

69th Meeting of the International Whaling Commission

CONSERVATION COMMITTEE

2-5 September 2024¹, Virtual

Monday, 2 September, 16.00-17.30 (BST)
Tuesday, 3 September, 14.00-15.30, 16.00-17.30 (BST)
Wednesday, 4 September, 14.00-15.30, 16.00-17.30 (BST)
Thursday, 5 September, 14.00-15.30 (BST)

PROVISIONAL AGENDA
and annotations

1. INTRODUCTORY ITEMS

- 1.1 Appointment of Chair [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]

Accredited observers are welcome as always to register for the meeting and to participate in both comment sheet and Zoom discussions. Participation in Zoom discussions will be according to the relevant Rules of Procedure which are given at the end of this agenda.

2. ADOPTION OF AGENDA

3. CONSERVATION COMMITTEE STRATEGIC PLAN AND WORKPLAN

3.1 Conservation Committee and recent international agreements. (Kunming-Montreal Global Biodiversity Framework and International treaty on Sustainable use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ)).

Since IWC68 there have been two major agreements of interest to the Conservation Committee the Global Biodiversity Framework and the Marine Sustainable use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ). This item allows for discussion on whether CC should engage with these agreements and/or if any adjustment is needed to the Strategic Plan to align with specific objectives of these agreements.

3.2 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. Following a mid-term review of the Strategic Plan several small revisions were made and endorsed at IWC68. This item will allow for any further suggested changes.

¹ Meeting will close on Thursday 5 September and a draft report circulated by 5pm latest on Saturday 7 September for **comments by 5pm on Monday 9 September**. The final report will be completed by Wednesday 11 September for distribution.

3.3 Progress on the 2022-2026 Workplan

The current Conservation Committee workplan was endorsed at IWC68 and runs until end of 2026. This item allows for discussion on progress against the workplan. 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 2024-2026 biennium should also be noted here and will be further discussed under item 17.

3.4 Revision of all CC topic Terms of Reference

As part of the WGOE process it was proposed the Committees ensure their groups were consistent with the development of clear Terms of Reference and/or workplans. To achieve this, it was suggested that all the SWG and ICG of the CC review their ToRs so they include all required information as outlined in the CC Working Methods. This item allows for any comments or discussion over the content of the revised Terms of Reference.

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.

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 as time and resources allow.

4.2.1 Contracting member reports

4.2.2 Update on the development of the Conservation Database

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

The Joint Conservation Committee/Scientific Committee working group (CC-SC WG) is tasked with facilitating communication between the two Committees on matters related to the IWC's conservation priorities. The Terms of Reference for this WG were revised and endorsed at IWC68. Given the move to biennial SC meetings it was considered appropriate to also update the ToR to include frequency and timing of meetings to maintain effective communication between the committees. This item allows for agreement of the adjusted ToR.

5.1 Topics to highlight from the last meetings including recommendations directed to the Conservation Committee (2023, 2024)

5.2 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. Since then, the Secretariat has populated the database with all the recommendations from IWC67, 68, including those of the 2017 and 2018 Scientific Committee meetings. Recommendations from SC68A-D, SC69A and the CC at IWC66, 67, 2020 and 68 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.

5.2.1 Review of implementation of recommendations and agree recommendations to close
This item will discuss review of implementation of recommendations in light of experience from SC and CC use of the database. An extract of all Conservation Committee recommendations in the database (2016-2022) will be available with their progress highlighted to help facilitate discussion.

6. WHALE SANCTUARIES

6.1. Outcomes of the Review of the Southern Ocean Sanctuary and contiguous Indian Ocean Sanctuary

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

2024 was the third decadal review of the Southern Ocean Sanctuary and contiguous Indian Ocean Sanctuary. This process was completed by the Scientific Committee. This item allows the Conservation Committee to note these outcomes and make any comments.

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 the proposed new workplan (2025-2028) along with 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 2021-2024

7.1.2 Engagement with RFMOs

7.2 Report from the Scientific Committee

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 a Five-Year Strategic Plan for whale watching, this was superseded by the current 10-year plan 2018-2024 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 review the draft Strategic Plan for 2025-2034 and new 4 year workplan. The Committee will also receive an update on the Scientific Committee's progress with whale watching.

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

8.1.1 Progress with the online Whale Watching Handbook

8.1.2 Engagement with the Indian Ocean Rim Association

8.2 Report from the Scientific Committee

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. Report from the Standing Working Group for Conservation Management Plans

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. The Committee adopted a revised CMP Work Plan 2014-2020 at IWC67 and agreed that a strategic plan for CMPs be developed during the next intersessional period.

In 2020 the CC welcomed progress on the development of a CMP Handbook and Strategic Plan. The Strategic Plan was adopted at IWC68 along with the 2022-2024 workplan. Progress against the workplan, a draft work plan for (2024-2026) as well as the CMP Handbook will be presented for consideration and endorsement by the Committee.

This agenda item will consider the report from the SWG-CMP.

9.1.1. CMP Workplan 2024-2026

9.1.2. Handbook for CMPs

9.1.3. Report from the Scientific Committee

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

- 9.2.2. Southwest Atlantic Southern Right Whale CMP
- 9.2.3. Southeast Pacific Southern Right Whale CMP
- 9.2.4. Franciscana CMP
- 9.2.5. South American River Dolphins CMP

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. Central American humpback whales (*draft*)
- 9.3.3. Mediterranean fin whales
- 9.3.4. Mediterranean sperm whales
- 9.3.5. Asian River dolphins (*draft*)
- 9.3.6. Lahille's dolphins (*draft*)
- 9.3.7. Guiana dolphins (*draft*)
- 9.3.8. Populations requiring further research

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 against the current workplan 2022-2026, through the Working Group, Data Manager and the Ship Strikes Expert Panel.

10.1 Report from the Ship Strikes Working Group

- 10.1.1. Progress on the Ship Strikes workplan

10.2 Report from the Scientific Committee

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. A further workshop "Marine Debris: The Way Forward" was held from 3-5 December 2019 in La Garriga, Catalonia, Spain.

At IWC68 a workplan was endorsed for 2022-2024. This agenda item allows a review of progress against this workplan, of recommendations from the Scientific Committee and of proposed 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 Report from the Joint CC/SC Marine Debris Correspondence Group

11.2 Progress on Marine Plastic Pollution Resolution (2022-1)

At IWC68 Resolution 2022-1 was adopted on Marine Plastic Pollution. This item allows for discussion on the response of CG to actions requested in the Resolution.

12 OTHER 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 2022 the Conservation Committee endorsed the work plan of the ICG.

12.1.1 Report from the Intersessional Correspondence Group

12.1.2 Report from the Scientific Committee

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. At IWC68 the CC endorsed Terms of Reference for a Joint CC/SC Intersessional Group. This agenda item allows review of the report from this intersessional group, discussion of progress against recommendations from the 2021 workshop and the TOR and possible next steps.

12.2.1 Report from the Joint CC/SC Correspondence Group

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. A short paper was presented to CC at IWC68 with possible ways this topic could be developed within the Committee.

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 Scientific Committee

12.3.2 Discussion of future steps

13 CETACEANS AND ECOSYSTEM FUNCTIONING

At its 2018 meeting the Conservation Committee Planning Group gave some consideration to how the Conservation Committee could address Resolution 2016-3 related to Cetaceans and their Contribution to Ecosystem Functioning. In 2021 a workshop was held on the socio-economic value of cetaceans to ecosystem functioning and its recommendations were discussed at IWC68. This item will allow for comments on the report of the working group, progress on the recommendations from the workshop and discussion of future work.

13.1 Report from the Working Group on Cetaceans and Ecosystem Functioning

13.2 Report from the Scientific Committee

14 SMALL CETACEANS

14.1 Report from the Voluntary Fund for Small Cetacean Conservation Research

The Commission operates a voluntary fund for Small Cetacean Conservation Research. Since 2011 voluntary contributions have allowed funding to be provided for twenty-three projects. In 2022 funding was provided for five projects. This item will allow the Scientific Committee to report its progress with existing projects and provide an update on the early 2024 call for proposals.

14.2 Small Cetaceans Task Team

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.

14.3 Review of Scientific Committee recommendations

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 related discussion in the Scientific Committee and in 2022, a new joint CC/SC mechanism was endorsed to issue public

statements of concern regarding species or populations facing serious or sudden decline. The first of these Extinction Alerts was published in 2023. The CC established a small working group to improve IWC response where populations are in decline, especially small, threatened populations.

15.1 Outcomes of the first Extinction Alert and Report from the Scientific Committee

15.2 Discussion of future work

16 ENGAGEMENT WITH OTHER ORGANISATIONS

The Secretariat will report on progress on engaging with other 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. Of particular interest this year will be proposals for several MOUs and IWC input into the Biodiversity Plan.

17 FUNDING

At IWC65, the Commission established a Voluntary Conservation Fund and 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 CC2020 the committee heard a report of the ICG-SF which recommended a review on how to increase IWC capacity for fundraising. It was agreed at IWC68 that this ICG had concluded its mandate. The CC endorsed a proposal to develop Terms of Reference for a new group with a mandate to advise the Secretariat in its increased focus on fundraising activities to presented to F&A at the next Commission. Also at IWC68 Commission agreed eligibility criteria and a process for the allocation of funding requested of the Voluntary Conservation Fund.

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. In addition, the Secretariat will provide an update on fundraising activities.

17.1 Progress under the Voluntary Conservation Fund

17.1.1 Update on contributions and funding

17.1.2 Update from the Secretariat on fundraising activities

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 that the Vice Chair of the CC should succeed the Chair automatically after the Chair has served a set term.

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

It is proposed that the report be adopted 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.