

## **Preliminary consideration of Scientific Committee Recommendations of direct Relevance to the Conservation Committee**

### **Aim**

This paper provides an initial consideration of ways to identify, communicate and follow up the Scientific Committee's conservation related recommendations of direct relevance to the Conservation Committee.

The Joint SC/CC Working Group is invited to:

- Consider the preliminary analysis of recommendations as set out in this paper and provide suggestions on how best to progress this further.
- Comment on the approach taken to compiling and categorising recommendations, including on any additional analyses of value and on the selection criteria used (Section 2).
- Consider and advise on the recommendations for further work provided under Section 4.
- Agree to the next steps for the Intersessional Preparatory Drafting Group (as per its Terms of Reference) as outlined in Section 5.

### **1. Background**

- 1.1 At the 2015 meeting of the Joint Scientific Committee/Conservation Committee (SC/CC) Working Group, an Intersessional Preparatory Drafting Group was established with the following terms of reference:
  - 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.
- 1.2 A preliminary consideration of recommendations of direct relevance to the Conservation Committee from the previous two years has been carried out intersessionally. However, before the intersessional group begins to put substantial time into taking this work forward, agreement is needed from the Joint SC/CC Working Group that the proposed approach is appropriate.
- 1.3 This document outlines the approach taken to date, provides a summary of observations and suggested actions, and makes recommendations for how this work should be continued.

### **2. Summary of the approach**

- 2.1 Recommendations of direct relevance to the Conservation Committee were identified from the 2014 and 2015 Scientific Committee reports (see Annex A).

2.2 The following criteria were used for selecting recommendations for consideration:

- i. Cover conservation-related topics including some not currently on the Conservation Committee agenda (and including issues which are cross cutting, e.g. fundraising, entanglement).
- ii. Relate to management action, policy, cooperation, reporting, fundraising, communication, workshops and, if in communication with others, research.
- iii. Directed at Governments and Governmental agencies, the Secretariat, IGOs and other external bodies.
- iv. Arose from the Scientific Committee endorsing recommendations from IWC expert workshops.

2.3 Recommendations were excluded if they:

- i. Were directed solely at the Scientific Committee to undertake more research or to amend existing Scientific Committee activities.
- ii. Were directed solely at other IWC Committees (e.g. the Aboriginal and Subsistence Whaling Committee) with the exception of those that were considered cross cutting conservation issues e.g. bycatch and entanglement.

2.4 Recommendations were then categorised according to theme, objective, and target (actor) to provide an initial overview of the number and types of recommendations being made. Recommendations that were relevant to multiple fields within a particular category were counted multiple times, for example, a recommendation with an objective relating to both monitoring and reporting would have been included in both categories.

### **3. Preliminary analysis of recommendations**

3.1 From the preliminary work undertaken to date, 138 recommendations from the 2014 and 2015 Scientific Committee reports have been identified as being of direct relevance to Conservation Committee. Of these, 65 are currently explicitly included on the Conservation Committee's agenda as a standing item, the most common themes relate to whale watching (20), Conservation Management Plans (17), and ship strikes (12)). See Table 1.

3.2 Of particular note are the number of recommendations relating specifically to small cetaceans (29) and bycatch (11) which are not explicitly covered by the Conservation Committee agenda<sup>1</sup>.

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<sup>1</sup> An update on the small cetaceans voluntary fund is included on the Conservation Committee agenda.

*Table 1 – Recommendations by theme and whether explicitly included on the Conservation Committees agenda*

| <b>Theme</b>                         | <b>Currently on Conservation Committee Agenda</b> | <b>Number of recommendations</b> |
|--------------------------------------|---|----------------------------------|
| Arctic issues                        | No  | 5                                |
| Bycatch                              | No  | 11                               |
| Climate Change                       | No  | 1                                |
| Communication of conservation issues | No  | 2                                |
| Conservation Management Plans        | Yes   | 17                               |
| Cooperation with other organisations | Yes   | 2                                |
| Disease                              | No  | 2                                |
| Entanglement                         | No  | 5                                |
| Habitat issues                       | No  | 1                                |
| Marine debris                        | Yes   | 7                                |
| Noise                                | No  | 6                                |
| North Atlantic Bowhead whales        | No  | 2                                |
| Oil spill                            | No  | 4                                |
| Ship strikes                         | Yes   | 12                               |
| Small cetaceans                      | No  | 29                               |
| Southern Right Whales                | Yes   | 7                                |
| Strandings                           | No  | 5                                |
| Whalewatching                        | Yes   | 20                               |
| <b>Grand Total</b>                   |   | <b>138</b>                       |

3.3 Over half of the recommendations have an objective that relates either to cooperation (47), of which cooperation with other organisations was most common (21), or to policy development and implementation (36). See Table 2.

*Table 2 – Objectives of the identified recommendations<sup>2</sup>*

| <b>Objective of recommendations</b>            | <b>Number of recommendations</b> |
|--|----------------------------------|
| Cooperation                                    | 47                               |
| — <i>Cooperation with other organisations</i>  | 21                               |
| — <i>Cooperation with governments</i>          | 17                               |
| — <i>Cooperation with various stakeholders</i> | 3                                |
| — <i>Cooperation with industry</i>             | 6                                |
| Policy development/implementation              | 36                               |
| Research/Monitoring                            | 15                               |

<sup>2</sup> Some recommendations may have more than one objectives, in which case the predominant category was selected.

|                            |            |
|----------------------------|------------|
| Communication              | 9          |
| Reporting                  | 7          |
| Hold meeting               | 7          |
| Fundraising                | 6          |
| Training/capacity building | 8          |
| Data collation             | 3          |
| <b>Grand Total</b>         | <b>138</b> |

3.4 A brief assessment was made of the most frequent target (actors) of the recommendations. In some cases, there were multiple targets e.g. Contracting Governments asked to take action and the Secretariat asked to follow up. However, in many cases, determining the target of the recommendations was subjective and for some recommendations, the target was unclear. The main target/actors were:

- Government (contracting governments, specific named Govt, range states)
- Non-Contracting Government
- Secretariat
- Industry
- Another part of the IWC
- Unclear

3.5 Over one half of recommendations were directed at Governments (Contracting Governments and, in some cases, non-Contracting Governments), and the next most common target was the Secretariat. Smaller numbers were directed internally within the IWC and to industry members.

#### **4. Observations and suggested actions**

4.1 A number of recommendations have been made below following this preliminary assessment. These are intended to help progress towards a fuller assessment of the recommendations. The Joint SC/CC Working Group is asked to consider these and provide the Intersessional Preparatory Drafting Group with a steer.

##### **Language**

4.2 In some cases, recommendations lacked a clear objective or target, potentially making it challenging to address them. Furthermore, many recommendations are embedded in Scientific Committee report text and when removed can lose their context. Repeated recommendations may also be made on specific issues but with varying degrees of uniformity in language. This makes it challenging to pick out quickly any trends or repeated expressions of concern from the Scientific Committee.

***Recommendation 1 – implementation of clear guidance on how recommendations for action should be drafted may be beneficial e.g. to ensure there is consistency in applying language (i.e. urge, endorse, agree, recommend), that they have clearly defined objectives and targets, and in order that they can ‘stand-alone’.***

### Access to recommendations

- 4.3 Recommendations are not collated into a single source. It required substantial time and effort from the Secretariat to identify conservation relevant recommendations from only two years of reports. New processes in the Scientific Committee to extract recommendations into summary tables will help improve this in the future. However, further steps could be taken to improve transparency, accessibility, and reach of IWC recommendations, and provide a more effective means of assessing progress with implementing recommendations and analysing the broader work of the IWC.
- 4.4 It would also be useful to consider how the conservation-relevant recommendations from other parts of the Commission are compiled, managed and monitored. This would help to ensure that a consistent approach is taken by the IWC; avoid duplication of effort; and ensure that conservation recommendations are not overlooked.

***Recommendation 2 – establish a database accessible from the IWC website of recommendations (not necessarily limited to conservation recommendations or recommendations of the Scientific Committee).***

### Consideration of issues by the Conservation Committee.

- 4.5 Several of the themes in the identified recommendations are not explicitly covered by the current Conservation Committee agenda, potentially hindering the Committee in helping progress action identified by the Scientific Committee. However, the Conservation Committee agenda is already substantive and biennial meetings may limit its ability to effectively move issues forward.

***Recommendation 3 – The Conservation Committee should consider whether its agenda should be amended to reflect the main themes identified from this analysis. Consideration should also be given to how best the Conservation Committee Planning Meeting could be used to progress recommendations intersessionally, including through agreeing specific Terms of Reference.***

### Further analysis

- 4.6 Further analysis is needed to provide a more detailed and informative consideration of those recommendations of direct relevance to the Conservation Committee.

***Recommendation 4 – this analysis is extended back to 2010 and a more in-depth consideration is given to identifying the targets of recommendations, any trends or re-occurring issues and ways to assess progress with implementation of the recommendations.***

## **5. Next steps**

- 5.1 With the agreement of the joint SC/CC Working Group, the Intersessional Preparatory Drafting Group will build on this initial work by undertaking a fuller analysis of conservation recommendations as outlined in the terms of reference.

- 5.2 Further analysis would extend back to 2010, providing a similar summary of recommendations by theme, objective, and target, whilst taking on board any suggestions from the Joint SC/CC Working Group.
- 5.3 The Intersessional Group will provide review of the categories used and develop more detailed proposals on the establishment of a database.
- 5.4 Additional work would be undertaken to consider re-occurring issues in order to identify barriers to effective implementation or lessons learnt from successful implementation. This would also allow for a consideration of where there are inherent challenges in our ability to assess our progress in delivering recommendations.
- 5.5 The Intersessional Preparatory Drafting Group will report on progress to the Conservation Committee in October 2016.

#### **Annex A Conservation recommendations from the SC and provisional categorisation**

The table of conservation related recommendations is provided as a working document at the following location: <https://shared.iwc.int/data/public/494bc3>