

# IWC/M17/CCSC/02

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## Discussion paper on the future role and work programme of the Joint CCSC Working Group

IWC Secretariat



INTERNATIONAL  
WHALING COMMISSION

# **Discussion paper on the role and work programme of the joint Working Group of the Conservation Committee and Scientific Committee**

Submitted by the IWC Secretariat and the Chairs of the Conservation Committee and Scientific Committee

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## **Summary**

This discussion paper has been drafted by the Chairs of the Conservation Committee and Scientific Committee and the Secretariat to review the work of the joint CC/SC Working Group to date, and consider its potential future role and work programme.

The joint CC/SC Working Group is invited to consider the questions raised in this paper, and make recommendations on:

- (i) A procedure to communicate and regularly review implementation of recommendations (section 2.3)
- (ii) Ways to facilitate collaboration between the Conservation Committee and Scientific Committee (section 2.4-2.5).
- (iii) Proposals for new Terms of Reference for this group to be submitted to IWC67 in 2018 (section 4).
- (iv) The expansion of work to include other Commission subcommittees (section 3).

## **1. Background**

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*. Subsequently, at its first meeting, the group adopted Terms of Reference (Annex 1).

The Working Group held meetings in 2015 and 2016, and subsequently proposed a series of recommendations which were endorsed at IWC66 in 2016 (IWC/66/CC25). The recommendations related to the development of guidelines on language to be used in recommendations; development of a draft structure and process for populating a web-accessible database of recommendations (and outcomes); and recommendations relating to the timing and agendas of Conservation Committee meetings. A more detailed summary of previous discussions of the joint CC/SC Working Group is provided in Annex 2.

## **2. Future Work Plan**

The Working Group has made some progress with the implementation of its Terms of Reference including through discussions on the development of the database of recommendations, and work by the Scientific Committee to standardise the language in recommendations. Further progress is needed. Thus some of the proposals below relate to completion of the existing Terms of Reference, and other proposals may require an expansion of the Working Group's Terms of Reference (see "Action Requested").

### *2.1 Development of the recommendations database*

At IWC 66, the Commission endorsed a recommendation from the Conservation Committee and agreed to establish an intersessional 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. A paper (IWC/M17/CCSC/01) on the development of the database has been submitted for consideration by the joint Working Group at its meeting on 22<sup>nd</sup> May 2017.

The Working Group may wish to consider whether and how to involve other Commission subcommittees in this endeavour (see section 3).

#### *2.2 Language used in recommendations*

At IWC66 the Commission requested that the joint CC/SC Working Group 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 the rationale/context, objectives and actors. At its meeting on May 22<sup>nd</sup>, the joint Working Group will receive an update from the Scientific Committee on their progress.

The Working Group may wish to build on this work by drafting guidelines on the language used in recommendations for both the Scientific and Conservation Committees. The Working Group might also consider whether to recommend that this be extended to other Committees.

#### *2.3 Reviewing implementation of recommendations*

Building on the development of a database, 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.

This work might include developing a process for undertaking this review, taking into account:

- How often database outputs are communicated from the database to Committees and when (e.g. after SC etc)?
- Who receives database outputs (SC, CC, Joint CC/SC Working Group etc)
- What information should database outputs include – recommendations, status of implementation etc
- How can implementation be identified, analysed and assessed, including the role of national reporting from Contracting Members (e.g. Voluntary Conservation Reports).

Once the procedure has been agreed, the Working Group needs to agree its ongoing role in the review and follow up of conservation recommendations.

#### *2.4 Ongoing cooperation on shared interests*

Means of strengthening communication and cooperation between the Conservation Committee and Scientific Committee could include:

- A direct role for the joint CC/SC Working Group, which can add specific topics to its agenda, when a particular need for enhanced cooperation arises. Observations reported from the Working Group could then feed in to priority setting by these committees. This role is demonstrated by previous CC/SC discussions, for example on the Sanctuary reviews and the development of strategic plan for ship strikes.
- Communication and cooperation between the respective working groups of each committee on issues of shared interest, with these efforts being reported in to the Joint CC/SC Working Group. Intersessional workshops on topics of mutual interest could also provide opportunity for enhanced collaboration.

### 2.5 Committee agenda setting

The joint CC/SC Working Group could also have a role in reviewing new and emerging issues and whether and how these should be addressed on the agendas of the Conservation Committee and Scientific Committee. Alternatively, the Chairs of the respective working groups in the Conservation and Scientific Committees could consult with each other in the developing their agendas.

### 2.6 Ad hoc SC Working Group

The Scientific Committee Ad Hoc Working Group on interactions between the Scientific Committee and the Conservation Committee has had some discussions relevant to the issues above and will report on its observations and recommendations to the meeting of the Joint CC/SC Working Group on the 22<sup>nd</sup> May.

## 3. Engagement with other subcommittees

There are several areas where this paper has revealed a potential need for the joint CC-SC Working Group to engage with other Commission subcommittees, including the development of the database (collation and communication of all the IWC's recommendations, assessing the implementation of IWC's recommendations and use of language when making recommendations.

In the shorter term, development of the database could be facilitated by asking the Chair and vice Chair of other subcommittees to participate and/or a nominated representative.

In the longer term, should the Commission decide to undertake a more systematic review of implementation of recommendations, such considerations might include (i) the role of individual subcommittees in reviewing implementation of their recommendations and (ii) the need for a "cross-committee" working group to review implementation, whether or not the joint CC/SC Working Group continue to work more specifically on collaboration between the Conservation and Scientific Committees.

## 4. Action requested

The joint Working Group is invited to consider and make recommendations on the issues raised in this paper and in particular:

- (i) Outline a procedure to communicate and regularly review implementation of recommendations (section 2.3)
- (ii) Agree other ways to facilitate collaboration between the Conservation Committee and Scientific Committee (section 2.4-2.5)
- (iii) The Working Group may wish to clarify or expand its Terms of Reference to address the above including:
  - continued work to develop a *procedure to facilitate the implementation and follow-up of conservation recommendations* such as the development of database of recommendations; standardising the language in recommendations; and a process to systematically communicate recommendations.
  - clarification of its role in undertaking ongoing systematic review of implementation of recommendations
  - development of other opportunities for collaborative working including through agenda setting; joint topic discussions; and direct communication between groups

The Working Group may wish to update its Terms of Reference ahead of its next meeting in 2018, with a view to submitting them to IWC67.

- (iv) The current remit of the joint Working Group does not extend beyond conservation-relevant recommendations of the Scientific Committee and cooperation between these two subcommittees. However, the joint Working Group may wish to consider whether there is a case for extending the review of implementation beyond Scientific Committee recommendations to include those of the Conservation Committee; or even beyond to other sub-committees. This might necessitate a group with wider Terms of Reference (see section 3), for example a “working group on review of implementation” whether or not the joint SC/CC also continue its work.

## **Annex 1 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 2 Background information on the discussions of the Joint CC/SC Working Group**

### *Prior to IWC66*

At its first meeting in 2015 the Joint CC-SC Working Group established an Intersessional Preparatory Drafting Group to undertake the following tasks:

- i. Using papers IWC/J15/ALL/2 and IWC/J15/ALL/3, collate and present in a revised document existing and relevant conservation recommendations;
- ii. Analyse these conservation recommendations and organise into key issues/areas highlighting those that feature regularly;
- iii. Identify any conservation recommendations that may have been effectively addressed in order to help identify any lessons learnt.

Subsequently, a consideration of conservation recommendations of direct relevance to the Conservation Committee from the previous 4 years (2013-2016) was carried out intersessionally by the UK with assistance from the IWC Secretariat and in consultation with the Intersessional Preparatory Drafting Group. This consisted of (i) a compilation of conservation-relevant recommendations categorised according to the nearest conservation theme or themes, category of action, and target (who they were aimed at) an initial overview of the number and types of recommendations being made; and (ii) An analysis of recommendations including in relation to the current Conservation Committee agenda; and a breakdown of recommendations by theme; objective and target.

At its second meeting in 2016 the joint Working Group considered a number of observations and recommendations relating to this analysis and decided that the analysis should be backdated to 2010 and be subjected to a more in depth analysis and discussion. The Working Group agreed to prepare a revised working document and submit it to the Conservation Committee at IWC 66 in 2016.

### *IWC66 in 2016*

On the basis of discussions outlined above, a revised paper [IWC/66/CC25] was put forward at IWC66 and subsequently to the Commission. The Conservation Committee endorsed the recommendations in the paper that the Commission:

1. Requests that the joint SC/CC 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 the rationale/context, objectives and actors. It stressed that, unless necessarily general (e.g. addressed to the broad scientific community), the emphasis should be on specific topics and tasks. The guidelines should also consider the use of consistent language (e.g. when and if to use terms such as urge, endorse, agree, recommend and request).
2. Establishes an intersessional 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, taking into account initial considerations presented in Annex 2 of document IWC/66/CC25.
3. The Conservation Committee consider (i) the need to amend its agenda to reflect additional themes identified from this analysis (i.e. conservation aspects of small cetaceans and of bycatch and entanglement) and the value of establishing intersessional working groups for priority areas to further the Committee's workplan and (ii) The need to recommend to the Commission an annual Conservation Committee meeting (whilst this would have cost and

logistical implications it would allow the Committee additional time to consider in more detail the progress made intersessionally on key conservation issues.

The Commission endorsed all of these recommendations from the Conservation Committee.

*Scientific Committee work on language used in recommendations*

At its meeting in 2016, the Scientific Committee agreed that after the meeting and before its report was published on the IWC website, the Chair and Head of Science should develop a template to highlight advice, agreements and recommendations and identify, in their judgement, the primary intended recipients (recognising, that in a general sense, the whole report provides advice to the Commission). This format is being used as a trial and will reviewed at the next meeting of the Scientific Committee in the light of feedback from the Commission and the Committee. The template is as follows:

- (a) important action items, agreements and recommendations are highlighted by placing them in boxes;
- (b) the first cell of the box provides information on the primary intended recipients in the judgement of the Chair and Head of Science, using a range of codes.

**Joint Discussions on Conservation Issues**

At its meetings in 2015 and in 2016 the Joint Working Group discussed progress in relation to several conservation issues including Conservation Management Plans and Sanctuaries. The joint Working Group have also discussed progress and made recommendations relating to relationships with other organisations.

Though the above discussions have been useful, there was some concern expressed at the meeting in June 2016 on duplication between discussions in the Conservation Committee Planning meeting (held the morning of the same day) and those of the joint Working Group, given the overlap in attendance between the groups.