

Report of the Joint Conservation Committee and Scientific Committee Working Group

Monday 22 May, 2017, Golf Hotel, Bled, Slovenia

1. Welcome and aims of the meeting

The meeting was co-chaired by the Chair of the Conservation Committee (Lorenzo Rojas-Bracho, Mexico) and the Chair of the Scientific Committee (Caterina Fortuna, Italy). Sarah Ferriss and Sarah Smith of the Secretariat were appointed as rapporteurs.

The Chair welcomed the group and noted that IWC Resolution 2014-4 agreed to establish a working group between the Conservation Committee and the Scientific Committee in order to propose a procedure to facilitate the implementation and follow-up of conservation recommendations. He drew attention to the Terms of Reference (Annex A).

2. Adoption of the agenda

The agenda was adopted (Annex B). The list of participants is given at Annex C and a list of documents available to the meeting is given at Annex D.

3. Update on progress to identify IWC Scientific Committee conservation recommendations and identification of a process to facilitate follow-up

Jamie Rendell (UK) provided an update on progress of the Working Group to date. He noted that, at its 2016 meeting, the Working Group considered a compilation and an analysis of conservation recommendations of the Scientific Committee. As a result of these discussions and on the basis of document IWC/66/CC25, the Conservation Committee had made recommendations on: the language used in Commission recommendations; the development of a database of recommendations; the development of a proposal for annual Conservation Committee meetings; and aligning the Conservation Committee's agenda with its strategic plan. These recommendations were endorsed at IWC66 and proposals for next steps would be discussed in agenda item 4 (below).

4. Report of the intersessional Working Group on the establishment of a database

At IWC66, the Commission established 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 conservation recommendations or recommendations of the Scientific Committee.

The Secretariat introduced document IWC/M17/CCSC/01 and noted that the intersessional Working Group established by the Commission was convened by e-mail in March 2017 and has a current membership of Argentina, Australia, Belgium, UK, the Chairs of the Conservation and Scientific Committees and the Secretariat. Membership of the Group remains open. The Group does not currently have a Chair and anyone interested in volunteering should contact the Secretariat.

The Secretariat noted that paper IWC/M17/CCSC/01 builds on work previously undertaken by the Working Group, and covers a number of key issues related to the development of a database of IWC recommendations including on:

- i. *Scope of database.* As per its Terms of Reference, the Working Group focuses on conservation-related recommendations of the Scientific Committee. However, the issues that a database would address, relating to communication and implementation of recommendations, are equally relevant to the work of the wider Commission.
- ii. *Database fields.* The structure of the database, and the fields it contains, will need to be carefully developed to enable effective searching and retrieval of recommendations for these various purposes. Table 1 of IWC/M17/CCSC/01 provides illustrative examples of fields for possible inclusion in the database and the paper also raised several questions related to the compilation and checking of data.
- iii. *Database costs.* The Secretariat noted that additional resources will be required to develop the database and proposed that, once the database specification has been developed, a costed work plan could be prepared by the Secretariat.
- iv. *Proposed database meeting.* The Secretariat proposed that a small working meeting is held to develop a detailed database structure, including fields and categorisation, and a proposed process for populating the database. Draft Terms of Reference for the meeting had been proposed in IWC/M17/CCSC/01 (see Annex E). This meeting would report to the intersessional database Working Group, who would then develop a detailed proposal on the database for discussion at the next Joint CC/SC Working Group meeting and at IWC67 in 2018.

Lundquist (New Zealand) noted the need to link in to the Scientific Committee work on databases, which was chaired at SC67A by Mike Double (Australia).

De La Mare (Australia) suggested that the fields used in the database could be linked with the guidance on drafting recommendations (see section 5 below). This approach should help with compiling and inputting information in to the database.

Rendell (UK) offered a modest contribution to support the travel and subsistence of participants attending the database meeting. The Working Group thanked the UK for this offer.

The Secretariat (Head of Science) noted that experience of working on the IUCN database of recommendations on the Gray Whale suggests the importance of and challenges associated with a process to assess whether recommendations have been implemented.

The Working Group **agreed** to hold a working meeting to develop a detailed database structure, including fields and categorisation, and a process for populating the database, using the Terms of Reference in IWC/M17/CCSC/01 (see Annex E). Meeting participants will be agreed intersessionally, and nominations will be requested in due course.

5. Language used in recommendations

The Chair (Rojas-Bracho) reminded participants that at IWC66, the Commission endorsed a recommendation from the Conservation Committee that the joint CC/SC WG work with the existing Scientific Committee process (being undertaken by the SC Chair, Vice-Chair, Head of Science and convenors) to develop guidelines for both reports on the drafting of clear and focussed stand-alone recommendations that highlight rationale/context, objectives and actors. It agreed that the guidelines should also address consistency in language.

The Secretariat (Head of Science) provided an update on work undertaken in the Scientific Committee to improve the drafting of recommendations, including to clarify who recommendations are aimed at, to remove qualifiers such as 'strongly' recommends, to highlight the action paragraphs, and to make the recommendations more easily extractable for database

purposes. The Secretariat (Head of Science) suggested the guidance could also propose the inclusion of a timeline for recommendations, in which recommendations would reasonably expected to be implemented.

Rendell (UK) thanked the Chair of the Scientific Committee and the Head of Science for their work on this issue and noted that it had already resulted in improvements to recommendations.

The Working Group **agreed** that the Secretariat (Head of Science) would draft guidance on recommendations, based on work undertaken to date, which would be used as a starting point for further discussion on guidance with the Chair and Vice-chair of the Conservation Committee.

6. Matters arising from SC67A

i. Report from the Scientific Committee on the work of its SC/CC *ad hoc* Working Group

The Chair of the Scientific Committee's SC/CC *ad hoc* Working Group, Chris Parsons, stated that the Group had met during the 2017 Scientific Committee to discuss ways to improve communication between the Scientific Committee and the CC/SC joint Working Group, and with the Conservation Committee in general (see IWC/67/Rep1 (2017) Annex T). The *ad hoc* Group recommended that, in future, a small group is tasked to collate (with assistance from the Secretariat) a draft summary of SC recommendations and issues related to the Conservation Committee's Strategic Plan. This can be presented to the joint CC/SC Working Group for discussion. It also agreed that a better way is needed for the Conservation Committee (and potentially other Commission bodies) to communicate back to Scientific Committee members their priorities, issues of concern, and activities.

Parsons noted that the Scientific Committee had also recommended consideration of whether a longer joint CC/SC Working Group, with expanded membership would be beneficial.

The *ad hoc* Group had suggested that a potentially productive way forward on priority conservation issues – where concentrated, expert scientific input could greatly improve conservation action – would be to review the scientific aspects of a priority conservation issue (e.g. bycatch, noise) at an intersessional meeting on a focussed topic, with both Scientific and Conservation Committee members present.

Parsons also drew attention to discussions in the Sub-Committee on Whale Watching on how to improve communication, prevent redundancy and develop joint activities with the CC Standing Working Group on Whale Watching (see IWC/67/Rep1 (2017) Annex N, Agenda item 4.1.2). This included agreement to have an intersessional meeting to discuss the latter's new Five Year Strategic Plan for Whale Watching (see IWC/67/Rep1 (2017) Annex N, Agenda 4.1.2).

Parsons noted that communication between the Conservation and Scientific Committees could be improved by: highlighting relevant Conservation Committee issues in SC sub-committee Chairs' opening remarks; highlighting issues of interest to the Conservation Committee as a summary table in the work plans of SC sub-committees; and including an agenda item discussing Conservation Committee priorities and ideas for potential joint meetings or work in SC sub-committee agendas.

Finally, the *ad hoc* Group noted that the voluntary conservation reports provided by some Contracting Governments could provide valuable information for both the Scientific and Conservation Committees.

Discussion of the report from the SC/CC ad hoc Working Group

Callister (Australia) thanked Parsons noting the importance of using the IWC's limited budget in the most efficient way.

The Secretariat (Head of Science) expressed support for the idea of joint workshops on specific topics. Regarding some of the other recommendations, he noted that one reason for the decision to separate Scientific Committee from Commission meetings was to give Contracting Members time to consider the Scientific Committee recommendations. On this basis, any activity (e.g. compilation of relevant SC recommendations and communicating to the joint CC/SC Working Group immediately after the SC meeting) requiring people to react very quickly to a report that is not yet finalised needs some more thought.

The Chair of Scientific Committee agreed with the need to have synergies between the two Committees. The two Committees have shared interests but had a different role, objectives and expertise. It would be very advantageous to set out ways that they could best work together, find synergies and avoid duplication of efforts.

The vice Chair of the Scientific Committee highlighted whale watching as a classic example of shared interests and joint working between the two Committees. The Conservation Committee has asked the Scientific Committee to review the existing Whale Watching strategic plan and to provide recommendations and advice for an updated plan. The Scientific Committee sub-committee on Whale Watching is reviewing its TOR and the Scientific Committee has asked the Conservation Committee to provide feedback on these.

The Executive Secretary expressed support for any form of communication that helps to bring together shared interests across the different groups and for other means (e.g. the IWC newsletter) to communicate the work of the organisation as a whole.

ii. Species of urgent or emerging conservation concern

Rendell (UK) recalled the discussions in the Scientific Committee sub-committee on small cetaceans, which explored how the IWC might respond to cases of species of urgent conservation concern. This had also been discussed by the Conservation Committee Planning Group (CCPG) at its latest meeting in the morning of 22 May 2017. The CCPG had agreed that a discussion document should be developed to explore this issue further and to look at response options available - including those already used (e.g. the Small Cetaceans Task Force); the roles of positions such as the CMP coordinators and the (to be appointed) bycatch coordinator; and means of outreach and influencing such as communiques, special ambassadors and envoys.

The Conservation Committee Chair (Rojas-Bracho) welcomed this discussion and noted that it would be helpful for the Bureau to discuss such issues in the non-Commission year. He noted the need for earlier action on species that are of emerging concern that are not yet urgent.

Outreach on urgent issues

The Executive Secretary suggested that it would be interesting to look at what other organisations (e.g. the CMS) do in situations such as this. The IWC is not alone in its need to influence others, including non-member states. In areas such as Human Rights, there is often a need to influence states that might not be receptive and there may be lessons to learn from approaches taken in this field.

Meike Scheidat, (Co-Convenor of the Scientific Committee's Small Cetaceans sub-committee) expressed her interest in joining the drafting group established by the CCPG. She noted the need to find better ways to communicate IWC findings and recommendations to the outside world as well as the need to review failures (including for the Vaquita). She noted that preparing a table of species of emerging or urgent concern would be a fairly straightforward and very useful task.

Vaquita

Simmonds (UK) asked whether further action on the Vaquita would be proposed at this meeting. He noted that any further action would need to be fast and would most likely need to go through high level diplomatic channels. Rendell (UK) recalled discussion in the Conservation Committee Planning Group (CCPG) meeting that morning on the role of the Conservation Committee and welcomed any further proposals on what action could be taken.

Simmonds, supported by Rendell and Harper (UK), suggested that the Bureau be asked to discuss the Vaquita when it met that evening. Once the UK election was concluded the UK would also raise this issue with their Minister.

Justin Cooke (IUCN) noted that several countries are represented in the IWC by their fisheries ministries and it is these ministries that are best place to lead a diplomatic effort. The IWC could encourage its members to cooperate in doing this.

The Working Group **agreed** that the issue of the Vaquita should be referred to the Bureau that evening and looked forward to hearing the outcome of these discussions. It **agreed** with the recommendations of the CCPG that a discussion document be prepared on dealing with cases of urgent concern and this would be drafted and circulated to the CCPG in due course.

[Post meeting note: The Vaquita was subsequently discussed at the Bureau which expressed its deep concern. Noting the Bureau was not a policy body, the Chair of the Bureau, supported by Australia and the Chair of the Scientific Committee, proposed that Argentina may wish to assemble as many co-sponsors as possible in order to develop a statement calling for appropriate action which could be distributed as a Circular communication. At the request of Australia, it was also proposed to add an item to the next Bureau meeting agenda to develop guidance on the full range of options available to Contracting Members who wished to raise urgent issues during an intersessional period].

7. Future work plan and meetings of the Joint Conservation Committee and Scientific Working Group

The Secretariat introduced discussion document IWC/M17/CCSC/02 which had been prepared by the Secretariat at the request of the Chairs. This paper reviewed the work of the joint CC/SC Working Group to date, and considered its potential future role and work programme. The Working Group were asked to consider the issues raised in the paper and to make recommendations relevant to:

- i. *A Procedure to communicate and regularly review implementation of recommendations.* It was proposed that, building on the development of a database (Section 4), the joint Working Group might wish to elaborate a procedure for regular review of implementation of recommendations, in order to identify where progress has been achieved and where, despite best efforts this has not been possible; and to analyse any barriers to implementation.

- ii. *Other ways to facilitate communication between the SC and CC.* Several other means of strengthening communication and cooperation between the two Committee on topics of shared interest were suggested in the paper. The meeting had already discussed some of these in response to the report from the Scientific Committee SC/CC Ad hoc Working Group (Section 6).
- iii. *Working group Terms of Reference.* The group were invited to consider any need for changes in its existing Terms of Reference to cover the above activities.
- iv. *Engagement with other sub-committees.* It was noted that there are several areas where there was a potential need for the joint CC-SC Working Group to engage with other Commission subcommittees and the paper made some suggestions for how this might be dealt with in the immediate and longer term.

Discussion on the future role and terms of reference of the Working Group

Callister (Australia) expressed support for the activities proposed in IWC/M17/CCSC/02 and noted that several of these had already been discussed at this meeting. She felt that the existing Terms of Reference were sufficient in coverage and breadth, though it is good practice to keep TOR under periodic review.

The Chair of the Scientific Committee noted that there had been some significant progress against the groups initial Terms of Reference, particularly with this work moving towards the development of a database.

Harper (UK), supported by the Chair of the Conservation Committee, highlighted the need to integrate social science in to the work of the Commission and the Scientific Committee. There are a range of disciplines relevant to the impacts of human behaviour on the conservation and management of cetaceans and the IWC should be drawing on the most robust social science available. She hoped that the Working Group could play a future role in considering options for bringing in the broader social science evidence base to contribute to the Commission's objectives. Chris Parsons (Chair of the SC/CC *ad hoc* Working Group) noted that social sciences were very relevant to the issue of Whale watching.

The Chair of the Conservation Committee stated that it was premature to extend the Terms of Reference to engagement with other Commission groups and recommended keeping the current focus until more progress had been made.

The ViceChair of the Conservation Committee agreed that there was no need to amend the TOR yet. He noted that the TOR give the Working Group the mandate to progress the development of a process for the regular review of implementation, and that some significant work was required on this. He suggested that, at some point, it might be interesting for the group to look at the TOR for other Commission subgroups (e.g. the operational effectiveness group) and to look at synergies with these.

Lundquist (New Zealand) noted that the proposed workshop on the database would consider a number of aspects of the process to review implementation (not just the technical aspects of the database) and should be able to make some significant progress on this

The Working Group broadly **agreed** with the proposed activities in paper IWC/M17/CCSC/02 and **agreed** that there was no need currently for any changes to the group's Terms of Reference. It

agreed that the proposed database workshop should start to outline a process for the regular review of implementation and that participants should be identified who can undertake this.

8. Any other business

The Chair of the Conservation Committee drew attention to the discussions in the Conservation Committee Planning Group meeting regarding annual Conservation Committee meetings and welcomed views on the proposed timing of Conservation Committee meetings back-to-back with the Scientific Committee annual meeting in non-Commission years . No views were expressed.

Annex A

Terms of Reference for the Joint Conservation Committee and Scientific Committee Working Group

The Joint CC/SC Working Group (CC/SC WG) is tasked with facilitating the communication, implementation, and follow-up of conservation recommendations.

The CC/SC WG shall:

- review, collate and prioritise conservation recommendations made by the Scientific and Conservation Committees where further efforts/actions are needed, in the first instance focussing on those from 2010 onwards;
- report, as appropriate, to the Commission on progress in delivering conservation recommendations;
- develop clear procedures/strategies for effectively transmitting and facilitating the implementation of conservation recommendations to and from the SC/CC WG to the appropriate Committees and sub-committees/working groups, including for further technical work;
- provide advice to the Conservation Committee on those priority conservation recommendations it could assist in implementing;
- provide feedback to the Scientific Committee on further advice and/or actions to assist in the implementation of conservation recommendations;
- respond to specific requests for support in facilitating the implementation of conservation recommendations from the Scientific and/or Conservation Committees.

The CC/SC WG will be comprised of nominees from the Scientific Committee, Conservation Committee and Contracting Governments. Additional expertise may be included as appropriate at the discretion of the Scientific Committee and Conservation Committee Chairs.

Annex B

Agenda

1. Welcome and aims of the meeting

- i. Appointment of Chairs
- ii. Appointment of Rapporteur
- iii. Review of Terms of Reference and aims of the meeting
- iv. Review of documents available to the meeting

2. Adoption of the agenda

3. Update on progress to identify IWC Scientific Committee conservation recommendations and identification of a process to facilitate follow-up

4. Report of the intersessional Group on the establishment of a database

- i. Scope of Database
- ii. Structure
- iii. Process to populate database
- iv. Monitoring progress with recommendations
- v. Funding

5. Language used in recommendations

6. Matters arising from SC67A

7. Future work plan and meetings of the Joint Conservation Committee and Scientific Working Group

- v. Procedure to communicate and review implementation of recommendations
- vi. Other ways to facilitate communication between the SC and CC
- vii. Working group Terms of Reference
- viii. Engagement with other subcommittees

8. Any other business

Annex C

List of Participants

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Stephanie Langerock
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Lorenzo Rojas-Bracho (Chair of the Conservation Committee)

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Scientific Committee

Caterina Fortuna (Chair)
Jennifer Jackson (UK, SH Convenor)
Aimee Lang (USA, SD Convenor)
Russell Leaper (UK, HIM Convenor)
Chris Parsons (USA, Convenor SC/CC WG)
Lindsay Porter (Hong Kong, SM Co-Convenor)
Teri Rowles (USA, E Convenor)
Meike Scheidat (NL, SM Co-Convenor)
Robert Suydam (Vice chair)
Jorge Urban (Mexico, CMP Co-Convenor)
Lars Walløe (Norway, CMP Convenor)
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Other members of the Scientific Committee and Observers

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Justin Cooke (IUCN)
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Annex D

List of documents

Document Number	Title	Author
<i>Secretariat information</i>		
IWC/M17/CCSC/GEN/02	Draft Agenda	IWC Secretariat
IWC/M17/CCSC/GEN/03	Final Agenda	IWC Secretariat
<i>Primary Papers</i>		
IWC/M17/CCSC/01	Development of a web-accessible database of IWC recommendations	IWC Secretariat
IWC/M17/CCSC/02	Discussion paper on the future role and work programme of the Joint CC/SC Working Group	IWC Secretariat

Annex E

Terms of Reference – database meeting

It is proposed that a small meeting is held, ideally before the next joint CC/SC Working Group meeting, to develop a draft structure and process for populating the database taking into account the considerations in paper IWC/M17/CCSC/01.

The Terms of Reference of the meeting could include:

- To agree a list of data fields and associated categories for the database, taking into account the potential development of a template of language to be used in recommendations noted above.
- To propose a process for data compilation including who will undertake the initial compilation of recommendations data and how will recommendations be identified i.e. what is the definition of a recommendation
- To propose a process on compiling and checking data on implementation of recommendations
- To make suggestions on a process to systematically review implementation of recommendations
- To develop a budget and work plan for the database

The meeting participants would report in to the existing intersessional group for development of the database who would develop a proposal to for discussion at the 2018 Joint CC/SC Working Group meeting.