

CONSERVATION COMMITTEE

Intersessional meeting Monday 28 September – Friday 2 October 2020¹

PROVISIONAL AGENDA *and annotations*

This meeting of the Conservation Committee will be held virtually due to COVID-19 restrictions and the postponement of the in-person meeting of IWC68 (originally scheduled for September 2020) until Autumn 2021. The remote meeting, which draws on experience from the approach taken by the Scientific Committee in May 2020, will address the issues that most urgently need to be progressed or for which decisions are required before the end of 2020, but will not cover all of the Conservation Committee agenda. As such, all of the usual standing items on the CC agenda are included in this document with an indication of whether they will be addressed in Zoom session, by email correspondence only or deferred until the in-person meeting of the CC prior to IWC68. This agenda should be consulted alongside information that has been circulated on the format of sessions and a schedule of Zoom sessions.

1. INTRODUCTORY ITEMS

All introductory items will be dealt with by email at the commencement of the meeting

- 1.1 Appointment of Chair [*Lorenzo Rojas-Bracho, Mexico, is proposed*]
- 1.2 Appointment of Rapporteurs
- 1.3 Review of Documents
- 1.4 Observer Participation

Accredited observers are welcome as always to register for the meeting and to participate in both email and Zoom discussions. Participation in Zoom discussions will be according to the relevant Rules of Procedure which are given at the end of this agenda.

2. ADOPTION OF AGENDA

3. CONSERVATION COMMITTEE STRATEGIC PLAN AND WORKPLAN

A proposal for a mid-term review of the Conservation Committee Strategic Plan will be discussed by email. Further discussion deferred until IWC68.

Discussion under Item 3.2 on updating and extending the existing workplan will be discussed by email. Discussion of a new workplan beyond 2021 deferred until IWC68.

¹ Meeting will close on Friday 2 October and a draft report circulated for by 5pm latest on Sunday 4 October. for comments by 5pm on Monday 5 October (or 24 hours after the report is sent). The final report will then be adopted by correspondence unless a Zoom session is needed to resolve any outstanding issues, in which case this will be held on Tuesday 6 October (evening, UK time).

3.1 Updates to the Strategic Plan

At IWC66 the Commission endorsed the Conservation Strategic Plan 2016-2026 as a high-level outward facing document supported by separate, internal strategy documents for the Conservation Committee and its standing working groups complete with timelines. This item will discuss a proposed mid-term review of the Conservation Committee Strategic Plan. At IWC68 the potential need for revision of the strategic plan in response to recommendations of the Working Group on Operational Effectiveness (WGOE) will also be discussed.

3.2 Workplan for the 2018-2020 Biennium and beyond

The current Conservation Committee workplan runs until end of 2020. Given the current development of new areas of work for the Conservation Committee and that its priorities may change as a result of Commission decisions on WGOE recommendations, it is proposed that the existing workplan be updated and extended until end 2021, and that a new workplan be discussed at IWC68.

4. STRATEGIC ISSUES FOR THE CONSERVATION COMMITTEE

4.1 Working Methods of the Conservation Committee

Deferred until IWC68

At its meeting in 2018 the Conservation Committee agreed Conservation Committee Working Methods which were subsequently published on the IWC website. The Working Methods document was adopted as a living document subject to further change, as needed, following the conclusion of the IWC Governance Review and work of the WGOE. Potential revisions to working methods will be discussed at IWC68.

4.2 Voluntary Conservation Reports

An update will be given by email and views sought. The work of the intersessional group will then proceed intersessionally. Contracting Governments will not be asked to submit Conservation reports for the remote meeting and arrangements for IWC68 will be communicated in due course

Contracting Governments may submit voluntary national reports on cetacean conservation to the Conservation Committee. The Committee welcomes these reports and has encouraged more countries to submit them. At its meeting in 2018 the Conservation Committee endorsed a proposal from New Zealand to replace the current system of voluntary reporting with an integrated database. The Secretariat is progressing a technical specification for the database but further discussion is needed on reporting requirements of the CC and relationships with other IWC databases.

4.3 IWC Governance Review

For email discussion (on the basis of a CC Chair/Vice Chair paper) and Zoom discussion if necessary, to finalise CC comments

Resolution 2016-1 adopted at IWC66 agreed to a comprehensive independent review of the Commission's Institutional and Governance arrangements conducted by a panel of three independent reviewers. Following this, the WGOE was mandated (Resolution 2018-1 at IWC67) to

further develop proposals for taking forward governance review recommendations. This agenda item allows discussion on the findings and recommendation of the WGOE relating to the Conservation Committee, with a view to the agreement and submission of Conservation Committee comments on WGOE recommendations.

- 4.3.1 Introduction to the WGOE process and recommendations relevant to the CC
- 4.3.2 Discussion of findings and recommendations

5. JOINT WORKING GROUP OF THE CONSERVATION COMMITTEE AND THE SCIENTIFIC COMMITTEE

5.1 and 5.2 deferred until IWC68 with intersessional work ongoing, including a meeting of the Joint CC-SC WG in 2021. Outputs from the database will be provided to SWG Chairs and topic leads to facilitate review of implementation of recommendations. 5.3 will be addressed by email at the commencement of the meeting.

5.1 Database of recommendations

At IWC67 in September 2018, the Commission endorsed the aims and principles of the IWC Database of Recommendations; instructed the Secretariat to populate the database and facilitate its use; and requested the SC and CC to incorporate it into their working practices, reporting back to IWC68. Since then the Secretariat has populated the database with all the recommendations from IWC67, including those of the 2017 and 2018 Scientific Committee meetings. Recommendations from SC68A in 2019, and the CC at IWC66 have also been entered, along with those of several workshops. Scientific Committee has started using outputs from the database to review implementation of its recommendations. This item allows for a discussion on use of recommendations by the Conservation Committee.

5.2 Review of implementation of recommendations

This item will discuss review of implementation of recommendations in light of experience from SC and CC use of the database.

5.3 Guidance for drafting recommendations

At IWC66 the Commission recommended that the Joint SC-CC WG work to develop guidelines for Scientific Committee and Conservation Committee reports on the drafting of clear and focussed stand-alone recommendations that highlight rationale/context, objectives and actors. Guidance for drafting Scientific Committee recommendations has been operational for its last three meetings. This item will discuss draft Guidance on drafting Conservation Committee recommendations.

6. BYCATCH

The report of the Bycatch Standing Working Group, including progress with the existing BMI workplan, SC recommendations and the new BMI workplan (Items 6.1 and 6.2) will be introduced by email. A Zoom discussion will focus on the Conservation Committee role in delivering the new BMI workplan (Item 6.1.2), the report from the Indian Ocean Workshop (6.3) and engagement with the RFMOs (Item 6.4).

At IWC67 the Commission endorsed the Bycatch Mitigation Initiative 10-year Strategic Plan and two-year workplan. This item will allow the Committee to discuss the report of the Bycatch

Standing Working Group and to review related recommendations from the Scientific Committee and from an intersessional workshop on Bycatch in the Indian Ocean. Of particular interest this year are the new BMI workplan, pilot project development and engagement with RFMOs.

6.1 Report from the Bycatch Standing Working Group

6.1.1 Progress of the Bycatch Mitigation Initiative on 2018-2020 workplan

6.1.2 Bycatch Mitigation Initiative workplan 2021-2024 and Conservation Committee role in workplan activities

6.2 Report from the Scientific Committee

6.3 Report from the Indian Ocean Bycatch workshop

6.3.1 Review of report and recommendations

6.3.2 Conservation Committee role

6.4 Engagement with RFMOs

This item will allow discussion of progress made by the Secretariat and of recommendations from a Review of Regional Fisheries Management Organization Efforts in Addressing Cetacean Bycatch undertaken for the IWC.

6.4.1 Progress report

6.4.2 Review of RFMO Efforts in Addressing Cetacean Bycatch

7. WHALE WATCHING

The Report of the WW SWG and relevant recommendations of the SC, including the revised IWC Guidelines and Principles for whale watching will be discussed by email. There will be a Zoom presentation of new content for the WW Handbook which will be recorded and made available afterwards for further comments. Discussion on a new workplan for the whale watching SWG will be deferred until IWC68.

In 2011 the Commission reviewed and updated the Terms of Reference for the Conservation Committee's Standing Working Group on Whale Watching (SWG-WW) and expanded its membership to include two members of the Scientific Committee.

In 2012 the Commission adopted its Five-Year Strategic Plan for whale watching and the SWG-WW has continued to make progress against the actions outlined in the plan.

The scientific aspects of whale watching are discussed by the Scientific Committee in response to a request in Resolution 1994-14 for it to provide advice relating to whale watching.

This agenda item will allow the Conservation Committee to hear the report of the intersessional work undertaken by the SWG-WW and to receive an update on the Scientific Committee's continued progress with whale watching. Of particular interest this year will be an update on new content developed for the Whale Watching Handbook, and revised IWC Principles for Whale Watching.

7.1 Report from the Conservation Committee's Standing Working Group on Whale Watching

7.1.1 Progress with the online Whale Watching Handbook

7.1.2 Engagement with the Indian Ocean Rim Association

7.2 Report from the Scientific Committee

7.3 IWC Principles for Whale Watching

The IWC principles and guidelines for whale watching were introduced in 1996 in order to help guide the development of whale watching regulations around the world. At its meeting in 2018 (SC67B) the SC recognised that the guidelines and principles urgently needed updating including to address swim-with-cetacean operations and emerging technologies such as drones. The SC subsequently endorsed revisions to the Principles and Guidelines in 2019 at SC68A and commended these to the Conservation Committee.

8. CONSERVATION MANAGEMENT PLANS

The report of the CMP SWG, updates on current CMPs (Item 8.1), including relevant recommendations of the SC will be requested from co-ordinators and circulated for any comments on email. A full discussion on existing CMPs is deferred to IWC68.

A Zoom session will consider the strategic plan for CMPs (Item 8.3) and discussion of any new nominations or draft CMPs, on which recommendations are needed from the CC (Item 8.2). The financial update (Item 8.5) will be included in the VCF update (Item 17.2).

In 2008, the IWC adopted Conservation Management Plans (CMPs) as an adaptive, flexible and tailored management tool to improve the conservation outcomes for the most at risk cetacean populations. CMPs have been developed for four vulnerable cetacean populations so far - the Western North Pacific Gray Whale, the Western South Atlantic Southern Right Whale, the Eastern South Pacific Southern Right Whale, and the Franciscana (the first CMP for a small cetacean species).

The two main bodies responsible for progressing the Commission's work on CMPs are the Conservation Committee's Standing Working Group on Conservation Management Plans (SWG-CMP) and the Scientific Committee's Sub-Committee on Cetacean Stocks That Are or Might Be the Subject of Conservation Management Plans (SC-CMP).

8.1 Progress Report by the SWG-CMP

At IWC67 the Committee adopted the revised CMP Work Plan 2014-2020 and agreement that a thematic strategic plan for CMPs be developed during the next intersessional period, to be submitted to the Commission for endorsement. The Committee noted progress made with regards priority species for CMP and encouraged further efforts during the next intersessional period. This agenda item will consider the report from the SWG-CMP.

8.1.1 Progress on current CMPs

This agenda item will include an update on implementation progress and upcoming priorities for the four current CMPs.

8.1.1.1 Western Pacific Gray Whale CMP

8.1.1.2 Southwest Atlantic Southern Right Whale CMP

8.1.1.3 South-east Pacific Southern Right Whale CMP

8.1.1.4 Franciscana CMP

8.2 Future CMPS

This agenda item will include a review of new CMP nominations or draft CMPs (including the South American River dolphin nomination), and an update on intersessional work to progress the development of CMPs for priority species.

8.2.1 Arabian Sea Humpback whales

8.2.2 Mediterranean Fin whales

8.2.3 Mediterranean Sperm whales

8.2.4 South American River dolphins

8.2.5 Asian River dolphins

8.2.6 Central American Humpback whales

8.3 Thematic Strategic Plan for CMPs

8.4 CMP financial update

This agenda item will include an update from the SWG-CMP on the status of the CMP Voluntary Fund.

9. SHIP STRIKES

A Zoom discussion will consider the report of the SS SWG and Scientific Committee recommendations and discuss the ship strikes workplan 2020-2022 and staffing arrangements. Work on ship strikes and IMMAs (9.4) will be discussed via email.

At IWC57 in 2005 the Conservation Committee agreed to address whales being killed or seriously injured by ship strikes, recognising that the issue is also considered by the IWC's Scientific Committee through its Non-Deliberate Human Induced Mortality Sub-committee. The Conservation Committee established a Ship Strikes Working Group which has reported progress regularly since 2006.

This agenda item will allow the Committee to receive the latest update from its Ship Strikes Working Group and to review relevant work of the Scientific Committee. It will allow the Committee to consider the progression of IWC work of ship strikes 2020-2022 including a new ship strikes workplan and associated staffing proposals.

9.1 Report from the Scientific Committee

9.2 Report from the Ship Strikes Working Group

9.3 Ship strikes workplan and staffing arrangements

9.4 Ship Strikes and IMMAs

9.4.1 Report of the Joint IWC-IUCN-ACCOBAMS workshop to evaluate how the data and process used to identify Important Marine Mammal Areas (IMMAs) can assist the IWC to identify areas of high risk for ship strike.

10. WHALE SANCTUARIES

Deferred until IWC68

This item provides an opportunity for the Conservation Committee to receive, review and comment on information related to whale sanctuaries and marine protected areas.

11. MARINE DEBRIS

This will be dealt with through email discussion

At IWC63 in 2011 the Commission endorsed a Conservation Committee recommendation to include a standing agenda item on marine debris. Two joint Scientific Committee and Conservation Committee workshops on marine debris held in May 2013 and August 2014 made a range of recommendations that were endorsed by the Conservation Committee. A further workshop "Marine Debris: The Way Forward" was held from 3-5 December 2019 in La Garriga, Catalonia, Spain. This agenda item allows a review of recommendations from this workshop and the Scientific Committee and of proposed future work in this area.

The IWC's work programme on responding to entangled whales is reported separately through the Working Group on Whale Killing Methods and Welfare Concerns.

- 11.1 Report from IWC Workshop on Marine Debris
- 11.2 Report from the Scientific Committee
- 11.3 Future work by the Conservation Committee

12. NEW WORK PROGRAMMES FOR THE CONSERVATION COMMITTEE

Detailed discussion deferred until IWC68. A brief Zoom session will give an update on progress in developing work areas.

This agenda item allows discussion of areas which are identified as priority topics on the CC strategic plan but for which there are not yet fully developed CC work plans. This agenda item allows for updates on recommendations from the Scientific Committee on these topics, on relevant engagement with other organisations and discussions of proposed future work.

- 12.1 Anthropogenic underwater noise
- 12.2 Climate Change
- 12.3 Chemical pollution

13. CETACEANS AND ECOSYSTEM FUNCTIONING

Detailed discussion deferred until IWC68. A brief update on progress will be included in the item on the CC Workplan under Item 3.2.

At its 2018 meeting the Conservation Committee Planning Group gave some consideration to how the Conservation Committee could address Resolution 2016-3 related to Cetaceans and their Contribution to Ecosystem Functioning. This item will allow an update on Scientific Committee work on Ecosystem Functioning, and consideration of proposals from Contracting Members.

14. SMALL CETACEANS

An update on the voluntary fund (14.1) and 14.3 (review of SC recommendations) will be provided by email. An update on 14.2 (Small Cetacean Task Team) will be provided in a Zoom session combined with a discussion on item 15 (below)

14.1 Progress under the voluntary fund for small cetacean conservation research

The Commission operates a voluntary fund for Small Cetacean Conservation Research. In 2011 funding was provided for a total of nine projects, and further voluntary contributions allowed funding of additional projects in 2013 and 2016. At IWC66 the Commission endorsed the proposal to fund seven new projects. This item will allow the Scientific Committee to report its progress with both existing projects and new projects proposed for support in 2018.

14.2 Small Cetaceans Task Team

At its 2014 meeting, the Scientific Committee agreed to trial a new intersessional approach for situations that are considered a high conservation priority and especially where time is short and no mitigation actions are in place. Consequently, at its 2015 meeting, the Scientific Committee developed the Terms of Reference for a Small Cetaceans Task Team Initiative to assist the Scientific Committee in providing timely and effective advice on situations where a population of cetaceans is in danger of a significant decline that may eventually lead to its extinction; the ultimate aim being to ensure that extinction does not occur. This item will allow the Scientific Committee to provide an update on the activities of the Task Team Initiative.

14.3 Review of Scientific Committee recommendations

15. SPECIES OR POPULATIONS OF URGENT OR EMERGING CONCERN

Assuming papers are available from intersessional work then this will be discussed in a Zoom session.

At previous meetings the Conservation Committee Planning Group and the joint Working Group of the Conservation Committee and the Scientific Committee Working Group (CC-SC WG) have discussed potential ways in which the Conservation Committee could help with species or populations of critical conservation concern for which urgent action was required, including the Vaquita and other species. The groups agreed to develop proposals to be considered by the Conservation Committee regarding species of critical concern and actions that might be taken. At IWC67 the Conservation Committee considered initial proposals to be developed intersessionally and further agreed to add species and populations of emergent and urgent concern as a new standing item on the Commission agenda. There has also been discussion in the Scientific Committee.

Having heard an update on the Small Cetaceans Task Team (item 14.2) this agenda item will allow updates on intersessional work and discussion on any proposals for ways that the IWC and the Conservation Committee could more effectively take action on species and populations of critical conservation concern.

16. ENGAGEMENT WITH OTHER ORGANISATIONS

A brief update paper will be provided by the Secretariat for email discussion. This will focus on issues which need some direction from the Conservation Committee and detailed discussions will be deferred until IWC68.

The Secretariat will report on progress on engaging other Intergovernmental Organisations on issues of mutual interest and highlight a number of future opportunities. Of particular interest this year will be proposals for several MOUs and IWC input into the development of the post 2020 Framework for Biodiversity.

17. FUNDING

Update documents will be provided in advance for email discussion only. This will include a collation of known funding needs. Financial implications for all work areas will also be discussed under each agenda item.

17.1 Funding opportunities

At IWC65, the Commission endorsed a series of recommendations from the Intersessional Correspondence Group on Strengthening IWC Financing (ICG-SF). These recommendations included, inter alia, a proposal for working groups wishing to resource projects to establish budgeted work plans, and if possible to identify funding partners.

This agenda item provides an opportunity for the Committee to hear a report on the work of the ICG-SF and to consider its recommendations.

17.2 Progress under the Voluntary Conservation Fund

At IWC65 in 2014 the Commission established a Voluntary Conservation Fund. At IWC68 the Commission agreed a process for allocation of funding and eligibility criteria. This agenda item will allow the Conservation Committee to receive a progress update from the Steering Group of the Voluntary Conservation Fund on contributions to this fund and associated expenditure.

18. CONSERVATION COMMITTEE OFFICERS

According to the Conservation Committee Working Methods terms of several Conservation Committee officers will expire at IWC68. This item will discuss the process for replacement or reappointment of these officers. In addition, there will be some current vacancies advertised in advance by Circular for which new officers could be endorsed by email at this virtual meeting.

19. ADOPTION OF REPORT

The draft report will be made available for comment by all participants and agreed by correspondence. A Zoom session will be scheduled on Tuesday 6 October (TBD) only if there are outstanding issues on the report to be resolved.

It is proposed that the report be adopted by correspondence.

ADMISSION OF OBSERVERS

Rule of Procedure C.2

2. Observers accredited in accordance with Rule [of procedure] C.1.(a) and (b) are admitted to all meetings of the Commission and the Technical Committee, and to any meetings of Committees and all subsidiary groups of the Commission and the Technical Committee, except the Commissioners-only meetings, meetings of the Bureau and closed meetings of the Finance and Administration Committee.

SPEAKING RIGHTS FOR OBSERVERS

Rule of Procedure C.3

3. Observers accredited in accordance with rule C.1.(a) and (b) will have speaking rights during Plenary sessions and sessions of Commission subsidiary groups and Committees to which they are admitted to under C.2, in accordance with the Rules of Debate of the Commission. Observers might also submit documents for information to the delegations and observers participating in such sessions, provided these are submitted through the Secretariat at least 48 hours before the session in which they are intended to be made available, and are duly authored or endorsed by the accredited organisation making the submission, which is to be held responsible for its contents.

Rules of Debate Paragraph A

A. Right to Speak

1. The Chair shall call upon speakers in the order in which they signify their desire to speak, with the exception of accredited Observers, which should be allowed to speak only after all Commissioners desiring to speak do so. As a general rule, Observers will only be allowed to speak once at each Agenda item under discussion, and at the discretion of the Chair.