

## 68<sup>th</sup> Meeting of the International Whaling Commission

### CONSERVATION COMMITTEE

09.00-18.00 Hrs Saturday 15 October at the Grand Hotel Bernardin, Portorož, Slovenia

#### PROVISIONAL AGENDA *and annotations*

#### 1. INTRODUCTORY ITEMS

- 1.1 Appointment of Chair [*Lorenzo Rojas-Bracho, Mexico/Cat Bell, UK, is proposed*]
- 1.2 Appointment of Rapporteurs
- 1.3 Review of Documents
- 1.4 Observer Participation [*Relevant Rules of Procedure are given at the end of this agenda*]

#### 2. ADOPTION OF AGENDA

#### 3. CONSERVATION COMMITTEE STRATEGIC PLAN AND WORKPLAN

##### 3.1 The Mid-term review and 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. At the virtual meeting of the CC in 2020 the Committee agreed to a mid-term review of the Strategic Plan in response to recommendations of the Working Group on Operational Effectiveness (WGOE). This item will allow the Committee to review the progress and proposed updates to the Strategic Plan.*

##### 3.2 Workplan for the 2022-2024 Biennium and beyond

*The current Conservation Committee workplan runs until end of 2022. This agenda item will receive a draft workplan for 2022-2024 for some initial discussion. Revisions needed as a result of Conservation Committee discussions under other agenda items will be noted during the meeting. Financial or other resource implications for the 2022-2024 biennium should also be noted here and will be further discussed under item 17.*

#### 4. STRATEGIC ISSUES FOR THE CONSERVATION COMMITTEE

##### 4.1 Working Methods of the Conservation Committee

*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

*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 which was further refined after discussion at CC2020. A prototype will be presented for discussion.*

4.2.1 Contracting member reports

4.2.2 Review of the prototype Conservation Database

#### 4.4 IWC Governance Review

*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 (2018-1 at IWC67) to further develop proposals for taking forward governance review recommendations. At its virtual meeting in 2020 the CC agreed to establish an ICG to develop draft CC comments on the questions posed by the WG-OE Co-Chairs at this CC meeting. Comments were circulated to the whole Committee for their review prior to their submission to the WG-OE. This agenda item allows time for discussion on the latest findings and recommendations of the review relating to the Conservation Committee and how these will be taken forward.*

4.4.1 Latest updates from the WGOE process and recommendations relevant to the CC

4.4.2 Discussion of findings and recommendations

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

#### 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-D, and the CC at IWC66, 67 and 2020 have also been entered, along with those of several workshops. The SC and CC have been using outputs from the database to review implementation of its recommendations and track progress. 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. NOTE: Guidance on Drafting Conservation Committee recommendations is available.*

### 6. WHALE SANCTUARIES

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

## 7. BYCATCH

*At IWC66 the Commission endorsed recommendations from the Scientific Committee and Conservation Committee on bycatch and agreed to establish a Standing Working Group on Bycatch. It further endorsed the establishment of a Bycatch Mitigation Initiative supported by an Expert Panel and a Bycatch Coordinator. At IWC67 the Commission endorsed the Bycatch Mitigation Initiative 10-year Strategic Plan and two-year workplan. In 2020 the CC endorsed a new four-year BMI Work Plan (2021-2024) and agreed that bycatch remains a priority issue. In addition, the CC endorsed the recommendation to prioritise RFMOs for BMI engagement. This item will allow the Committee to discuss the report of the Bycatch Standing Working Group, progress on the workplan and to review related recommendations from the Scientific Committee.*

### 7.1 Report from the Bycatch Standing Working Group

- 7.1.1 Progress of the Bycatch Mitigation Initiative workplan
- 7.1.2 Conservation Committee role in workplan activities

### 7.2 Report from the Scientific Committee

### 7.3 Engagement with RFMOs

- 7.3.1 GEF/FAO Common Oceans project update
- 7.3.2 FAO Factsheets on Marine Mammal Bycatch Mitigation Techniques

## 8. WHALE WATCHING

*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.*

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

- 8.1.1 Update on the Whale Watching Handbook and Editorial Protocol
- 8.1.2 Workplan, particularly promotion and communication of the Whale Watching Handbook

### 8.2 Report from the Scientific Committee

### 8.3 IWC Principles and Guidelines 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.*

*At its meeting in 2020 the Conservation Committee requested the SWG-WW to review the comments from this meeting. Both the SC WW Sub-committee and SWG-WW had further opportunity to review the Principles during 2021 and these were endorsed at SC68D (2022). This agenda item provides opportunity for the CC to make any final comments and endorse.*

## 9. CONSERVATION MANAGEMENT PLANS

*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 five 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, the Franciscana (the first CMP for a small cetacean species) and South American River dolphins.*

*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).*

### 9.1 Progress Report by the SWG-CMP

*At IWC65, the Committee endorsed the CMP Work Plan 2014-2020 which sets out the priority work areas for the Commission and its subsidiary bodies to guide the development and implementation of CMPs. At IWC66 the Commission agreed to a mid-term review of the work plan, which was undertaken by the SWG-CMP during the 2016-2018 intersessional period.*

*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. 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.*

*In 2020 the CC welcomed progress on the development of a CMP Handbook and Strategic Plan. These along with a draft work plan (2022-2024), will be presented for consideration and endorsement by the Committee.*

#### 9.1.1 CMP Work Plan 2022-2024

#### 9.1.2 Thematic Strategic Plan and Handbook for CMPs

### 9.2 Progress on current CMPs

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

#### 9.2.1 Western Pacific Gray Whale CMP

##### 9.2.1.1 Update from range States

##### 9.2.1.2 Scientific Committee update

- 9.2.2 Southwest Atlantic Southern Right Whale CMP
  - 9.2.2.1 Update from range States
  - 9.2.2.2 Scientific Committee update
- 9.2.3 South-east Pacific Southern Right Whale CMP
  - 9.2.3.1 Update from range States
  - 9.2.3.2 Scientific Committee update
- 9.2.4 Franciscana CMP
  - 9.2.4.1 Update from range States
  - 9.2.4.2 Scientific Committee update
- 9.2.5 South American River Dolphins CMP
  - 9.2.5.1 Update from range states
  - 9.2.5.2 Scientific Committee update

### 9.3 Priority species for future CMPS

*This agenda item will include a review of new CMP nominations or draft CMPs, and an update on intersessional work to progress the development of CMPs for priority species.*

- 9.3.1 Arabian Sea Humpback whales
- 9.3.2 Mediterranean Fin whales
- 9.3.3 Mediterranean Sperm whales
- 9.3.4 Asian River dolphins
- 9.3.5 Central American Humpback whales
- 9.3.6 Populations requiring further research

### 9.4 CMP financial update

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

## 10. SHIP STRIKES

*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 on ship strikes 2020-2022 review the draft workplan for 2022-2026 and an updated Strategic Plan (2022-2032).*

- 10.1 Report from the Ship Strikes Working Group
  - 10.1.1 Ship strikes strategic plan and workplan
  - 10.1.2 Engagement with IMO

- 10.2 Report from the Scientific Committee
- 10.3 Committee discussions and recommendations

## 11. MARINE DEBRIS

*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, including on the need for improved data collection and research on the impacts of marine debris on cetaceans and potential mitigation approaches. At IWC66 the Committee welcomed progress on engaging other organisations on this topic and encouraged this to continue. A further workshop “Marine Debris: The Way Forward” was held from 3-5 December 2019 in La Garriga, Catalonia, Spain and its recommendations were endorsed by the Conservation Committee in 2020.*

*This agenda item allows a review of recommendations from the Scientific Committee and will allow the Committee to discuss and agree its 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 Future work by the Conservation Committee
- 11.2 Report from the Scientific Committee

## 12. NEW WORK PROGRAMMES FOR THE CONSERVATION COMMITTEE

*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

*At IWC67 in 2018 the CC endorsed proposals for further work on anthropogenic underwater noise, including establishment of an ICG to further scope this work and engagement with other organisations. An IWC Resolution on Underwater Noise (Resolution 2018-4) was adopted at IWC67. In 2020 the Conservation Committee endorsed the interim work plan of the ICG.*

- 12.1.1 Update from the ICG
- 12.1.2 Report from the Scientific Committee
- 12.1.3 Discussion of future work

### 12.2 Climate Change

*Resolution 2009-1 on climate change was adopted at IWC63. This Resolution directs the Scientific Committee to continue its work on studies of climate change and the impacts of other environmental changes on cetaceans (CO0904). The impact of climate change has been considered an overarching topic by the Environmental Concerns Sub-committee of the SC since 2017, interacting with almost all other stressors of concern. The Commission has noted the importance*

*of collaborating with other relevant international bodies on this topic and initiating specific activities in the future (CO0902). Climate change is identified as a priority area in the Conservation Committee Strategic Plan. A combined CC/SC virtual workshop on Climate Change was held November/December 2021. This agenda item allows discussions on the workshop recommendations and future work of the Conservation Committee on this topic.*

- 12.2.1 Report of the joint CC/SC workshop on Climate Change
- 12.2.2 Report from the Scientific Committee
- 12.2.3 Discussion of future work

### 12.3 Chemical pollution

*A small group formed at the 2020 CC meeting to develop this priority area. The current SC program, POLLUTION 2025, focuses on multiple stressors and contaminants, using a One Health approach. There was a SC pre-meeting April 2021, and a workshop was conducted in November 2021. This agenda item allows a review of recommendations from the Scientific Committee and will allow the Committee to discuss and agree its future work in this area.*

- 12.3.1 Report from the Pollution 2025 workshop
- 12.3.2 Report from the Scientific Committee
- 12.3.3 Discussion of future work

## 13. CETACEANS AND ECOSYSTEM FUNCTIONING

*At its 2018 meeting the Conservation Committee Planning Group considered how the Conservation Committee could address Resolution 2016-3 related to Cetaceans and their Contribution to Ecosystem Functioning. At the Conservation Committee meeting in 2020 the Committee agreed to a proposal to hold a workshop on the socio-economic value of cetaceans to ecosystem functioning. This item will allow discussion of results and recommendations from this workshop and future work.*

- 13.1 Report of the Workshop on Socio-economic value of cetaceans to ecosystem functioning
- 13.2 Report from the Scientific Committee
- 13.3 Discussion of future work

## 14. SMALL CETACEANS

### 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 and a further was endorsed at IWC67. In 2022 funding was provided*

*for five projects. This item will allow the Scientific Committee to report its progress with existing projects.*

#### 14.2 Small Cetaceans Task Teams

*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. In 2020 the CC recommended that the IWC website make the Task Teams more prominent.*

*This item will allow the Scientific Committee to provide an update on the activities of the Task Team Initiative.*

### 15. SPECIES OR POPULATIONS OF URGENT OR EMERGING CONCERN

*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 and in 2020 the CC acknowledged the work to develop templates for statements on three scenarios of extinction and endorsed the proposal for a dedicated IWC webpage on extinctions. The CC established a small working group to improve IWC response where populations are in decline, especially small, threatened populations.*

*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.*

- 15.1 Report from the Intersessional working group
- 15.2 Report from the Scientific Committee
- 15.3 Discussion of future work

### 16. ENGAGEMENT WITH OTHER ORGANISATIONS

*The Secretariat will report on progress on engaging other Intergovernmental Organisations on issues of mutual interest and highlight a number of future opportunities. This agenda item will seek the Committee's views and endorsement of next steps with engaging other organisations.*



## 17. FUNDING

### 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. At IWC66, the ICG-SF agreed its work plan for the intersessional period. At CC2020 the committee heard a report of the ICG-SF which recommended a review on how to increase IWC capacity for fundraising.*

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

#### 17.1.1 Report on IWC fundraising

### 17.2 Progress under the Voluntary Conservation Fund

*At IWC65 in 2014 the Commission established a Voluntary Conservation Fund. At IWC67 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.*

#### 17.2.1 Update on contributions and funding

## 18. CONSERVATION COMMITTEE OFFICERS

*According to the Conservation Committee Working Methods terms of several Conservation Committee officers will expire at IWC68. In 2020 the CC discussed the process for replacement or reappointment of these officers. The CC agreed in principle that the Vice Chair of the CC should succeed the Chair automatically after the Chair has served a set term and agreed to consider the appropriate changes to the CC Working Methods at its next meeting.*

*This agenda item provides an opportunity for the Committee to nominate and agree new Chairs for the CC and its Working Groups and topic leads where needed.*

## 19. ADOPTION OF REPORT

*The Chair will propose to adopt the report 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.