

Minutes of Bureau Meeting – 7 May 2020, 3pm (UK)

Held virtually (via Zoom)

- Attending:** Andrej Bibic (IWC Chair, Slovenia)
Ryan Wulff (Chair of Finance & Administration Committee, USA)
Lucia Scheinkman (Argentina)
Miguel Iñiguez (Argentina)
Katja Piskur (Slovenia)
Horace Walters (St Lucia)
Dominic Pattinson (UK, Co-chair of Working Group on Operational Effectiveness)
Rosie Carpenter (UK)
Lisa Phelps (USA, Co-chair of Working Group on Operational Effectiveness)
Alisha Falberg (USA)
- Rebecca Lent (Executive Secretary)
Katie Penfold (Secretariat)
Mark Tandy (Secretariat)
Kate Wilson (Secretariat)
- Apologies:** Amadou Telivel Diallo (IWC Vice-Chair, Guinea)
Emmanuel Mantey Mensah (Ghana)

1. WELCOME FROM THE CHAIR

The Chair welcomed members of the Bureau and thanked them for attending this extraordinary meeting, especially those in challenging time zones. The Chair also relayed the apologies of the Vice Chair and wished him good health, noting that he had submitted views in advance of the meeting, via the Secretariat.

2. APPOINTMENT OF RAPPORTEUR

It was agreed that the Secretariat would serve as rapporteur.

3. ADOPTION OF AGENDA

The Bureau adopted the agenda, consisting of one discussion item:

The impact of measures to stop the Covid-19 pandemic on the timing and organisation of the IWC 68.

4. IMPACT OF COVID-19

a. Concerns expressed by Contracting Governments and discussed by the Bureau

The Chair noted that strong views had been received from a number of Contracting Governments, covering almost all geographical regions of the Commission membership. Each had expressed concern over the arrangements for IWC68, and each had requested postponement of the meeting until 2021.

The Chair then led a discussion structured around a background document which had been distributed to Bureau members a week before the meeting, and invited Bureau members to give their views.

Whilst acknowledging that interrupting the meeting cycle would create some new problems, it was agreed that there are numerous reasons to recommend postponement of IWC68. The Bureau agreed that the main concern in conducting IWC68 in Sep - Oct 2020 is how to ensure participation, a quorum and full engagement in decision making. Key difficulties are:

- Many governments have redeployed staff to focus on COVID-19 response work. It is not known when they will return to their 'day jobs.'
- It is impossible to predict when in 2020 international travel and attendance at large meetings will resume.
- Quarantine arrangements are likely to continue in some countries. For those participants, this could potentially add another two to four weeks to the length of the meeting.
- The pandemic is hitting countries at different times. Whilst some countries may have entered a recovery phase by September 2020, it is quite possible that some will not, and will not be in a position to attend.
- The financial impact of the pandemic is likely to be far reaching. It is hard to predict the longer-term consequences but in the short-term, this is very likely to prevent governments from attending an international meeting this September.
- Even if the situation around the world has improved by September 2020, our preparation window will be hugely reduced and many governments will not have time to properly prepare which would affect both the quality of discussion and outcomes of the meeting.
- All the factors listed above mean that a meeting this September may not achieve the necessary quorum.

In light of all these factors, the Bureau agreed that the only practical way forward is to recommend postponement of IWC68.

b. Revised Timing of IWC68

The Bureau agreed that there is no point postponing by just a few of months as the situation will remain uncertain for some time. Postponing by a longer period is far more likely to avoid the issues listed above. Postponing for a full year to September 2021 was suggested, whilst recognising the need to retain flexibility for the Chair, Secretariat and Hosting country.

It was also noted that this maintains the separation between the Scientific Committee (SC) and the Commission, which was introduced to give Contracting Governments enough time to consider the recommendations of the SC.

The Bureau also discussed the need to avoid conflicting with other meetings. Many organisations will be rescheduling postponed events. As well as competition for venues, the IWC will need to work with other relevant IGOs to avoid overlap with their major meetings.

Based on the input of a large number of Commission members, the Bureau advised the Chair to postpone the IWC68 meeting to 2021, with the precise date to be decided by the Chair, Secretariat and the Hosting country in consultation with the Bureau, with the goal of assuring quorum participation. Committee and Sub-committee progress will be taken into account in order for them to be able to propose decisions at the IWC68 according to the Rules of Procedure.

c. Intersessional Work

The Chair reported that a number of Contracting Governments had expressed a wish to maintain the momentum of intersessional work as far as practical, making use of technology including virtual meetings, document sharing platforms, and correspondence groups.

The Secretariat reported that much had been learnt about virtual meetings from sharing best practice and experiences with other members of the Biodiversity Liaison Group and members of the Regional Secretariats' Network (FAO). This information had helped to develop arrangements for the scaled down, virtual Scientific Committee meeting, and could be used for other events.

The Co-chairs of the Working Group on Operational Effectiveness reported that they had delayed the deadline for comments on their suite of documents until May 15, to allow countries more time to consider them. It had not been possible to conduct the planned outreach due to the pandemic and the WG-OE could use the additional year before IWC68 to encourage maximum engagement in the proposed governance reforms.

The Bureau also noted that Conservation Committee work is continuing intersessionally as far as possible, and a virtual meeting might be required to maintain momentum on key work programmes.

The Bureau agreed that groups of the Commission should work virtually where this is practical and that virtual meetings (aside from the SC which begins on 12 May) could be considered on a case-by-case basis, assuming the Commission confirms postponement of IWC68. Committees and Sub-committees will need to complete the most important parts of their work in order to be able to propose decisions at the IWC68 according to the Rules of Procedure.

d. Scientific Committee meeting SC68b

The Bureau noted that concerns had been expressed by the leadership SC over the viability of a virtual meeting. It had been agreed that a virtual meeting was required in order to agree a proposed one-year forward workplan and budget. The wider SC agenda has been scaled back to include only areas of work that convenors wish to progress virtually. Convenors, Heads of Delegations and the SC leadership have decided which agenda items must be postponed until 2021.

A brief SC report (including the proposed one-year workplan and budget) will be produced and go forward to be adopted by the Commission, regardless of whether the Commission meeting is held in 2020 or 2021. The Bureau agreed that flexibility would be required over the level of detail in SC budget proposal for 2021.

Given the imminent SC meeting and impact of the Bureau meeting recommendations, it was agreed that the Secretariat would brief the SC leadership on the proposed way forward.

e. Adoption of 2021 Budget

The Bureau agreed that a one-year 'bridge' budget would be proposed to the Commission. No increase in financial contributions will be proposed given the difficult circumstances. This approach had been strongly recommended by some Contracting Governments. A postal vote will be required in order to adopt this budget.

The Secretariat reported that there are currently a large number of Contracting Governments that have not yet paid their contributions for 2020. Unless payment is made, these countries will lose their vote on 30 June 2020. The Bureau agreed to recommend that a postal should be held by 10 June to ensure a quorum and an adopted budget.

It was acknowledged that timing was tight and agreed that the Chair of F&A would work with the Secretariat and the Budgetary Sub-committee to put forward a budget within this timeframe, based on the current overall budget and the draft SC budget.

Acknowledging that circumstances are very difficult at the moment, the Bureau also agreed it is vital to encourage other governments to pay and ensure their own payments are made.

The Bureau noted that cashflow will be a significant problem if contributions are not received for 2019 and 2020, putting the Commission in a risky situation for the next year.

f. Meeting Cycle

The Bureau acknowledged there are implications in moving the Commission meeting by one year and potentially into a different two-year cycle. These implications include the management framework for Aboriginal Subsistence Whaling. Noting that it was not a decision-making body, the Bureau agreed that these were substantive issues with budgetary implications and should be discussed by the Commission at IWC68.

g. IWC Appointments

The Bureau noted that postponement of IWC68 assumed an extension in post for the Chair and Vice Chair, as well as other appointments including Bureau members, which is consistent with the Rules of Procedure.

h. Future Bureau Meetings

The Bureau agreed to meet again on 25 May, with the date subject to circulation of an amended agenda which will be sent to Bureau members shortly.

In concluding the meeting, the Chair confirmed that the next steps were to report to the SC leadership on the proposed way forward and prepare a Circular to be issued next week with these Minutes attached. The Circular should highlight the proposed postponement of IWC68, the need for a postal vote on the budget, and the urgent need to pay contributions.

The Chair closed the meeting at 5.15pm (UK) thanking members for their time and wishing good health to everyone in the Commission community.