

SC/68A/01

Use of the IWC Database of Recommendations by the Scientific Committee

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INTERNATIONAL
WHALING COMMISSION

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ABSTRACT

At IWC67, the Commission endorsed the development and use of a Database of Recommendations. The database has been populated with the recommendations and resolutions from IWC67 including those from the 2017 and 2018 Scientific Committee meetings. The Committee is asked to use the updated guidance on drafting recommendations when writing its report. In addition, the Committee is asked to consider how the database can be used and incorporated into its working practices in accordance with the mandate from the Commission.

INTRODUCTION

At IWC66 in October 2016, the Commission endorsed a Conservation Committee (CC) proposal to establish an intersessional Working Group to develop a draft structure and process for populating a web-accessible Database of Recommendations (and outcomes), not necessarily limited to CC recommendations or recommendations of the Scientific Committee (SC). The Joint Conservation Committee and Scientific Committee Working Group addressed this issue at its 2017 and 2018 meetings and a small working meeting on the database was held in 2017. A pilot database was developed and reviewed in 2018.

At IWC67 in September 2018, the Commission: endorsed the aims and principles of the Database of Recommendations; instructed the Secretariat to populate the database and facilitate its use; and requested the SC and CC to incorporate this into their working practices, reporting back to IWC68.

Since then the Secretariat has populated the database with the recommendations from IWC67, including those of the 2017 and 2018 Scientific Committee meetings.

The database will be made available on the IWC website in the summer of 2018. Individual access can be provided by the Secretariat on request, for the purposes of testing the database.

DRAFTING RECOMMENDATIONS

In order to continue the improvements that the SC has already made in drafting concise, stand-alone recommendations, and to ensure that the SC recommendations can be entered into the database in the most efficient way, the SC is requested to follow the guidance in Annex 1. This builds on previous guidance already in use by the Scientific Committee.

SCIENTIFIC COMMITTEE USE OF THE DATABASE

Commission recommendations on using the database

At IWC67, the Commission requested that the Scientific and Conservation Committees begin to implement the use of the database into their standard working practices and report back at IWC68.

The following review process was suggested:

- (i) (Sub) Committees should keep their Recommendations under review and provide regular progress updates to the database as a matter of standard practice. This review should be embedded into meeting agendas, for example, as standing items under the relevant discussion points. The database should be used to create lists of live Recommendations e.g. by topic for the (Sub) Committee to discuss. Efforts should be made to rationalise the number of Recommendations by using the database to draw attention to repeated recommendations and create links to overlapping or interdependent Recommendations.
- (ii) For those Recommendations of a procedural nature e.g. the Secretariat to write a letter, the Secretariat and Chairs will monitor and ensure that the action has been completed and to update the database accordingly without the need for Commission oversight.
- (iii) Periodic status review. For those Recommendations not considered to be procedural in nature, (Sub) Committees should ensure a review of their status is carried out periodically and advice on the status of implementation provided to the Commission as part of their current reporting practices. This will ensure the Commission retains overall ownership and sign-off. These periodic reviews could be specific to a (Sub) Committee or more cross cutting. The Commission may also request a review be carried out on a particular issue.

Outputs from the database of SC recommendations

Recommendations from the database can be downloaded as .CSV files which can be manipulated in Excel to provide workplans and other products. It is proposed that the Secretariat provide outputs from the database to the SC Chair, Vice-Chair and Convenors at periodic intervals throughout the year. This will include after each SC meeting (when the new recommendations are live in the database) and in advance of (e.g. six weeks before) the SC meeting. These outputs will facilitate intersessional work planning, help track progress and provide a progress update for input to each meeting. Outputs can be arranged by sub-committee, with respect to the recommendations made at its previous meeting and other outstanding recommendations.

SC review of implementation of recommendations

Following the recommendations made at IWC67 the following process is proposed with respect to Scientific Committee recommendations:

Status updates in the database

For recommendations of an administrative or procedural nature (including recommendations for Secretariat action, such as writing a letter), discretion is given to the Secretariat and Chair/Vice-Chair or Convenors to judge when the action has been completed and to update the database accordingly without the need for Commission oversight. The Secretariat will work with the Chair, Vice-Chair and Convenors to ensure these updates are made.

For other recommendations, the database will be updated following a review by the SC on the status of implementation (see next section).

Periodic Review of implementation of recommendations

The SC already reviews progress of previous recommendations under a standing item on its agenda, so it is now asked to consider how to incorporate the use of the database in its ongoing review, analysis and reporting of implementation. Some options include:

- i) At each meeting each sub-committee (using a database output as an aid) reviews implementation of all outstanding recommendations and agrees a status update to be included in the report to Commission;
- ii) Sub-committees undertake detailed reviews of implementation on a topic basis, according to a two year work programme for the Committee/sub-committee; and
- iii) The above options would be accompanied by a review of SC plenary recommendations in a plenary session.
- iv) Topic-focussed meetings of the joint Conservation Committee Scientific Committee Working Group, which includes a review of recommendations.

Some of the information needed to assess implementation can be provided by participants at the meeting, whereas other information (e.g. status of recommendations aimed at contracting governments) may need to be requested in advance of the meeting.

Analysis of implementation of recommendations

The ongoing review of implementation of recommendations will give the Committee the opportunity to analyse implementation and to identify (for example) barriers to progress and successful approaches to implementation. This will help to refine the Committee's future recommendations, as well as to advise on action needed by the Commission and others to improve the implementation of SC recommendations.

Report to Commission

A report on the review and analysis of implementation of SC recommendations could be integrated into or annexed to the SC report.

ACTION REQUESTED OF THE SCIENTIFIC COMMITTEE

The Scientific Committee is invited to make comments and recommendations on this paper, including on how it can best undertake the review and analysis of implementation, and subsequently report this to the Commission.

Annex 1. Guidance on Drafting Recommendations for the Scientific Committee in light of the new IWC Database of Recommendations

INTRODUCTION

A database that supports the collation and analysis of IWC recommendations has been developed under the auspices of the joint Conservation/Scientific Committee Working Group (CC/SC). This database was endorsed at IWC67 and is ready to be adopted and embedded into standard working practices. It is a valuable tool that will make it easy to track the recommendations of the Scientific Committee (and other bodies of the Commission) and monitor progress.

The database is not yet on the IWC website but individual access can be provided by the Secretariat on request, for the purposes of testing the database.

This document provides an update on previous guidance to assist rapporteurs and Convenors in drafting concise, standalone recommendations for the Scientific Committee Report in such a format that will help greatly when the recommendations are entered into the database. This guidance document will be regularly reviewed on the basis of experience, and feedback and as use of the Database of Recommendations evolves.

STRUCTURE OF RECOMMENDATIONS

Recommendations must be deemed **high priority**, be focussed and be standalone, i.e. self-explanatory when read by themselves. Actions should be specific and provide information on who the recommendations are aimed at (see relevant section below). The following provides some guidance on the drafting of recommendations.

- (1) Recommendations should be as short and concise as possible. Where necessary a recommendation can have an introductory chapeau followed by a series of numbered linked or sequential 'actions' that follow a logical flow. Several types of recommendation may be included in this e.g.

*“The Committee **draws attention to** the serious decline in.... and **recommends that**:*

- a) all contracting members develop details action plans to address this threat and undertake detailed research on extent and possible mitigation options; and*
- b) the Secretariat communicates this recommendation to XX IGO”.*

If this type of recommendation becomes overly long, particularly if each of the actions is very different in nature and there are several different targets for the recommendation, then please break it down into separate recommendations for readability (this will also help with data entry), recognising that it must still meet the criterion of 'standalone'.

- (2) If one or more action leads to a budgetary requirement, cross-reference to the Agenda item where the budget request is agreed by the Committee. For example, to SC Agenda item [XX]: 'Scientific Committee budget for the biennium 2019-20'.
- (3) The target of each recommendation should be specified using the standard key given below (e.g. *Attention: CG, S*). The Commission, including through its endorsement of Scientific Committee and other subsidiary body recommendations, can instruct its own bodies to carry out work (e.g. its Committees or the Secretariat) and can recommend that its own Contracting Governments carry out certain actions. The Commission cannot directly request/instruct that an IGO or a non-Contracting country take a particular action but it can encourage them to do. The language used in SC recommendations should reflect this (see Common Questions and Answers, below).

Internal targets include:

- S = Secretariat;
- SC = internal to the Scientific Committee,
- CC, ASW, BSC = any of the other sub-committees of the Commission
- CG = Contracting Governments
- NI = Named Individual (for workplan actions only).

External Targets include:

- Named IGOs e.g. International Maritime Organization
- R = Research Community
- I – Industry
- G – Non-contracting Governments.

- (4) A timeframe or a target completion date should be provided where possible, especially for workplan actions.
- (5) Workplan actions should also identify, as applicable, who is responsible for carrying out the action (which might be any of the bodies of the Commission, the Secretariat or a named individual).

TYPES OF RECOMMENDATION AND DRAFTING GUIDANCE

Each of the recommendations entered into the database needs to be categorised. The database allows five ‘types’ of recommendations to be entered: ‘Resolution’; ‘Schedule Amendment’; ‘Recommendation’; ‘Draws attention to’; and ‘Workplan action’. For Scientific Committee recommendations, only the last three are applicable.

The table below provides guidance on the most likely types of recommendations to be made by the Scientific Committee, language options for each and how these relate to the database of recommendations.

Type of SC recommendation	Report language	Examples	Database ‘type of recommendation’
<p><i>Specific</i> actions aimed at particular targets e.g.</p> <ul style="list-style-type: none"> • Commission or its sub-groups (e.g. CC, SC, ASW, WKM&WI) • Contracting Governments or named ‘range states’ • Secretariat <p>This might also be used to make recommendations to other groups of the Commission</p>	<p>Recommends</p> <p>[Where language needs to be softened e.g. for a sensitive issue, but specific actions are still implied then “<i>advises</i>” could be used].</p>	<p><i>The Committee recommends that the Secretariat write a letter to XX to explore cooperation on</i></p> <p><i>The Committee recommends that Contracting Governments [action]...</i></p> <p>The Committee recommends that the Conservation Committee consider at their next meeting.....</p>	<p>Recommendation</p> <p>Workplan action</p>
<p>Key work that would be good to be undertaken by countries, or the research community.</p>	<p>Encourages</p>	<p>The Committee encourages more research into....</p> <p>The Committee encourages Mexico to publish its report on....</p>	<p>Recommendation</p>
<p><i>Internal</i> Committee actions (e.g. actions for the workplan)</p>	<p>Agrees</p>	<p><i>The SC agrees to undertake a detailed review of...</i></p>	<p>Work plan action</p>
<p><i>General</i> statements of key concern, identifying issues of importance</p> <p>(Note: these may be used in a chapeau that goes on to have subitems recommending specific actions)</p>	<p>Draws attention to</p> <p>Expresses serious concern over</p>	<p><i>The Committee draws attention to [expresses serious concern over] the significant decline in abundance of</i></p>	<p>Draws attention to</p>

COMMON QUESTIONS AND ANSWERS

How should management ‘recommendations’ or ‘advice’ to non-members or intergovernmental organisations be handled?

The SC cannot directly request that an IGO or a non-member country take a particular action but it can recommend that they are encouraged to.

Option: ‘*Encourages* Country ‘X’ or Countries ‘X, Y and Z’ to...’

Option: ‘*Recommends* that the Executive Secretary writes to Country X to express the Committee’s concern in relation to...’

Option: ‘*Recommends* that the Commission instructs the Executive Secretary to write to Country X to express IWC concern in relation to...’

How will reports and recommendations from workshops be handled?

Workshops should follow these guidelines in their reports and their ‘recommendations’ must be brought forward into the Scientific Committee/sub-committee report if deemed high priority. Note that workshops report to the Scientific Committee.

How should we reiterate previous recommendations?

The Committee often wants to reiterate previous recommendations (sometimes before identifying additional actions). These must be properly referenced e.g.

The Committee *reiterates/recalls* its previous recommendations [IWC, 2017 p.27] in request to the vaquita and recommends that....