

09 February 2021

IWC Strategic Principles and ToR for Working Group on Strategic Plan

Background

1. At IWC67, it was agreed that the Working Group on Operational Effectiveness (WGOE) would develop a plan to implement reforms that will improve the institutional and governance arrangements of the Commission and its subsidiary bodies, to be presented to the 68th meeting of the Commission. One of the elements to be considered in this process was the strategic and work planning practices.
2. The WGOE had its second meeting in London in July 2019, where all recommendations from the governance review were reviewed and placed into different categories, taking into account the time needed for implementation of the recommendation and the type or nature of the recommendation, in order to organize their follow-up. (add footnote with ref of final report)
3. Three main themes were distilled:
 - 1) Improving the current **structure** of Commission and subsidiary bodies (including the Bureau), including by considering the need for strategic and/or work plans for Commission and subsidiary bodies;
 - 2) Improving decision making processes and two-way **communication** between the Commission and its subsidiary bodies as well as communication and cooperation among the subsidiary bodies;
 - 3) **Operation**: improving efficiency of Commission meetings (agendas, timings, sub-committees).
4. This paper focuses on the consideration of the need to develop a strategic and/or work plan for the Commission.
5. In line with best practices of other treaty bodies, the Commission could improve its current structure and functioning through:
 - a. developing a strategic plan for the Commission¹, or
 - b. developing a work plan for the Commission to clearly identify work priorities and ways of working;
6. If the Commission decides to develop a strategic plan, the Commission may choose to either form a Working Group or to authorize the WGOE to coordinate this task. Draft Terms of Reference for such a Working Group can be found in Annex 1.
7. Following the discussions within the WGOE, the Commission should decide between developing a strategic plan or a work plan, the latter setting out priorities for each of the subsidiary bodies. The Commission may choose to form a Working Group or authorize the WGOE to coordinate this task following the working methods set out in Annex 1.

¹ The first consultation provided diverging views on the appropriateness to start a process to develop a Strategic Plan for the Commission. Therefore the WGOE is looking for further input of the Commission during the second consultation on what could be the best way forward. Based on this input the WGOE will put forward a proposal for a decision to IWC68 whether or not to start this process.

8. Ultimately, the goal is to allow the Commission to provide clearer direction to and promote cooperation between subsidiary bodies and across the Commission.

Timeline

The WGOE meeting in London agreed the following timeline for the Strategic Plan paper to be submitted to IWC68 and the further development of the Plan:

October 2019	First draft circulated to wider WGOE for comment
November 2019	All comments provided to drafting group
December 2019	Drafting group to address comments
End of 2019	Final draft translated versions to circulate to other CPs
September 2020	Updates made based on IWC consultation
Feb-March 2021	Additional Consultation round
April 2021	Updates made based on socialization process
May 2021	Papers to be finalized
September 2021	Recommendation and, if relevant, ToR for WG agreed at IWC68

ANNEX 1

Draft Terms of Reference for the Strategic Plan Working Group

Objective

The Strategic Plan Working Group (the Working Group - WG) will develop a draft strategic plan that sets strategic principles and clear priorities for the work of the International Whaling Commission (the Commission) and its subsidiary bodies in line with best practice of other treaty bodies for consideration by the Commission at its 69th meeting in 2022.

Scope

The strategic plan will:

- a) outline a vision and constitutes the high level strategic ambitions and principles of the Commission;
- b) detail how work plans from each subsidiary body will feed into and deliver an overall work programme;
- c) lay out a communication and outreach strategy for the Commission and its members, helping to enhance the impact and relevance of the Commission.

The strategic planning process will not cover revisions to the structure of the IWC, specific meeting arrangements, rules of procedure issues, its legal preparedness or its budget processes. It will, however, function alongside these workstreams and will adapt as necessary if, or when, any changes are agreed and implemented by the Commission.

The strategic planning process will also take into account IWC's engagement with other organisations, in particular in light of the Post 2020 Global Biodiversity Framework.

Membership and functioning of the WG

The membership of the WG will be open to all IWC Contracting Parties and accredited observers. To ensure diversity, the membership should be geographically and gender balanced. The Chairs (or Vice-Chairs) of the Commission and its subsidiary bodies will be ex-officio members. The WG will operate in an inclusive and transparent way and according to the existing RoP of the IWC.

Working method and time

The Working Group will conduct its work in two stages:

(1) Agree Strategic Principles

The Working Group should build on the work undertaken by the WGOE. The views of subsidiary bodies, contracting governments and accredited observers should be sought on the vision, high level strategic ambitions, and principles of the Commission. The method of consultation is to be determined by the WG.

In developing the strategic principles, the Working Group will take into account the following documents and sources of information:

- a) the text of the *International Convention for the Regulation of Whaling*;
- b) the report of the independent review panel and its recommendations (2018) related to strategic planning
- c) consultation and work undertaken by the Working Group on Operational Effectiveness following IWC67 with subsidiary bodies, contracting governments and accredited observers and any decision made by the Commission in this regard.
- d) Existing Strategic and Work Plans (or strategic priorities) of IWC Subsidiary Bodies and Working Groups as well as the Secretariat Strategic Plan and workplan, if available.

This stage should be completed by mid-2022.

(2) Develop a strategic plan based on the items listed under scope, as well as a Work Plan which will be developed in a bottom-up and top-down way, taking into account the priority setting of the subsidiary bodies of the Commission.

The strategic plan should be periodically reviewed by the Commission to ensure it takes into account any new decisions made by the Commission.

The Working Group will aim to develop the strategic plan, including a potential mechanism for periodical review, in time for consideration by the Commission at its 69th meeting in 2023.

Timeline²

September 2021	TOR agreed and Working Group established at IWC68.
January 2022	Draft strategic principles circulated to WG for comment.
March 2022	Comments received and incorporated in first draft. Circulated to WGOE.
May 2022	Draft principles discussed in WGOE meeting back to back with SC meeting
July 2022	Feedback incorporated and Principles agreed by WG.
September 2022	Use final draft of the principles to start drafting strategic plan
November 2022	First draft SP circulated to WG
March 2023	Draft SP to be submitted to IWC69 agreed by WG
April 2023	First draft WP based on draft SP circulated to WG
May 2023	Draft principles discussed in WGOE meeting, if any, back to back with SC meeting
June 2023	Draft WP to be submitted to IWC69 agreed by WG
September 2023	Draft SP and WP considered and adopted by IWC69

² Timeline to be further amended based on the guidance of the Commission to start a process to develop a Strategic Plan for the Commission after IWC68.