



International Whaling Commission

Chairman
Mr Michael Canny (Ireland)

Vice-Chairman
Prof. Bo Fernholm (Sweden)

Secretary
Dr Ray Gambell OBE

**The Red House
135 Station Road
Histon, Cambridge
CB4 4NP U.K.**

Tel: +44 (0) 1223 233971
Fax: +44 (0) 1223 232876
EMail: iwcoffice@compuserve.com

RG/JAC/26990

5 December 1997

CIRCULAR COMMUNICATION TO COMMISSIONERS AND CONTRACTING GOVERNMENTS IWC.CCG.6

Administrative Review

At the 49th Annual Meeting of the Commission, held in Monaco, 20 - 27 October 1997, the Commission agreed to a proposal from New Zealand (paper IWC/49/22 Rev 3) for an external review of the Secretariat. This paper, the draft record of the discussion and decision, together with a copy of IWC Resolution 1997-9 which sets out the terms of reference of the review, are enclosed.

The Advisory Committee which was also established at this meeting (IWC. Resolution 1997-10 copy enclosed) has considered the terms of reference and the procedures necessary to implement this decision. It has been noted that many international organisations have gone through such assessments in past years, involving consultants, and it is thought useful to identify 5 or 6 that have been involved in this type of work and to invite them to apply for the task to be undertaken as outlined in the Terms of Reference. The names suggested so far are:

Coopers and Lybrand
Deloitte and Touche Management Consulting
Anderson, USA
London School of Economics and Political Science
COWI Consultants (Denmark)

Contracting Governments are invited to consider this short list, and to put forward any other names they think appropriate, together with any information which will help in establishing an order of priority.

Comments and suggestions are requested by 20 December 1997.

Concerning the Terms of Reference, the Administrative Committee is inclined to think that ~~as item iv~~ *the IWC's relationship with member states* is rather different in character from the others which have a much more directly practical and administrative tone, it should be treated more as "any other business" to pick up any relevant questions arising during the course of the administrative review.

Dr. R. Gambell
Secretary to the Commission

IWC ADMINISTRATION

Prepared by New Zealand

Introduction

This paper discusses the administrative practices of the International Whaling Commission (IWC) and suggests that some of these might be reviewed.

The IWC Secretariat was established to service the IWC in its implementation of the 1946 International Convention for the Regulation of Whaling (ICRW). It has operated for nearly fifty years. Inevitably, therefore, some of its administrative systems could benefit from being brought into line with modern management practice, and into line with those of similar international and/or intergovernmental organisations.

At the special Commissioners' meeting in Grenada from 27-28 January 1997, Commissioners were supportive of the proposal.

IWC Meetings

Currently the IWC's annual meeting schedule comprises two weeks of Scientific Committee meetings followed by two weeks of technical committee meetings and the IWC meeting itself. Going by international practice for similar meetings and organisations, there is scope to reduce this period and to focus better the IWC on its core business. For other reasons, this year's annual meeting (IWC 49) is being held over a shorter period which could provide a precedent for the future.

Intersessional Meetings

Some clarification of the procedures and responsibilities for intersessional meetings would be useful. Once the intersessional meetings have been agreed in principle by the IWC there seems to be some uncertainty regarding the respective roles of the Secretariat and the host country on aspects of the organisation and control of such meetings. In that regard, the Secretariat may well be placed in an invidious position.

In principle, it would seem desirable that the Secretariat have overall responsibility for all such meetings (including agreeing dates and approving venues, possibly in conjunction with the Executive Committee suggested below. Detailed organisational matters for these meetings could still be delegated to the host country but with the Secretariat retaining ultimate responsibility.

Possible establishment of an Advisory Committee

The possibility of establishing a small Advisory Committee to support and assist the Secretariat could be considered. This could comprise the Chairman, Deputy Chairman, the IWC Secretary and two Commissioners to be elected by the IWC to broadly represent the areas of interest within the forum. Such a Committee would provide support for the Secretariat. Its role would not be to take policy decisions, nor to micro-manage the Secretariat's work. Rather it would consult, without necessarily meeting (other than 'electronically'), on occasions when it was necessary to alter a significant management decision (e.g. if it became necessary to alter the timing or venue of the annual meeting previously agreed by the IWC in plenary session, or to give effect to the Commissioners' recent support for the purchase of new premises.

Possible external review

In addressing the above issues, consultations should be undertaken with the categories of participants including, in particular, Party States involved in the implementation of the ICRW and the IWC. One way of addressing the administrative issues discussed above could be by conducting an external management review by independent reviewers experienced in this field. Such a review could examine how the Secretariat conducts its business, and make recommendations on how to improve its effectiveness and efficiency in serving the interests of the IWC.

Such a review might not only assist in addressing some of the issues discussed above, but could also focus on some specific administrative matters, such as:

Institutional issues

The desirability for a strategic and financial plan should be assessed. Given the needs for attention to individual parties, the annual meeting, the Scientific Committee and the Secretariat itself, given limited human and

financial resources, strategic planning is a fundamental management mechanism to ensure that priorities are addressed in a systematic manner.

Issues of responsibilities and resources could also be addressed. The standard of document preparation for the annual meeting is generally considered to be of a high standard but possibly, by drawing on the experience and knowledge of others, there are some improvements that could be made in the systems of preparation, printing and circulation.

Relationships with other Conventions and Intergovernmental Organisations (IGOs)

IWC members have agreed that the Secretariat should continue to develop its relationships with other relevant IGOs for the purposes of enhancing cooperation and information exchange. This issue is also being dealt with as a separate agenda item at this meeting. A review of administrative practices, at this time, could assist in this aim by suggesting and/or clarifying ways to maintain or improve cooperation arrangements with important organisations such as CCAMLR.

Communications

Means of improving communications, particularly electronic, with IWC members to enhance the timely flow of information could be identified. The need for the provision of regular information on activities of the Secretariat and its staff could be assessed. Currently, most information is provided by way of papers for the annual meeting. There would be some benefit in receiving more regular reports of general activities (e.g. reports of attendance of IWC Secretariat staff at meetings of other international bodies) and general information on staff (e.g. new appointments and retirements). An assessment could also be made of the use of circulars and other information material. For example, is it necessary to produce a verbatim report of the IWC annual meeting? It is not now usual practice for international meetings to produce such a report. The substantial resources required for this purpose might better be allocated to other activities.

The way in which the Secretariat maintains its key external relationships and its external projection of the International Convention for the Regulation of Whaling (ICRW) and the IWC could also be examined.

Methodology and process

Terms of reference would need to be properly developed for any management review, and the review would require IWC agreement. It should be as open and transparent as possible involving wide consultation with all stakeholders. Any recommendations would have to be put into the IWC meeting annual for its endorsement.

DRAFT TERMS OF REFERENCE

Introduction

The Secretariat of the International Whaling Commission (IWC) was established in 1946 with the role of servicing the IWC in the implementation of the International Convention for the Regulation of Whaling (ICRW).

The Secretariat's headquarters is located in Cambridge, the United Kingdom, employing 14 staff members and has a budget of £1,332,335 for 1996-97. The Secretariat is currently contemplating a move to permanent premises.

The IWC meets annually but also holds intersessional meetings which are organised on an *ad hoc* basis usually once or twice a year.

At a recent intersessional IWC meeting, it was agreed to look into ways of improving the effectiveness of the Secretariat and the efficiency of its operations. It is not intended that this review will examine the ICRW and the other political issues which are dealt with by the IWC but rather focus on the IWC Secretariat's administration activities and processes. The consultant will identify alternative means by which the Secretariat's objectives can be attained and develop a strategic plan to optimise its resource use.

Process

The consultant would be required to study the ICRW and its schedule, in order to ascertain the functions of the Secretariat and needs of the Commission. He/she would then be required to undertake a detailed analysis of the administrative systems and processes of the Secretariat to see if they could be improved upon to better meet the needs of the Commission.

Objectives

The consultant would consider and recommend ways in which both the efficiency and effectiveness of the IWC's administration can be further developed, in particular on:

- (i) the structure, duration and frequency of the annual IWC and intersessional meetings, to determine whether they could be better focused on the IWC's core business;
- (ii) the Secretariat's activities and financial resources, to determine what type of strategic and financial planning is required;
- (iii) the Secretariat's communication systems with Commissioners and others.
- (iv) the Secretariat's information exchange and publication management systems;
- (v) the management of the Secretariat's human resources and performance indicators; and
- (vi) the IWC's relationships with member states

The consultant would be required to report back to the Commission on his/her findings and provide advice, by 31 July 1998.

Response Guidelines

Applications should demonstrate how the consultant intends to undertake the assignment, including contact with members of the Commission and Secretariat staff for information gathering, the methodology to be used, the work programme and a possible timetable. In addition, the consultant should present a curriculum vitae of their work experience which relates to this review project.

Confidentiality

All proposals will be treated as confidential

Timeframe

Proposals should be delivered to the Secretariat by 5.00pm, 1 February 1998. The successful applicant will be notified by 15 March 1998.

Process

The Chairman of the IWC Secretariat will advise the consultant of possible dates for a visit to the Secretariat. The consultant should also be available to meet with members of the Commission, and to be able to provide a progress report of the work completed on the review, during IWC 50 in Oman during 11-20 May 1998.

Contacts

For further information please contact Dr Ray Gambell, International Whaling Commission, The Red House, 135 Station Road, Histon, Cambridge, CB4 4NP, UK. Telephone 44 1223 233971 and fax 44 1223 232 876. E-mail iwcoffice@compuserve.com

Recommendations

That the Commission:

- confirms the establishment of an Advisory Committee comprising the Chairman, Vice Chairman, the Secretary and two Commissioners, to represent the interests within the IWC forum, to assist the Secretariat in dealing with significant administrative issues.
- Agrees to authorise an external review ("Review") of IWC administration, to be completed in 1998; and further:
 - accepts the draft terms of reference for that Review; and
 - delegates to the Advisory Committee, the detailed implementation of this Review, including selection of a suitably qualified consultant to conduct the Review and finalising its terms of reference.

Draft extract from the

Chairman's Report of the Forty-Ninth Annual Meeting

23. IWC ADMINISTRATION

23.1 Review of administrative arrangements

New Zealand submitted a document discussing the administrative practices of the IWC and suggesting that some of these might be reviewed. The idea of a review had been supported by Commissioners at their special meeting held in Grenada in January, 1997.

The discussion of this Item in the Finance and Administration Committee began with the Secretariat reviewing the history and growth of the IWC and its Secretariat and noting that it was 15 years since the last review, so that another review would be timely. After the Secretariat declared its support, a number of delegations also supported the idea of a review and the concept (if not the name) of an Executive Committee as described in the New Zealand paper. It was agreed that New Zealand should meet informally with other countries to produce a version of the New Zealand proposal that the entire Commission will be able to endorse.

23.2 Action arising

Discussion on a first draft proposal from New Zealand included suggestions from Spain that IWC meetings should be shortened, that any advisory committee should deal with administration rather than policy, and that the external review should cause the minimum disruption to the work of the Secretariat.

Switzerland suggested that IWC meetings could be held every second year, and compared the proposed advisory committee to the CITES Standing Committee. Japan was concerned over the £50,000 suggested cost of the external review compared to research expenditure and oversight of abundance surveys, while Norway strongly supported comments from the Chairman of the Scientific

Committee on the value of the work of the Secretariat to his Committee.

The Chairman concluded that there was support for the issues but concern over the details, and suggested that two separate resolutions should be prepared. He stressed that there was no implied criticism of the Secretariat, but that a review is a normal practice.

Subsequently, New Zealand introduced two draft Resolutions - one on the need for an external review of the Commission's administrative systems; and the second on the establishment of an Advisory Committee to the Secretariat and Commission. The latter would have a support role, and be composed of the Chairman, Vice-Chairman, Secretary, and two Commissioners serving for two years.

Japan raised the budget implications of the administrative review, and with the addition of the words "with a budget of no more than £50,000" the Commission adopted the Resolution shown in Appendix 9. This authorised the proposal and requested the Advisory Committee to consider the proposed Terms of Reference, and to select and appoint an external consultant to report back to the 51st Annual Meeting.

The UK supported the concept of an Advisory Committee and suggested that the Secretary draw up a Rule of Procedure for the next meeting in Oman.

After clarification from the UK to Spain that it was not suggesting a delay in creating the Advisory Committee, but that the Committee should be created and then later codified, the Commission adopted the Resolution shown in Appendix 10.

The Vice-Chairman informed the meeting that after consultation, the Commissioners for Norway and Mexico had volunteered to serve in the first year until the next meeting in Oman.

Appendix 9. IWC Resolution 1997-9

RESOLUTION ON THE NEED FOR AN ADMINISTRATIVE REVIEW

RECALLING that the Secretariat was established to service the IWC in its implementation of the 1946 International Convention for the Regulation of Whaling; and has operated for nearly fifty years during which time it has only undergone one review of its administrative systems;

CONSIDERING that, while IWC's administrative systems are adequate, they should be reviewed on a regular basis to ensure they are brought into line with modern management practices;

NOW THEREFORE the Commission:

AGREES to authorise an external review of the IWC's administration systems to be completed in 1998, in time for consideration by the Commission at IWC 51, with a budget of no more than £50,000;

REQUESTS that the "Advisory Committee" consider the following Terms of Reference as a basis for this review:

The Consultant would review and recommend ways in which both the efficiency and effectiveness of the IWC administration can be further developed, in particular on:

- (i) *the structure, duration, focus and frequency of the annual IWC and intersessional meetings to determine whether they could be better focused;*
- (ii) *the Secretariat's activities and financial resources, to determine what types of strategic and financial planning are required;*
- (iii) *the Secretariat's communications systems and the issue of languages used in the Commission;*
- (iv) *the Secretariat's information exchange and publication management systems;*
- (v) *the management of the Secretariat's human resources and performance indicators; and*
- (vi) *the IWC's relationship with member states.*

REQUESTS that the Advisory Committee select and appoint an external consultant to undertake such a review and to report back to IWC 51 on its findings for consideration by the Commission.

Appendix 10. IWC Resolution 1997-10

RESOLUTION FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO THE SECRETARIAT AND COMMISSION

RECALLING previous discussions held amongst Commissioners on the need to establish an Advisory Committee to the Secretariat in dealing with significant administrative issues;

NOTING that such an Advisory Committee already functions on an informal basis;

DESIRING to formalise this arrangement;

NOW THEREFORE the Commission:

DECIDES to establish an Advisory Committee whose role would be one of support and not to make policy decisions nor to micro-manage the Secretariat's work;

AGREES that this Committee should comprise the Chairman, Vice Chairman, the Secretary and two

Commissioners to broadly represent the interests within the IWC forum. The appointment of the Commissioners will be for two years on alternative years;

NOTES that the Advisory Committee will work with the Commission to develop guidelines for a review to be undertaken of the IWC's administrative systems;

NOTES the proposed role of the Advisory Committee in the selection and appointment of an external consultant to undertake the administrative review and in finalising the Terms of Reference for this review;

ACKNOWLEDGES that the Advisory Committee will report back on the findings of the review to IWC 51, for consideration by the Commission.