMCO develops such a database as soon as possible.</p> <p>It also <b>recommends</b> development of a procedure that specifies, among other things, the level of accessibility to data within and outside NAMMCO, the data quality control process, and deadlines for data submission, among other things.</p>   |  |                |
| <p>1.5<br/>Quality<br/>and<br/>provision<br/>of<br/>management<br/>advice</p> | <p><b>[PRP18-RC28]</b> The Panel <b>is concerned</b> about the process for developing and recommending conservation and management advice.</p> <p>As currently implemented, it can result in actions by NAMMCO that can be construed as a rejection of the best available scientific advice as developed by the Scientific Committee. In addition, a lack of clarity in the way that the process works appears to have created tension between participants in certain NAMMCO bodies. The series of events described above has caused some to raise questions about the roles and responsibilities of the various components of the Commission including the Council, the Management Committees and the Scientific Committees. These questions include whether the MCC was acting beyond its authority by, for example, seeking to substitute its judgment for the judgment of the Scientific Committee concerning the validity of the criteria to be used to make a scientific determination about how to define the management units. Questions have also been raised about whether recommendations made by NAMMCO to its members about the conservation and management of marine mammals could be made solely to protect hunting interests without regards to impacts on the sustainability of a stock. These kinds of perceptions can damage the credibility of the Commission.</p> <p>The Panel <b>recommends</b> that NAMMCO take steps to eliminate the chances that they will occur.</p> <p><b>[PRP18-RC29]</b> The Panel also <b>recommends</b> that the Council develop rules of procedure that define the relationship between the Management Committees and the Scientific Committees and how they will interact.</p> <p>These rules <b>should</b> confirm the particular areas of responsibility of the Management Committees and the Scientific Committees. They <b>should also</b> acknowledge the overlap in their work. These rules <b>should address</b> the Management Committees' use of the advice of the Scientific Committee in the development of conservation and management measures for NAMMCO members.</p> <p>The Panel <b>believes</b> that it would be better for NAMMCO if it avoids circumstances under which a Management Committee decides that it will not recommend the advice provided by the Scientific Committee to the relevant member(s) in a conservation and</p> | <p>Relates to better communication and more thorough explanations behind advices and recommendations - cf RC5 (1,2).</p> <p>Refer to SC and MCs for their views on existing RoPs and possible improvements and to MCs to define management objectives.</p> | <p>MCs, SC</p> |

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|  | <p>management measure. In the unusual circumstance in which a Management Committee does not adopt the advice of the Scientific Committee, the Management Committee should explain the reasons why clearly and transparently. The Panel <b>concludes</b> that the Scientific Committee would be better able to provide advice that considers the management objectives that are important to NAMMCO and its members, if the Management Committees would identify relevant management objectives when formulating recommendations concerning scientific research. Providing this information would help to eliminate situations in which the Scientific Committee provides advice that does not take into account relevant factors.</p> |   |                |
|  | <p><b>[PRP18-RC30]</b> Panel also <b>recommends</b> that the Management Committees modify the language used to describe their response to the advice of the Scientific Committee. Currently, the Management Committees "<i>endorse</i>" or choose to "<i>not endorse</i>" Scientific Committee advice. This can be viewed as suggesting that the Management Committee has evaluated and made a decision about the quality of the information provided. The Panel <b>suggests</b> that instead the Management Committees should consider using "<i>supporting</i>" or "<i>noted, but not supporting</i>".</p>  | <p>Cf. roles of committees</p>  | <p>MCs</p>     |
|  | <p><b>[PRP18-RC41]</b> The Panel <b>was unable to find</b> any evidence that NAMMCO has adopted a rebuilding plan for any of the stocks that the Scientific Committee has found to be depleted.</p>   | <p>No plan per se, but rebuilding of stocks (narwhal, beluga, walrus...).</p> <p>Get comments from MCs and SC</p> | <p>MCs, SC</p> |