

Serial No. N6511NAFO/GC Doc 15/03**37TH ANNUAL MEETING - SEPTEMBER 2015****Terms of Reference for a NAFO Performance Review Working Group****Explanatory memorandum**

1. At its 31st Annual Meeting in 2009 NAFO decided to undertake a Performance Review of the organisation. This decision followed calls by the international community and by the 2006 UN General Assembly Resolution 61/105, which explicitly urged Regional Fisheries Management Organisations and arrangements with management and conservation responsibilities on fisheries and marine living resources to undertake a Performance Review.
2. A Performance Assessment Working Group (PAWG) was established in 2009, which developed Terms of Reference for the constitution of a NAFO Performance Review Panel and criteria for reviewing the performance of NAFO. It also made recommendations on administrative and budgetary considerations (GC Doc. 10/1).
3. A Performance Review Panel was appointed in 2010 and produced a Performance Assessment Review in 2011. At its 33rd Annual Meeting in 2011, NAFO reviewed the outcomes of the Performance Review and established a General Council Working Group on the future of NAFO on the development of Plans of Action necessary for the implementation of the Recommendations of the NAFO Performance Review Panel. The GC WG formulated recommendations in March 2012.
4. At its 34th Annual Meeting in 2012, the Scientific Council, Fisheries Commission, STACTIC and STACFAD reviewed and addressed the action table prepared by the "Working Group on the future of NAFO on the development of plans of action necessary for the implementation of the recommendations of the NAFO Performance Review Panel". Following this process, a revised Action Plan was agreed and adopted by the General Council.
5. At this point it was noted that significant progress had already been made by all groups in implementing actions. It was agreed that the Secretariat would compile all feedback into a single document for circulation to Contracting Parties. It was also agreed that a report on the progress in implementing the Plan of Action should become a regular agenda item on the General Council agenda.
6. Since 2006 UNGA Resolutions on sustainable fisheries regularly call for regular performance reviews of Regional Fisheries Management Organizations (RFMOs) and arrangements. Several other RFMOs have already initiated the next round of performance reviews. The EU considers

that it is appropriate to consider taking the first steps to prepare for the next Performance Review of NAFO and to start discussions on the timing, scope and procedure for the next Performance Review, preferably by means of a virtual Working Group.

7. Such preparation should take into account the experience gained in the preparation and execution of the first performance review and build on its outcome.

Proposal

It is therefore recommended that:

- The General Council agrees that it is appropriate to consider the preparation of the next Performance Review based on the outcomes of the 2011 Performance Review.
- For that purpose, the General Council decides on the establishment of a virtual Working Group. This virtual Working Group would meet electronically with the support of the NAFO Secretariat and would be entrusted with the following tasks:
 - To discuss the scope and timeline for a second performance review of NAFO.
 - To develop draft terms of reference and criteria to conduct the second performance review of NAFO. This includes the composition of the review panel, the scope of the review and the work schedule as well as the criteria for assessment of the performance of NAFO.
 - To present these documents at the 2016 NAFO Annual Meeting to allow the NAFO General Council to decide on the launching of the next Performance Review, if appropriate.
- Each Contracting Party interested in participating in the virtual Working Group designates a member of the virtual Working Group.
- The NAFO Secretariat circulates a paper presenting how the first performance review of 2011 was undertaken and makes a proposal on how to organize the work of the virtual Working group, including the possibility to create a SharePoint site on its website for that purpose.