

Framework and Descriptor: Integrated Salmon Dialogue Forum

(Adopted January 2007)

Background:

Big picture issues across sectors in a fully integrated fishery have been increasingly coming to the surface in many existing processes and bilateral initiatives. Would it be timely to explore the possibility of drawing those conversations together was a question many were starting to ask, not to affect or replace existing processes but to support and add value to them by addressing difficult discussions across sectors that needed to happen but were not happening in any focused way.

Glenn Sigurdson and Barry Stuart, who have worked in the middle of many complex situations relating to resources helping parties to build effective processes to deal with difficult and important issues were invited by the RDG , Pacific region, to explore this possibility in any manner they felt would be appropriate.

Those explorations took place in the fall of 2006 in the form of broadly based individual discussions and two “visiting committees” where perspectives across sectors had an opportunity to engage about the desirability of an initiative along these lines, and what form it might take.

What became clear through this exploration was that here was a broad based support for moving the discussions forward.

An initial meeting was held on January 29, 2007, at which time the participants reached agreement on this description of the process as something they could take back to their respective constituencies and share with others what was starting to take shape within the Forum. This has continued to evolve in meetings on February 19th and March 19th, 2007.

Over the course of these meetings a more complete set of understandings has evolved with respect to the process, and work has been underway within the three working groups. The Forum process continues to grow and evolve in concert with the interests and wishes of the participants, and owned and directed by them.

The participants have agreed that this background should include a list of those who have attended one or more meetings in the process be made available, but inclusion on this list does not imply any commitment to the outcomes of the Forum.

What is the Forum?

1. The Integrated Salmon Forum provides a collaborative and inclusive opportunity for all interests to work towards a fully integrate sustainable salmon fishery in ways that respects the Wild Salmon Policy and serves both people and salmon.
2. Participants have agreed to make best efforts to work through their respective processes, agencies and organizations to give effect to any consensus reached in the forum, and to address any differences that emerge.

What are the goals of the Forum?

- a. Developing shared principles that can have broad application across an integrated and sustainable salmon fishery, and relevant processes.
- b. Enabling broadly based interests connected with the salmon fishery to identify and address underlying issues.
- c. Developing innovative possibilities to assist the diverse interests associated with the fishery to reach common ground and generate enduring solutions.
- d. Building collaborative relationships, networks and partnerships through which different sectors will have an opportunity to express and advance concerns and interests, and explore how they might best create mutual value.
- e. Stimulate and inform discussions within existing processes in ways that support and enhance the management of an integrated fishery.
- f. Carry out the work of the Forum at two levels: a “high beam” - e.g., regional, policy, long term and a “low beam” ,specific ground level, operational.

This descriptor of the Purpose and Goals of the Forum was agreed to by the parties on January 29, 2007 as a basis on which to share with their constituencies what was under contemplation. Three working groups were also created at that time – Access, Integrated Resource and River Management, and Monitoring and Compliance.

What are the considerations that should inform and guide the Forum discussions?

“to build a space where each sector and perspective engaged around salmon is able to see how their interests and concerns can be furthered through participation in collaborative discussions ... to generate opportunities to enable each sector to appreciate the need to understand and deal with the interests and concerns of another as being in their own interest... to find a way to maximize value for everyone (‘value for all is the currency of change’) is recognized as the foundation on which durable relationships will be built ... to enable each sector based organization to ask, what can we do for this process?” as opposed to “what can this process do for us?”

Salmon and People: to focus on both the sustainability of the resource, and on and the people whose livelihoods and lives revolve around the resource.

Buy-in: to build the Forum in a way that ensures that the Participants sense that their interests are both recognized, appreciated, and have the possibility of being advanced or protected if there is to be any expectation that they will invest themselves in the process.

Credible Information: to develop information about what we know, and do not know, is sensitive to the fact that the way in which the information is developed is critical to people’s confidence in it.

Policy and Science: Structures need to be built which recognize different dimensions – while there are many others, policy and science, and the interconnection between them, will be key aspects.

Certainty of access: reaching agreement on access to the salmon fisheries resource, and recognition by others of the legitimacy of that access, (i.e., that their share is and is seen to be “fair”) will require that all harvesters are clearly identified, know what their share is, and are confident

that everyone’s shares are being respected (i.e., monitoring, enforcement etc) Without defined shares, the symptoms of dysfunctionality will be a lack of collaboration and unreliable monitoring and enforcement.

Environmental Uncertainties: To recover fish stocks, management strategies will need to take into account emerging environmental uncertainties, and bottlenecks to survival and productivity, (e.g., Global Warming). We must recognize and accommodate uncertainty as a reality.

A share and allocation process must be developed to ensure the sustainability of the salmon resource, buttressed by best practices adopted by industry and all other users to ensure protection of habitat and eco-systems

“Escapement”: to understand that escapement is the highest priority. It is not what is harvested or to be harvested, but escapement will need to be the highest priority. What are we trying to accomplish in harvesting decisions?” The objectives are poorly defined, and often when defined are in conflict with escapement objectives

Reduced Fishing Capacity and Diversification... To recover stocks we must kill fewer fish...thus reduce fishing capacity. Not enough to protect strong stocks; weak stocks are where the real challenge is. There must be diversification away from the heavy reliance on salmon.

Stewardship: Best stewardship flows from mutual ownership, and with that will come support around all issues that affect salmon. Responsibility to the resource will require “building the box” and playing within it, (and if you play outside the box, you will be out of the box). Stewardship of the resource will be promoted by ownership of the process.

Integration of Government Policies and Practices: The lack

of integration and cross pollination within Governments will continue to be a key challenge — often agencies are working in isolation and cross-purposes. Creating structures within government to share responsibility also opens the wider question of including other agencies in conversations in the Forum.

Generational Challenges: significant generational changes are already here, or just around the corner, and these provide both challenges and opportunities

Public Interest: Recognize “Salmon”, integral part of BC identity and essential to life and environment of BC. Importance of salmon commercial fishery is clear but as well need to appreciate essential importance lies in the social, cultural, environmental contribution salmon make to BC. Public interest and support heightened if long standing salmon disputes are successfully resolved. Need to create space in process for larger public interest to be heard and considered.

Communication: People in the public at large respond to good news stories — if the only thing that they hear is doom and gloom it is difficult to mobilize public opinion.

What Principles will inform and guide the work of the Forum?

The underlying spirit and intention permeating all Forum initiatives is...

Inclusivity: Everyone affected given opportunity to be included. Outcomes affect broad spectrum of interests, all interests should have a hand in shaping outcomes; (various ways to participate and to advance interests without always being directly involved need to be developed).

Accessible: Processes must be simple and readily accessible by all interests.

Equal Opportunity: Means must be available to generate equal opportunity to effectively participate.

Respect: All differences respected. Deeply felt feelings and perceptions are important to be shared and can be constructive if all participants avoid personal attacks and seek a good way of participating by speaking, listening and acting with respect.

Fairness: Both a sense of and experience of being fairly treated must be permeate all aspects of the process for outcomes to be respected and supported. Fairness is essential to retain collaboration needed to produce innovative, durable outcomes.

Timely Responses: Seasons do not wait for any process; responses must be timely to generate fair, certain outcomes and to retain and build collaborative working relationships. Interim and incremental decisions can test outcomes, build confidence and maximize use of fishery each year.

Self Design: Processes built, operated and owned by participants.

Consensus: Reliance placed on Governments to make final decisions only after all parties has made every reasonable effort to reach consensus. Outcomes strive to include interests not included in an operating consensus whenever possible.

How will the Forum organize itself around specific purposes?

The Forum will continue to develop its work plan and activities as discussions evolve.

The Forum agreed to begin working on the following topics:

- Compliance/Monitoring
- Clarifying access/ defining shares
- Integrated river and resource management/habitat
- Overall objectives for a broad based set of discussions regionally/provincially

Smaller working groups that will help focus and lead discussions at the subsequent meetings of the Forum are being established.

The expectation is that “low beam” activities in the next months will assist in informing and supporting existing processes in the management of the 2007 Fraser River Salmon Fishery. This focus must respect that to isolate the river from the coast whether we are talking about natural conditions or interceptions of the fish moving in the waters, it is essential to work simultaneously on two files — the broader area and the restricted focus area.

How will what is to be done through the Forum relate/connect to existing processes?

“No single process will ever be “robust enough” to address all challenges”

- a. Existing processes will be respected, and wherever possible, work within the Forum will endeavor to connect with and work through or in tandem with them. Where this opportunity does not exist, or existing processes

cannot be adapted activities within the Forum will look to best practices of what has worked and not worked.

- b. Rights and title connected to aboriginal fisheries, treaties and treaty processes are matters entirely separate and independent from the Forum, but will be recognized and respected.
- c. Need sustainable partnerships to generate/retain sustainable outcomes

What will it take to build a successful process?

Acceptance that the “status quo” is not acceptable, and this must be recognized by everyone who wants to be part of finding solutions.

- a. Starting in a good way — taking the time to talk about how we are going to talk, and who needs to be involved, and how we should organize these discussions. “ you cannot get to a good place in a bad way. Getting the process right from the start is key, and this involves taking the time to talk about how best to talk”
- b. Safe place to foster capacity to have open and candid discussions on the topics that anyone sees as important Commitment and respect: for the resource and the people connected to it
- c. Empowered participants with clear roles and responsibilities; and guided by a clear set of Principles Build effective working relationships. By engaging participants in ways that generate mutual trust, respect and understanding, and ownership.

- d. Accountability to each other, to constituencies and to consensus decisions
- e. “High beams” and “low beams” perspectives are essential and participants need to be able to shift from one to the other, knowing that the high beams will inform and enhance the effectiveness of the low beams and dealing with imminent rocks on the road. Keep bigger picture alive, while taking care of day-to-day business.
- f. Respect and Accommodate Regional Differences — Process must accommodate and recognize significant differences in different regions, with the adaptability to fit the particular circumstances of the fishery and of each region;
- g. Adjusting the focus: different lenses/process adjustments will be needed to focus on different challenges - specifically operate and coordinate work at 10,000 feet or on the ground; and whether the target is issue specific or regional in orientation Experience within each level and upload and download to inform and support the other.
- h. Adaptive flexibility: Another way of thinking about it may be not to put all the investment in “fire trucks” — sometimes you cannot get the fire out in time. The importance of investing in fire prevention for future fires concurrently should not be lost Additional players will need to come to the table depending on what is being brought into focus.
- i. Practical and pragmatic: Process needs to produce practical timely results based on the mutual recognition that everyone owns “the problem” (and specifically, not just DFO’s problem to “fix”), and needs to be part of the solution. Reasonable bench marks to measure for progress.

Who should be involved and how?

“Who?” and “who else?” is a question that needs to be kept clearly in mind, including the possibility of other governmental interests...

- a. No one sector (or organization person, or group within it) can resolve challenges in salmon fishery. Without active engagement of all those with a stake in the salmon resource, harvest and non-harvest, it will not be possible to save the fishery and to ensure a sustainable future for salmon, and those whose lives and livelihoods depend on it. Lasting solutions will require the participation and cooperation of all interests, and a “place” to come together so that they can discuss how to meet their individual and collective needs Recognize that while users/harvesters are core players, those who see themselves with a stake engage a wide spectrum— within governments, at many different levels and ministries, and within the public at large.
- b. Currently the Participating Sectors consist of:
 - The First Nations
 - The Commercial sector
 - The Recreational Sector
 - The Department of Fisheries and Oceans
 - The Province of British Columbia
 - The Conservation Sector
- c. Additional Participating Sectors may only be added with the concurrence of the existing Participating Sectors
- d. Each sector is different with its own special qualities as to how they work individually and together... Getting going in a good

way will require each sector to develop ways in which participation will work best for them; this is as important as how the sectors will talk with each other across the table. And what will work best for each group/sector, will work best for everyone investing time and effort into this. Dealing with conflict internally within the sectors will be key to moving forward.

- e. Government Sector must be at the table, and having the continuing involvement of very senior representatives in the room will be key to the active commitment of senior players.
- f. Where the sector is organizationally able to do so, through its constituent organizations it should identify those who will participate in its behalf in the Forum. (The Participants)
- g. Where the sector is not yet sufficiently organized to do so, or is of such size and complexity that it is not practically possible to have that expectation of the sector at this time, the Forum will make every effort to outreach broadly into all the organizational structures within the sector and invite those in leadership positions to participate.
- h. Participants acknowledge they are expected to keep their “constituencies ‘back home’ informed and to seek advice and guidance as they see to be appropriate.
 - Similarly the expectation is that what is said or done by the participants in discussions of the Forum is reasonably believed to reflect, or is likely to reflect, the concerns, interests and wishes of their home constituencies, where

there is uncertainty as to whether that is the case, to make that known to the other participants.

- Each participant is working within a spirit of searching for areas of common ground that can be supported within their home organizations through actions and decisions, and where there are differences to take those back to their constituencies to explore possible ways in which they might be bridged. The Participants agree that they will not join in any consensus in relation to any provision or action for which they are unwilling to seek the concurrence of those they represent.

How will the Forum communicate effectively within the different sectors, and the broader communities of interest to both inform and involve others, and become informed?

- Wherever possible, communications will work through and with existing organizations and structures both within sectors and through partnerships with existing multisectoral based initiatives as well as policy and science based institutes and organizations.
- b. Communication and involvement will take place in a variety of different ways depending on the nature of the issues being addressed

and the people with an interest in it, and may involve such things as:

- Communication to inform broadly of the purpose and objectives, structure, workings and activities of the process.
 - Workshops, informal sessions, and meetings to enable the Forum participants to inform, and to become informed as to particular concerns and interests within different communities of interest.
 - It is expected that the Forum may develop a Communication Work Plan in relation to communication activities in support of its efforts
- c. **One voice:** Meetings within Forum process should produce public statements that reflect a shared view of the outcome of the meeting, so that conflicting accounts and inevitable misunderstandings are avoided.

How will decisions be made?

- a. **The Participating Sectors through their participants have agreed to make best efforts to work through their respective processes, agencies and organizations to give effect to any consensus reached in the forum, and to address any differences that emerge.**
- b. **Consensus shall mean the “general agreement of all of the Participating Sectors”** on an outcome package and shall embody the following concepts:
 - Consensus does not mean total concurrence on every aspect of a decision, but all sectors/interests/perspectives must be willing to accept the overall decision package.
 - Each Participant has an obligation to fully explore issues and search for mutually acceptable solutions in a problem solving atmosphere and to Articulate interests, propose alternatives, listen to proposals and endeavor to understand where there may be common ground, and where there may be differences.
 - If a participant has a specific issues with a specific aspect of an outcome that is starting to take shape, that participant is responsible for explaining how its interests are adversely affected or how the proposed agreement fails to meet its interests. The participant withholding agreement must propose

alternatives and other participants must consider how all interests may be met.

- Tentative understanding may be reached in the course of discussions but these shall remain tentative until some outcome package is reached.

b. Consensus Building Principles that foster consensus

- Work together to respect each other.
- Act in “good faith” in all aspects of the process
- Accept the concerns and goals of others as legitimate.
- Focus placed on interests and concerns rather than on demands and positions.
- Commit to fully explore issues, searching for solutions in a problem solving and consensus building atmosphere.
- Refrain from personal attacks and characterizations.
- Abide by these ground rules.

If difficult issues arise, how will we resolve them?

Where the Negotiation Teams are having difficulty finding agreement on an issue(s), they may wish to consider the following:

- a. Appoint a working group to address the issues and make recommendations for its resolution — so that every effort is made to determine areas of agreement and disagreement, and all options and possibilities to break deadlocks are

examined to help the Parties reach agreement.

- b. Appoint a Technical Committee if the point in issue is technical.
- c. The active assistance of the Mediator / Facilitator.

Having an all sector “commission like” process operating at a senior level with clear principles and building relationships enhances the effectiveness of existing structures and processes.

Forum must be made up of equal partners each with a seat at the table, with the vision and confidence to direct change and see that things happen, including resolving issues that arise at the operational level.

How will meetings be organized, scheduled and recorded?

- a. The next meeting and the location of the meeting will be confirmed at the end of each meeting.
- b. Additional meetings may be scheduled by agreement of the Parties, or at the request of the Mediator.
- c. The outcome of each meeting will be prepared in the form of Summary Notes by, or under the direction of the Mediator, highlighting the areas of discussion, Working Group assignments, and tasks to be undertaken.

May Working Groups be established, and what is their role?

- Working groups may be established by participants to develop a shared information base and explore

different options to issues identified in the dialogue to bring back to the Forum Working groups but shall have no decision making power. to the extent possible, in reporting back to the Negotiation Table, shall endeavor to reach consensus which may include identification of both areas where there is agreement and disagreement.

- Their establishment, participation and mandate shall be by consensus. Upon the completion of their mandated task, they shall be dissolved.

b. **The following Working Groups have been tentatively identified:**

- Clarifying Access/defining shares
- Compliance/Monitoring Principles and Practices
- Habitat/integrated river and resource management

Other topics identified by the Forum for future discussion included:

- Value of a broad based regional/regional dialogue
- Development of a set of principles that can inform province wide the complex salmon fishery
- The essential elements to be considered in all decisions affecting people and salmon.

- c. **Expectations of working groups**
Each of the working groups shall have regard to both high beam and low beam.

- d. In every case consider the impact of any proposed change to any of the parties, and to consider approaches with respect to the transitional implications and mechanisms.
- e. Working Groups, to the extent possible, in reporting back shall endeavor to reach consensus and identify areas where there is agreement and disagreement.
- f. Expectations for 2007The expectation for the Forum and working groups for 2007 on the Fraser and throughout BC is that “low beam” activities in the next months will assist in informing and supporting existing processes in the management of the 2007 Fraser River Salmon Fishery.
- g. Expectations for input into the 2007 fishing plan were carefully discussed. The Forum could not, and should not, be seen as taking on board any specific mandate in respect to the development of aspects of the fishing plan. What it could and should do is to try to **develop general guidelines that would inform and support, and hopefully provide effective guidance to existing domestic processes** — especially with respect to consistent standards for compliance and monitoring applicable across every fishery. This would be a substantial achievement that would build public confidence in the fishery and its management. It should also identify the high beam expectations ahead.

What are the roles and responsibilities of the process leaders?

Roles and responsibilities of the process leaders may include:

- **Developing**, and reviewing with the sectors/interests/ perspectives from time to time, a the state of the relationship and how it might be sustained
- **Assisting** the parties to define critical areas in that relationship, including factors contributing to success and potential trouble areas.
- **Identifying** specific realities of the situation, and the parties, that must be taken into account and accommodated in the relationship.
- **Developing** procedures and mechanisms for feedback, and changes necessary to be responsive to that feedback.
- **Training** in collaborative problem solving within and between organizations where the participants think that might be helpful.
- **Facilitating** meetings, assisting in preparations for them, and preparing Summary Meeting Notes.
- **Mediating** in respect of matters in issue.
- **Assisting** in structuring third party relationships relevant to the work of the Forum
- **Recommending** dispute resolution alternatives and procedures that might be appropriate in respect of any differences that may exist or arise between the parties, or the parties and third parties.

- **Coordinating and assisting** in the preparation of any written materials or texts of any outcomes reached