

Summary of Main Outcomes, Decisions and Required Actions from the 68th Meeting of the IWC

Issue & Agenda Item	Main Outcomes
<p>Voting Rights & Contracting Govt Contributions <i>Item 1</i></p>	<p>The following changes to the end of the paragraphs in Financial Regulations of Procedure F.2 and Rule of Procedure E.2(a) were adopted by consensus:</p> <p>Financial Regulations F. Arrears of Contributions</p> <p>2. If a Contracting Government's annual payments, including any interest due, have not been received by the Commission by the earliest of these dates:</p> <ul style="list-style-type: none"> • 3 months following the due date; or • the day before the first day of the next Biennial or Special Meeting of the Commission or Meeting of the Bureau if such a meeting is held within 3 months following the due date; or, • in the case of a vote by postal or other means, the date upon which votes must be if this falls within 3 months following the due date. <p>the right to vote of the Contracting Government concerned shall be suspended as provided under Rule E.2 of the Rules of Procedure, <i>unless the Commission decides otherwise in the case of exceptional circumstances.</i></p> <p>Rules of Procedure E.2</p> <p>2. (a) The right to vote of representatives of any Contracting Government shall be suspended automatically when the annual payment of a Contracting Government including any interest due has not been received by the Commission by the earliest of these dates:</p> <ul style="list-style-type: none"> • 3 months following the due date prescribed in Regulation E.2 of the Financial Regulations; or • the day before the first day of the next Biennial or Special Meeting of the Commission if such a meeting is held within 3 months following the due date; or • in the case of a vote by postal or other means, the date upon which votes must be received if this falls within 3 months following the due date. <p>This suspension of voting rights applies until payment is received by the Commission, <i>unless the Commission decides otherwise in the case of exceptional circumstances.</i></p> <p>The Chair ruled that the Covid pandemic during the years of 2020, 2021, and 2022 constituted 'exceptional circumstances.' The Commission decided that governments in arrears due to 'exceptional circumstances' would have their voting rights restored for the duration of the Plenary.</p>
<p>Finance & Administration <i>Item 6</i></p>	<p>The report of the Finance and Administration Committee was adopted.</p>

Agreements with other Organisations - A Memorandum of Understanding was signed with ATLAFCO/COMHAFAT (Ministerial Conference on Fisheries co-operation among African states bordering the Atlantic Ocean), outlining future collaboration.

- Two new collaborative agreements on bycatch were endorsed: a co-operation agreement with the Food & Agriculture Organisation/Indian Ocean Tuna Commission; and a contract with the Food & Agriculture Organisation/Common Ocean Areas Beyond National Jurisdiction.
- The Commission renewed a Memorandum of Understanding with the Center for Coastal Studies on entanglement response training and capacity building.

Intersessional Working Groups

- The Commission agreed the Intersessional Correspondence Group on Strengthening Finance had completed their mandate and thanked the Commissioner for Belgium.
- The Commission endorsed the report of the Voluntary Conservation Fund Steering Group.
- The Commission endorsed a paper on the Voluntary Welfare Fund: Process and Roles.

Administrative Matters

- The Commission endorsed the report of the Voluntary Assistance Fund.
- The Commission agreed to greater Secretariat flexibility and a revised sum on the process for selling the Red House.
- The inflation increase for Observer/NGO fees was agreed for the next biennium.
- The Scientific Committee Communications Initiative was welcomed and endorsed.
- The Commission endorsed the Rules of Procedure change for the adoption of Scientific Committee reports in Non-Commission Years consistent with discussions from IWC67.

Financial Statements, Budget and Budgetary Sub-Committee Operations

- The Commission adopted the audited accounts for 2018-21 and noted a small deficit for financial year 2022 forecast.
- The Commission endorsed the Budgetary Sub-Committee membership for the next biennium noting Australia would continue as Chair and the Vice-Chair role is vacant.

Financial Implications of proposed resolutions and schedule amendments

- The Commission noted these had some financial implications to the Commission, while the proposed Schedule Amendment had negligible cost implications and proposed Food Security resolution had no financial implications

Working Group on Operational Effectiveness

Governance Reform

The Commission agreed to:

Bureau

- A) Stagger Bureau membership to provide both familiarity and continuity in membership with a relevant regional balance and to ensure more strategic and effective decision-making.
- B) Bureau documents being generally made available in advance of meetings, except those which are sensitive and/or need to remain confidential.

	<p>Commission meeting operations A) Make changes to Commission meetings structures that will increase participation and the effectiveness and efficiency of plenary sessions. The proposal is for a meeting structure as follows:</p> <ul style="list-style-type: none"> • 0.5-1 day of a plenary session (plenary session I) which would be used to introduce proposed Schedule Amendments, proposed rule changes, proposed Resolutions, and receive feedback from committee chairs on intersessional work. • 0.5-3 days of private commissioners and sub-group meetings (dependent on budget constraints, some sub-groups may need to meet virtually in advance to complete their work). In years when the Commission will review ASW catch limits, the ASW sub-committee will meet in person. • 2 days of a plenary session (plenary session II) which would be limited to discussing the reports of the committee meetings and deciding on committee recommendations. • The timings above can be modified as needed depending on the needs of the Commission meeting. <p>B) Generally prohibit raising issues in the second plenary that have not already been discussed in the committee meetings or first plenary session, unless the following exceptions apply: the Commission may decide to open debate of a new issue by majority vote and/or to consider urgent matters and matters not falling within the mandate of a Commission sub-group.</p> <p>C) Rules of Procedure should be a standing item at the Finance and Administration Committee and Commission meetings such that the Rules of Procedure can be reviewed and updated as part of an ongoing reform process.</p> <p>D) There should be a Private Commissioners meeting prior to the opening of the first plenary session and possibly prior to the opening of the second plenary session.</p> <p>E) Agendas should be simplified to focus on key priorities rather than address every topic under a committee's mandate.</p> <p>Rules of Procedure changes</p> <ul style="list-style-type: none"> • Make changes to Rule M.9 on the Bureau to extend the appointment period of the four Commissioners representing a range of views with a relevant regional balance, and to stagger their membership. • Add to Rule M.1 and Rule of Debate D (Arrangements of Debate) that no item of business shall be discussed in the second plenary unless it has been considered in the first plenary with exceptions. • Add to Rule Q (Commission Documents) that documents, including those of the Bureau, should generally be made available in advance of meetings. <p>Intersessional Tasks</p> <ul style="list-style-type: none"> • Develop a proposal that addresses quorum, Rule of Procedure B.1, to be discussed as the first item of business at IWC69, before any other decisions are adopted. • Further consideration of the proposals from the WG-OE that were not adopted at IWC 68 • For future application of the change to RoP E.2(a) and Financial Regulation F.2 agreed at IWC 68, work intersessionally to define criteria for what constitutes exceptional circumstances and a process for decision-making. • Further consideration of the proposal to align voting right suspension with the Biennial Meeting schedule and allow Contracting Governments in arrears to participate in intersessional decision making. • Further consideration of the proposal to make payment plans more accessible: voting rights could be restored regardless of the length of time in arrears, provided the Contracting Government enters into and adheres to a re-payment plan, including an upfront good-faith payment. • Consider issues related to obtaining visas for contracting governments to participate in IWC meetings.
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	<ul style="list-style-type: none"> • Consider the IWC conducting meetings in a hybrid format and/or allowing for absentee voting, to facilitate the participation of all contracting governments. <p>Budget Reform Strategy The Commission adopted the Budget Reform Strategy.</p> <p>Strategic Principles and Working Group on Strategic Plan The Commission agreed to continue work on this issue during the intersessional period.</p> <p>Biennial Budget</p> <ul style="list-style-type: none"> - The budget for 2023-24, Option 1.5 as presented in the document BSC/68/5.3/01/Rev2 was adopted including the operative decisions presented in this document and summarised below. It was adopted by vote: 48 for, 1 against, 0 abstentions. - The agreed budget increases fees <u>only for Capacity to Pay countries 3 & 4</u> by 5% in 2023, 1% in 2024 and reduces expenditure by 6%. <p>The budget includes:</p> <ul style="list-style-type: none"> • A moderate change to the terms of Secretariat staff contracts to lower compensation. • A moderate change to the research budget and move to biennial SC meetings from 2025 onwards. • Virtual bureau meetings except at Commission meetings. • Virtual pre-meetings for Commission meetings. • Reduction of Commission meetings by 1 day. • Bad debt provision reduction. NOTE: fee distribution and the level of contributions will need to be revisited at IWC69. <p>Australia was thanked for their extensive four-year effort in leading this work.</p>
<p>Schedule Amendments <i>Item 7</i></p>	<p>A Proposal to create a South Atlantic Whale Sanctuary could not be put for a decision as there was no quorum in the room at that time. There were conflicting interpretations of the Rules of Procedure regarding quorum.</p>
<p>Resolutions <i>Item 8</i></p>	<p>Resolution on Plastic Pollution The Resolution on Plastic Pollution was adopted by consensus.</p> <p>Resolution on Food Security A decision was not sought on the Resolution on Food Security. Work will continue intersessionally and the proposal will be brought back to IWC69.</p> <p>Resolution on implementation of a Conservation & Management Program for Whale Stocks Aimed Towards the Lifting of the Moratorium and Orderly Development of the Whaling Industry</p> <p>A decision was not sought on the Resolution on Implementation of a Conservation & Management Program for Whale Stocks. Work will continue intersessionally and the proposal will be brought back to IWC69.</p>
<p>Aboriginal Subsistence Whaling <i>Item 9</i></p>	<ul style="list-style-type: none"> - The Report of the Aboriginal Subsistence Whaling Sub-Committee was adopted. The report emphasised the importance of SC advice in years when quotas are discussed, and the importance of taking note of traditional knowledge in making these decisions. <p>The ASW sub-committee endorsed the Terms of Reference and the Call for Tender for the <i>IWC Aboriginal Subsistence Whaling Survey of Indigenous and Human Rights Instruments</i>.</p> <p>Funding</p>

	<p>- Status of the Fund for Aboriginal Subsistence Whaling: contributions of £219,000 were received during the intersessional period. The Commission thanked the donors.</p>
<p>Whale Killing Methods and Welfare Issues <i>Item 10</i></p>	<p>- The Report of the Working Group on Whale Killing Methods and Welfare Issues was adopted.</p> <p>Data</p> <p>- Governments were thanked for submitting reports on whales killed and humaneness of whaling operations.</p> <p>Welfare Assessment</p> <p>- The Commission endorsed the Whale Welfare Assessment Tool.</p> <p>Strandings</p> <p>The Commission endorsed a further workshop on euthanasia and mass strandings.</p> <p>-The Commission endorsed new Strategic Objectives and a Workplan (2021-24) for the Strandings Initiative.</p> <p>- The Commission endorsed an Expert Panel workshop in 2023.</p> <p>- The Commission endorsed the continuation of the Strandings Co-ordinator post to IWC69.</p> <p>Entanglement</p> <p>-The Commission expressed continued strong support for the Entanglement Initiative.</p> <p>Funding</p> <p>- The Commission endorsed evaluation criteria and allocation processes for the Voluntary Welfare Fund.</p>
<p>Management Issues and Infractions Report <i>Item 11</i></p>	<p>The Report of the Infractions Sub-Committee was adopted.</p> <p>-The Commission thanked the following member governments for submitting data: Denmark, Russia, St Vincent & the Grenadines, Norway, Iceland, Korea, Japan (2018), Croatia, Peru, United States.</p> <p>-The Commission also thanked the following non-member governments for submitting data: Japan (2019 onwards) and Canada.</p> <p>Catches by non-member nations</p> <p>A small group will be formed to consider potential proposals on this issue in the intersessional period. The group will be convened by Antigua & Barbuda.</p>
<p>Conservation Committee <i>Item 12</i></p>	<p>-The Reports of the Conservation Committee (2020, 2022) were endorsed including the Workplan (2022-2024).</p> <p>- At the 2020 CC meeting it was recommended that a mid-term review of the Strategic Plan be conducted. The Commission endorsed the report of the mid-term review including the changes to the Strategic Plan. These will now be uploaded to the website.</p> <p>-The Commission endorsed the updated Conservation Committee Working Methods which will be a living document on the IWC website.</p> <p>-The progress on improving the submission of Voluntary Conservation Reports was welcomed and the continued development of the Conservation Database endorsed. New Zealand, United Kingdom and ASCOBANS offered to test the submission and approval process.</p> <p>Bycatch</p> <p>-The Commission endorsed the 4-year workplan (2021-2024) and noted its progress</p> <p>-The Commission endorsed the bycatch proposal for the allocation of existing funds to support BMI Work Plan activities.</p> <p>- The Commission endorsed the Report of the IWC Workshop on Bycatch Mitigation Opportunities in the Western Indian Ocean and Arabian Sea, and all its recommendations.</p> <p>-The Commission approved updated Terms of Reference for the Expert Panel.</p>

	<p>Whale Watching</p> <ul style="list-style-type: none"> - The Commission endorsed the Whale Watching Workplan (2022-2024), the Editorial Protocol and the Principles and Guidelines for the Whale Watching Handbook. <p>Conservation Management Plans</p> <ul style="list-style-type: none"> - The Commission endorsed the Workplan (2022-24) and Strategic Plan (2022-32). - The Commission endorsed the creation of a Vice Chair position for this Standing Working Group and inclusion in the CC Working Methods. - The Commission endorsed an update to the Western North Pacific gray whale CMP and an Implementation Strategy (2023-24) for the South-east Pacific southern right whale CMP. -The Commission endorsed the franciscana outreach campaign. <p>The Commission welcomed and noted the progress on the CMPs.</p> <p>Ship Strikes</p> <ul style="list-style-type: none"> - The Commission endorsed the IWC-IUCN-ACCOBAMS Workshop report and its recommendations. - The Commission endorsed the Ship Strikes Strategic Plan (2022-32) and workplan (2022-24), the establishment of an Expert Panel, and continued funding for the Data Manager. <p>Marine Debris</p> <ul style="list-style-type: none"> - The Commission endorsed the report and recommendations of the IWC Workshop ‘Marine Debris: The Way Forward’ held in December 2019 and encouraged its further dissemination. - The Commission endorsed the workplan (2022-24) and signing a statement of support of the Global Ghost Gear Initiative. <p>Anthropogenic Underwater Noise</p> <p>The Commission endorsed the workplan (2022-24).</p> <p>Climate Change</p> <ul style="list-style-type: none"> -The Commission endorsed a new intersessional group on climate change. <p>Ecosystem Functioning</p> <ul style="list-style-type: none"> -The Commission endorsed the workshop report on Socio-Economic Values of Cetaceans to Ecosystem Functioning with further development required on the pilot project proposal. <p>Species/Populations of Urgent or Emerging Concern</p> <ul style="list-style-type: none"> -The Commission endorsed the joint CC/SC Extinction Initiative with the process amended to seek Commission approval, including intersessionally through a silence procedure or alternative. -The Commission endorsed a new intersessional group to develop recommendations for overcoming challenges to conservation efforts. <p>Funding</p> <p>The Commission endorsed development of Terms of Reference for a new group to advise the Secretariat in its increased focus on fundraising.</p>
<p>Scientific Committee <i>Item 13</i></p>	<p>The Commission endorsed the four SC Meeting Reports for 2019,20,21,22 .</p> <ul style="list-style-type: none"> -The Commission welcomed the SC Communications Initiative for IWC69 onwards, and the measures introduced already to engage with the Commission, answer questions and explain the SC structure and process, and how they support the Commission. -The impacts of moving from annual to biennial meetings was raised under several agenda items, particularly the need for the Commission to express clearly which topics to prioritise and the need to ensure ASW-related work progresses in years when strike limits are reviewed.

	<p>-The Commission welcomed a review of whale tagging technology and best practices conducted jointly with US government agencies (Office of Naval Research and the National Oceanic and Atmospheric Administration). New best practices were endorsed and member countries were encouraged to implement those in their research permitting process.</p> <p>- Population assessments are an integral part of the work of the SC to provide conservation and management advice to the Commission. The Commission welcomed a presentation of the process used by the SC to assess whale populations. The Commission welcomed the work related to stocks subject to Aboriginal Subsistence Whaling and stressed its importance.</p> <p>- The Commission endorsed a new population estimate western Arctic bowheads for a survey conducted in 2019. The estimate is approximately 17,000 whales.</p> <p>-The Scientific Committee highlighted how it integrates indigenous knowledge (IK)/Traditional Ecological Knowledge (TEK) including through the Aboriginal Whaling Scheme (AWS) and the Scientific Committee.</p> <p>-The Commission expressed serious concern with the status of the North Atlantic right whale where the small population is declining due to high mortality from ship strikes and entanglements. Collaboration was encouraged between the US and Canada to continue research into movements and to reduce human-induced mortality of this species to zero.</p> <p>-The Commission also noted their concern over the continued decline of the vaquita and Maui dolphin, both of which have extremely small population sizes and continue to be impacted by entanglement in fisheries operations. The Commission thanked New Zealand for their Maui dolphin review.</p> <p>-The South Atlantic Whale Sanctuary (SAWS) proposal and management plan was approved by the Scientific Committee in 2016. The Commission recommended that if the SAWS is adopted by the Commission, the management plan be implemented in conjunction with the Scientific Committee.</p> <p>-The Committee provided an update on its work on the role of Cetaceans in Ecosystem functioning. A gap analysis has been undertaken and the modelling aspects of the work will be addressed in a workshop planned for 2023</p> <p>-The Commission welcomed an update on the research and recommendations of the Scientific Committee in support the Task Team initiative working on small cetaceans at risk of extinction.</p>
<p>Election of Officers <i>Item 15</i></p>	<p>Commission</p> <p>-The Chair of the Commission, Andrej Bibic (Slovenia) completed his term of office at the end of the meeting. Andrej was thanked for his unprecedented four year term and also for hosting six meetings of the IWC and SC.</p> <p>-The Vice-chair, Amadou Diallo (Guinea) was elected Chair.</p> <p>- Nick Gales (Australia) was elected Vice-chair.</p> <p>Bureau</p> <p>- The new Bureau comprises Guinea (Chair of the Commission), Australia (Vice-chair of the Commission), USA (Chair of F&A), Argentina (serving 2 yrs), Belgium (serving 6 years), Ghana (serving 4 years) and St Lucia (serving 4 years).</p>

Future IWC Meetings <i>Item 17</i>	<ul style="list-style-type: none">- The Commission was pleased to accept an offer from Peru to host IWC69.- The Commission was pleased to confirm that the 2023 meeting of the Scientific Committee meeting will be in Slovenia.- The Commission was pleased to accept an offer from Antigua and Barbuda to host the 2024 meeting of the Scientific Committee.
Other Matters <i>Item 18</i>	Delegations reflected on the concerns and challenges of handling divergent views and thanked the IWC leadership and organisers of the meeting .