

CIRCULAR COMMUNICATION TO COMMISSIONERS
AND CONTRACTING GOVERNMENTS
IWC.ALL.113

Revision to Rules of Procedure

Following distribution of Circular Communication IWC.ALL.112 of 13 June 2006 containing the revisions to the Rules of Procedure agreed at IWC/59, it has been brought to my attention that amendments to sub-paragraph 2 of Rule of Procedure C.1.(b) regarding NGO accreditation were not reflected. Rather than reading 'Once an international organisation is accredited, it remains accredited until the Commission decides otherwise', the sub-paragraph should read: 'Once a *non-governmental* organisation *has been accredited through the application process above, it will remain* accredited until the Commission decides otherwise'. Rule of Procedure C.1 should therefore read as follows:

C. Observers

1. (a) Any Government not a party to the Convention or any intergovernmental organisation may be represented at meetings of the Commission by an observer or observers, if such non-party government or intergovernmental organisation has previously attended any meeting of the Commission, or if it submits its request in writing to the Commission 60 days prior to the start of the meeting, or if the Commission issues an invitation to attend.

(b) Any non-governmental organisation which expresses an interest in matters covered by the Convention may¹ be accredited as an observer. Requests for accreditation must be submitted in writing to the Commission 60 days prior to the start of the meeting and the Commission may issue an invitation with respect to such request. Such submissions shall include the standard application form for non-governmental organisations which will be provided by the Secretariat. These applications shall remain available for review by Contracting Governments.

Once a *non-governmental* organisation *has been accredited through the application process above, it will remain accredited* until the Commission decides otherwise.

¹ Note that during Commission discussions of document IWC/59/33 'Non-governmental organisation accreditation and participation in Annual Meetings: a recommended approach', it was noted that a word was missing from the second sentence of paragraph (b) between 'Commission' and 'issues'; it had read 'Requests for accreditation must be submitted in writing to the Commission 60 days prior to the start of the meeting and the Commission issues an invitation with respect to such request'. It was agreed to insert the word 'will'. However, the Secretariat subsequently realised that the Commission may not always wish to issue an invitation (e.g. in the case where an organisation has previously had its accreditation withdrawn) and that therefore it would be more appropriate and consistent with the Commission's general practice and past rules to insert the word 'may'. This was discussed with the Chair of the Commission but not raised in plenary due to a shortage of time. If Contracting Governments are concerned with this change that was not discussed in plenary, this can be raised at IWC/60 next year.

Observers from each non-governmental organisation will be allowed seating in the meeting. However, seating limitations may require that the number of observers from each non-governmental organisation be limited. The Secretariat will notify accredited non-governmental organisations of any seating limitations in advance of the meeting.

(c) The Commission shall levy a registration fee and determine rules of conduct, and may define other conditions for the attendance of observers accredited in accordance with Rule C.1.(a) and (b). The registration fee will be treated as an annual fee covering attendance at the Annual Meeting to which it relates and any other meeting of the Commission or its subsidiary groups as provided in Rule C.2 in the interval before the next Annual Meeting.

The Secretariat apologises for any inconvenience caused. A revised version of the Rules of Procedure is available from the IWC's website (<http://www.iwcoffice.org/commission/procedure.htm>).

Dr Nicky Grandy
Secretary to the Commission