

## ANNOTATED PROVISIONAL AGENDA

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

15-18 September 2014

Portorož, Republic of Slovenia

*Detailed annotations for each item are provided at the end of the agenda (page 8 onwards)*

**NOTE:**

Provisions adopted under agenda item 3 (Aboriginal Subsistence Whaling), 4 (Sanctuaries) and 5 (Socio-economic implications and small type whaling) may require amendment to the Schedule of the International Convention for the Regulation of Whaling (1946).

#### 1. INTRODUCTORY ITEMS

- 1.1 Welcome Address
- 1.2 Opening Statements
- 1.3 Secretary's Report on Credentials and Voting Rights
- 1.4 Meeting Arrangements
- 1.5 Review of Documents

#### 2. ADOPTION OF THE AGENDA

#### 3. SCIENTIFIC COMMITTEE PRESENTATION

#### 4. ABORIGINAL SUBSISTENCE WHALING<sup>1</sup>

- 4.1 Aboriginal Subsistence Whaling Management Procedure
  - 4.1.1 Report of the Aboriginal Subsistence Whaling Sub-committee
    - Progress with the development of SLAs for the Greenland subsistence whaling
    - Implementation review for gray whales
  - 4.1.2 Commission discussions and action arising
- 4.2 Aboriginal Whaling Scheme
  - 4.2.1 Report of the Aboriginal Subsistence Whaling Sub-committee
  - 4.2.2 Commission discussions and action arising
- 4.3 Report of the Ad-hoc Aboriginal Subsistence Whaling Working Group
- 4.4 Annual reviews of aboriginal subsistence whaling catch limits
  - 4.4.1 Bering-Chukchi-Beaufort Seas stock of bowhead whales
  - 4.4.2 Commission discussions and action arising
  - 4.4.3 North Pacific Eastern stock of gray whales
  - 4.4.4 Commission discussions and action arising
  - 4.4.5 Common minke whale stocks off east and west Greenland
  - 4.4.6 Commission discussions and action arising

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<sup>1</sup>Includes a Powerpoint presentation.

- 4.4.7 West Greenland stock of fin whales
- 4.4.8 Commission discussions and action arising
- 4.4.9 West Greenland stock of bowhead whales
- 4.4.10 Commission discussions and action arising
- 4.4.11 Humpback whales off West Greenland
- 4.4.12 Commission discussions and action arising
- 4.4.13 North Atlantic humpback whales off St. Vincent and The Grenadines
- 4.4.14 Commission discussions and action arising
- 4.5 Proposals for Aboriginal Subsistence Whaling Catch Limits
  - 4.5.1 Proposal to establish Greenland Catch Limits
  - 4.5.2 Report of the ASW Sub-committee
  - 4.5.3 Commission discussions and action arising.
- 5. SANCTUARIES
  - 5.1 South Atlantic Whale Sanctuary
    - 5.1.1 Proposal for the establishment of a South Atlantic Whale Sanctuary
    - 5.1.2 Report of the Conservation Committee
    - 5.1.3 Commission discussions and action arising
  - 5.2 Southern Ocean Sanctuary Decadal Review
    - 5.2.1 Report of the Conservation Committee
    - 5.2.2 Commission discussions and action arising
- 6. SOCIO-ECONOMIC IMPLICATIONS AND SMALL TYPE WHALING<sup>2</sup>
  - 6.1 Commission discussions and action arising
- 7. RESOLUTIONS
  - 7.1 Proposed Resolution concerning small cetaceans on the High Seas
- 8. THE IWC IN THE FUTURE
  - 8.1 Commission discussion and action arising
- 9. WHALE STOCKS
  - 9.1 Antarctic minke whales
  - 9.2 Southern Hemisphere humpback whales
  - 9.3 Southern Hemisphere blue whales
  - 9.4 Western North Pacific gray whales
  - 9.5 Southern Hemisphere right whales
  - 9.6 North Pacific and North Atlantic right whales and small stocks of bowhead whales
  - 9.7 International Research Cruises
  - 9.8 Other stocks

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<sup>2</sup>Includes a Powerpoint presentation.

## 10. CONSERVATION COMMITTEE

- 10.1 Investigation of inedible ‘stinky’ gray whales
  - 10.1.1 Report of the Conservation Committee
  - 10.1.2 Commission discussions and action arising
- 10.2 Ship Strikes
  - 10.2.1 Report of the Conservation Committee
  - 10.2.2 Commission discussions and action arising
- 10.3 Southern Right Whales of Chile-Peru
  - 10.3.1 Report of the Conservation Committee
  - 10.3.2 Commission discussions and action arising
- 10.4 National Reports on Cetacean Conservation
  - 10.4.1 Report of the Conservation Committee
  - 10.4.2 Commission discussions and action arising
- 10.5 Marine Debris
  - 10.5.1 Report of the Conservation Committee
  - 10.5.2 Commission discussions and action arising

## 11. CONSERVATION MANAGEMENT PLANS

- 11.1 Western Pacific gray whale
  - 11.1.1 Report of the Conservation Committee
  - 11.1.2 Commission discussions and action arising
- 11.2 South-west Atlantic southern right whale
  - 11.2.1 Report of the Conservation Committee
  - 11.2.2 Commission discussions and action arising
- 11.3 South-east Pacific southern right whale
  - 11.3.1 Report of the Conservation Committee
  - 11.3.2 Commission discussions and action arising
- 11.4 Additional CMP proposals
  - 11.4.1 Developing a list of priority species for CMPs
  - 11.4.2 Development of threat-based CMPs
  - 11.4.3 Commission discussions and action arising
- 11.5 Strategic Planning
  - 11.5.1 Working with IGOs, NGOs and others to develop and deliver CMPs
  - 11.5.2 CMP Strategic Plan
- 11.6 Progress Report by the CMP Standing Working Group
- 11.7 Commission discussions and action arising

## 12. WHALEWATCHING

- 12.1 Report of the Conservation Committee
- 12.2 Commission discussions and action arising

13. WHALE KILLING METHODS AND ASSOCIATED WELFARE ISSUES

- 13.1 Summary of data provided on whales killed
- 13.2 Improving the humaneness of whaling operations
- 13.3 Welfare issues associated with the entanglement of large whales
- 13.4 Whale Welfare
  - 13.4.1 Report of the Workshop on Euthanasia Protocols
  - 13.4.2 Commission discussions and action arising
  - 13.4.3 Progress update from the ad-hoc intersessional working group on Welfare
  - 13.4.4 Commission discussions and action arising

14. REVISED MANAGEMENT PROCEDURE (RMP)

- 14.1 Commission discussions and action arising

15. SCIENTIFIC PERMITS AND OTHER RELATED ITEMS

- 15.1 Implications for the IWC of a recent case before the International Court of Justice entitled 'Whaling in the Antarctic: Australia vs Japan; New Zealand intervening'
  - 15.1.1 Introduction by the parties to the case
  - 15.1.2 Commission discussion and action arising
- 15.2 Review of results from existing permits
  - 15.2.1 Expert scientific review of results from existing permits
    - Annex P review of the Icelandic Research Programme 2003-2007
    - Annex P review of JARPAII
  - 15.2.2 Other review of results from existing permits
    - JARPNII
- 15.3 Review of new or continuing proposals
  - 15.3.1 Planning for an Annex P review of JARPNII
  - 15.3.2 Future Japanese special permits in the Antarctic
- 15.4 Procedures for reviewing scientific permit proposals
- 15.5 Other

16. SAFETY AT SEA<sup>3</sup>

17. CATCHES BY NON-MEMBER NATIONS

- 17.1 Commission discussions and action arising

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<sup>3</sup>Includes a Powerpoint presentation.

18. INFRACTIONS, 2012 and 2013 SEASON

- 18.1 Report of the Infractions Sub-committee
- 18.2 Commission discussions and action arising

19. ENVIRONMENTAL AND HEALTH ISSUES

- 19.1 State of the Cetacean Environment (SOCER)
- 19.2 POLLUTION 2000+ research programme
- 19.3 Cetacean diseases
- 19.4 Anthropogenic sound
- 19.5 Climate Change
- 19.6 Other habitat related issues
- 19.7 Ecosystem modelling
- 19.8 Health Issues
- 19.9 Other

20. OTHER SCIENTIFIC COMMITTEE ACTIVITIES

- 20.1 Small cetaceans
  - 20.1.1 Commission discussions and action arising
- 20.2 Regional non-lethal research partnerships
  - 20.2.1 Commission discussions and action arising
- 20.3 Working Methods of the Committee
  - 20.3.1 Commission discussions and action arising
- 20.4 Other activities
  - 20.4.1 Commission discussions and action arising

21. CO-OPERATION WITH OTHER ORGANISATIONS

- 21.1 Commission discussions and action arising

22. FINANCE AND ADMINISTRATION

- 22.1 Meeting arrangements and Procedures
  - 22.1.1 Report of the Finance & Administration Committee
    - Need for a Technical Committee
    - Meeting Arrangements including observer participation
  - 22.1.2 Commission discussions and action arising
- 22.2 Communications
  - 22.2.1 Report of the Finance & Administration Committee
    - External Communications
    - Internal Communications
  - 22.2.2 Commission discussions and action arising
- 22.3 Measures to support the participation of Governments of limited means

- 22.3.1 Report of the Finance & Administration Committee
- 22.3.2 Commission discussions and action arising
- 22.4 Report of the Working Group on Operational Effectiveness and Cost Saving Measures
  - 22.4.1 Report of the Finance and Administration Committee
  - 22.4.2 Commission discussions and action arising
- 22.5 Reporting of confidential communications
  - 22.5.1 Report of the Finance and Administration Committee
  - 22.5.2 Commission discussions and action arising
- 22.6 Cost saving measures
  - 22.6.1 Report of the Finance & Administration Committee
  - 22.6.2 Commission discussions and action arising
- 22.7 Formula for calculating contributions and related matters
  - 22.7.1 Report of the Finance and Administration Committee
  - 22.7.2 Commission discussions and action arising
- 22.8 Report of the Intersessional Correspondence Group on Strengthening IWC Financing
  - 22.8.1 Report of the Finance and Administration Committee
  - 22.8.2 Commission discussions and action arising
- 22.9 Establishment of a voluntary fund
  - 22.9.1 Report of the Finance and Administration Committee
  - 22.9.2 Commission discussions and action arising
- 22.10 Date and place of forthcoming meetings
  - 22.10.1 Report of the Finance and Administration Committee
  - 22.10.2 Commission discussions and action arising
- 23. FINANCIAL STATEMENTS, BUDGETS AND OTHER MATTERS CONSIDERED BY THE BUDGETARY SUB-COMMITTEE
  - 23.1 Review of provisional financial statement for financial year ending 31 August 2014.
    - 23.1.1 Report of the Finance & Administration Committee
      - Provisional Financial statement
      - Report on measures to adjust financial regulations to assist Contracting Governments in arrears of payments
    - 23.1.2 Commission discussions and action arising
  - 23.2 Scientific Committee Future Work Plan and Research Budget
    - 23.2.1 Report of the Finance and Administration Committee
    - 23.2.2 Commission discussions and action arising
  - 23.3 Consideration of budget for the biennial period 1 January 2015 to 31 December 2016.
    - 23.3.1 Report of the Finance & Administration Committee
    - 23.3.2 Commission discussions and action arising

23.4 Change to the timing of the Commission's financial year

23.4.1 Report of the Finance & Administration Committee

23.4.2 Commission discussions and action arising

24. ADOPTION OF COMMITTEE REPORTS

24.1 2013 Report of the Scientific Committee (SC65a)

24.2 2014 Report of the Scientific Committee (SC65b)

24.3 Report of the Working Group on Whale Killing Methods and Associated Welfare Issues

24.4 Report of the Infractions Sub-committee

24.5 Report of the Conservation Committee

24.6 Report of the Aboriginal Subsistence Whaling Sub-committee

24.7 Report of the Finance and Administration Committee

25. ELECTION OF OFFICERS

25.1 Election of Chair

25.2 Election of Vice-Chair

25.3 Election of Chair of Finance and Administration Committee

26. BUREAU MEMBERSHIP

27. OTHER MATTERS

28. ADOPTION OF SUMMARY OF MAIN OUTCOMES, DECISIONS AND REQUIRED ACTIONS FROM THE 65<sup>th</sup> MEETING

28.1 Adoption of summary of outcomes, decisions and required actions

28.2 Chair's closing remarks

## ANNOTATIONS TO THE PROVISIONAL AGENDA

### 1. INTRODUCTORY ITEMS

#### 1.1 Welcome Address

The 65<sup>th</sup> Meeting will open formally at 09.45 on Monday 15 September 2014. Opening remarks will be provided by representative(s) of the Ministry of Foreign Affairs and the Ministry of Agriculture and the Environment of the Republic of Slovenia.

#### 1.2 Opening Statements

The Commission's practice is to accept opening statements from Commissioners and Observers in writing only, although the Chair will invite any new Contracting Governments to make a short opening statement during this part of the plenary session. Written opening statements should be submitted to the Secretariat where they will be placed on the documents section of the IWC65 website and filed in the IWC's archive.

#### 1.3 Secretary's Report on Credentials and Voting Rights

The Secretary will report on the status of credentials as requested under Rule of Procedure D.1.(d). The Secretary will also report on any current suspensions of voting rights under Rule of Procedure E.2.(a) and (b).

#### 1.4 Meeting Arrangements

Delegates will be informed of any practicalities or other meeting arrangements at registration and by the Secretary.

Delegates should note that the Government of the Republic of Slovenia has kindly offered to host an official reception on the evening of Monday 15 September.

#### 1.5 Review of Documents

The list of documents will be available as IWC/65/2

### 2. ADOPTION OF THE AGENDA

The Secretary dispatched the Draft Agenda to all Commissioners and Contracting Governments on 7 June 2014 with a request for comments and additions. Responses to the draft agenda were received from the Governments of Australia, Japan, St Lucia and USA and their comments are detailed in the annotations to the relevant Agenda Items.

The Annotated Provisional Agenda was made available on 17 July 2014. The Draft and Provisional Agendas were circulated in accordance with Rules of Procedure H.2.(d)(i) and (ii) respectively.

In commenting on the Draft Agenda, Japan recorded that in the past it has expressed the view that it would like to see the Commission focus on its core responsibilities consistent with the Convention and proposed the deletion of a number of items from the agenda including: whale killing methods and associated welfare issues, proposals for new Sanctuaries, health issues, whalewatching, small cetaceans and the Conservation Committee. Japan noted that its position on these issues is well known and remains the same. However, in keeping with its attempt to reduce conflicts within the IWC, it will not propose deletion of these or any other agenda items at the 65<sup>th</sup> Meeting.

This item also provides the Commission with an opportunity to finalise the expected timings for the opening of items.

The Chair will request the Commission's agreement to adopt the Agenda.



When commenting upon the draft Agenda, Australia noted that JARPAII is listed under agenda item 14 (Scientific Permits). As the decision of the International Court of Justice case, ‘Whaling in the Antarctic: Australia v Japan; New Zealand intervening’ found that “special permits granted by Japan in connection with JARPAII do not fall within the provisions of Article VIII, paragraph 1 of the International Convention for the Regulation of Whaling,” Australia indicated that consideration of JARPAII matters should not occur under this agenda item. Rather, Australia considered it would be more appropriate for a separate agenda item to be established for the Commission to consider these JARPAII permits. Australia noted that this matter will need to be addressed at the time the Commission adopts its agenda.

### 3. SCIENTIFIC COMMITTEE PRESENTATION

Following discussion as the Private Commissioners’ meeting, the Chair of the Scientific Committee has agreed to make a 15 minute presentation summarising the work of the Scientific Committee over the last two years, since IWC/64 in 2012.

### 4. ABORIGINAL SUBSISTENCE WHALING

This item is placed early in the Agenda to allow maximum opportunity for decision-making on renewal of catch limits for Aboriginal Subsistence Whaling in Denmark/Greenland.

The Sub-Committee on Aboriginal Subsistence Whaling is scheduled to meet on Friday 12 September 2014 and its report will be available as IWC/65/Rep 3.

The Sub-Committee’s Terms of Reference are to consider relevant information and documentation from the Scientific Committee, and to consider nutritional, subsistence and cultural needs relating to aboriginal subsistence whaling and the use of whales taken for such purposes, and to provide advice on the dependence of aboriginal communities on specific whale stocks to the Commission for its consideration and determination of appropriate management measures (*Rep. Int. Whal. Comm 48: 31*).

The Scientific Committee will report its progress to the Aboriginal Subsistence Whaling Sub-committee. Accordingly, the ASW Sub-committee report will include a summary and conclusions from the Scientific Committee’s reports from 2013 and 2014.

#### 4.1 Aboriginal Subsistence Whaling Management Procedure

The Commission has set objectives for the management of aboriginal subsistence whaling. These objectives were agreed in Resolution 1994-4 and they are to:

- a) Ensure that the risks of extinction to individual stocks are not seriously increased by subsistence whaling;
- b) Enable aboriginal people to harvest whales in perpetuity at levels appropriate to their cultural and nutritional requirements, subject to the other objectives; and
- c) Maintain the status of stocks at or above the level giving the highest net recruitment and to ensure that stocks below that level are moved towards it, so far as the environment permits.

Resolution 1994-4 further resolves that highest priority shall be accorded to the objective of ensuring that the risk of extinction to individual stocks are not seriously increased by subsistence whaling.

The Scientific Committee responded to these objectives by developing an ASW management procedure. This procedure ensures that proposed ASW catches are safely within the Commission’s objectives.

This item allows the Scientific Committee to update the Commission on its work to develop the management procedure approach for subsistence whaling. This procedure involves the development of Strike Limit Algorithms (SLAs), and it is these algorithms that establish the sustainability of proposed hunts according to the Commission’s objectives. To date the Scientific Committee has completed two long term SLAs, one for bowhead whales in the Bering-Chukchi-Beaufort Seas and a second for gray whales in the eastern North Pacific.

#### 4.1.1 Report of the Aboriginal Subsistence Whaling Sub-committee

- Progress with the development of SLAs for the Greenland subsistence whaling

The development of SLAs is more complex for the Greenland hunt than for other aboriginal whaling. This is partly because the Greenland hunt is multi-species and therefore targets different stocks, and partly because the structure of the stocks themselves are more complex. The multi-species requirement arises in Greenland because of the need for flexibility amongst species in meeting subsistence needs.

Recognising these factors, in 2008 the Commission adopted a recommendation from the Scientific Committee to use an interim approach for setting catch limits. The Scientific Committee advise that this approach is safe and valid for up to two quota blocks, i.e. until 2018. The interim approach has been simulation tested in the same way as for a normal SLA, but not for as full a range of scenarios

- Implementation review for gray whales

The Commission adopted a Strike Limit Algorithm (SLA) for gray whales taken by Russia and potentially also by the USA in 2002. Although SLAs generate long term advice, the Scientific Committee reviews their validity at regular intervals (usually every five years) to ensure no new information is available that would require further testing. These reviews are called Implementation Reviews.

An Implementation Review for gray whales was completed in 2010 and the SLA was left unchanged for providing advice for the Russian hunt off Chukotka, Siberia. However the Scientific Committee found that a second Implementation Review was required to provide advice for a potential hunt of gray whales by the Makah tribe on the west coast of the USA. This second Implementation Review was completed in 2013 and takes account of the possibility of catching whales from a small feeding aggregation known as the 'Pacific Coast Feeding Group'.

#### 4.1.2 Commission discussions and action arising

### 4.2 Aboriginal Whaling Scheme

In 2002 the Scientific Committee strongly recommended that the Commission adopt an Aboriginal Whaling Scheme or AWS. The purpose of the scheme is to manage several practical issues including survey intervals, carry over, data collection etc. The Committee continues to view the Scheme as constituting an important and necessary component of safe management under the management procedure discussed in Item 3.1 above.

#### 4.2.1 Report of the Aboriginal Subsistence Whaling Sub-committee

#### 4.2.2 Commission discussions and action arising

### 4.3 Report of the Ad-hoc Aboriginal Subsistence Whaling Working Group

The Ad-hoc group was first established at IWC63 in 2011 and its terms of reference are to identify and consider unresolved ASW issues. Of particular interest this year will be the report of the ad-hoc group's meeting with indigenous hunters.

The group's proposal to establish a dedicated ASW fund is considered by the F&A Committee at Agenda Item 24 below.

### 4.4 Annual reviews of aboriginal subsistence whaling catch limits

Size and duration of catch limits for Aboriginal Whaling are set out at paragraph 13 of the Schedule to the International Convention for the Regulation of Whaling. In 2012 catch limits were re-established for a period of six years for stocks of bowhead whales in the Bering-Chukchi-Beaufort Seas, gray whales in the eastern North Pacific and humpback whales off St. Vincent and The Grenadines.

Some of the catch limits described in the Schedule are subject to annual review by the Commission in light of advice from the Scientific Committee. Other provisions are subject to review if new scientific data becomes available. This item allows the ASW Sub-committee to report its discussions on this review process.

(At IWC65 the Commission will discuss re-establishing catch limits for stocks of whales around Greenland and these discussions will be heard under the next agenda item 3.5 below)

- 4.4.1 Bering-Chukchi-Beaufort Seas stock of bowhead whales
- 4.4.2 Commission discussions and action arising
- 4.4.3 North Pacific Eastern stock of gray whales
- 4.4.4 Commission discussions and action arising
- 4.4.5 Common minke whale stocks off east and west Greenland
- 4.4.6 Commission discussions and action arising
- 4.4.7 West Greenland stock of fin whales
- 4.4.8 Commission discussions and action arising
- 4.4.9 West Greenland stock of bowhead whales
- 4.4.10 Commission discussions and action arising
- 4.4.11 Humpback whales off West Greenland
- 4.4.12 Commission discussions and action arising
- 4.4.13 North Atlantic humpback whales off St. Vincent and The Grenadines
- 4.4.14 Commission discussions and action arising

#### 4.5 Proposals for Aboriginal Subsistence Whaling Catch Limits

- 4.5.1 Proposal to establish Greenland Catch Limits
- 4.5.2 Report of the ASW Sub-committee
- 4.5.3 Commission discussions and action arising.

## 5. SANCTUARIES

### 5.1 South Atlantic Whale Sanctuary

The Government of Brazil and co-sponsors will introduce a proposal to modify the Schedule to establish a South Atlantic Whale Sanctuary. The text of the proposed Schedule Amendment is contained within document number IWC/65/08.

- 5.1.1 Proposal for the establishment of a South Atlantic Whale Sanctuary
- 5.1.2 Report of the Conservation Committee
- 5.1.3 Commission discussions and action arising

### 5.2 Southern Ocean Sanctuary Decadal Review

The Southern Ocean Sanctuary was established in 1994 through paragraph 7b of the Schedule to the International Convention for the Regulation of Whaling. This paragraph states that the Sanctuary shall be reviewed ten years after its initial adoption and at succeeding ten year intervals. The first review was undertaken in 2004 and a second review is now due.

- 5.2.1 Report of the Conservation Committee
- 5.2.2 Commission discussions and action arising

## 6. SOCIO-ECONOMIC IMPLICATIONS AND SMALL TYPE WHALING

In discussions prior to the adoption of the moratorium on commercial whaling the Commission agreed that questions arising from the implementation of the moratorium should be considered. In particular these discussions noted that data on the social and economic trends in the whaling industry should be collected.

The Government of Japan has submitted a proposed Schedule Amendment for consideration under this item. The text of the proposed Schedule Amendment is contained within document number IWC/65/09 which also contains proposals for enforcement and compliance measures.

### 6.1 Commission discussions and action arising

## 7. RESOLUTIONS

This item will allow discussion on proposed Resolutions. It is located early in the Agenda to provide the Commission with the maximum opportunity to reach consensus agreement.

If the text of a proposed Resolution relates to the content of items which appear later in the Agenda then the Chair may consider opening those items at this stage in order to hear discussion.

### 7.1 Proposed Resolution concerning small cetaceans on the High Seas

## 8. THE IWC IN THE FUTURE

This item will provide for discussions on the IWC's organisational development.

### 8.1 Commission discussion and action arising

## 9. WHALE STOCKS

The Scientific Committee continues to progress the assessments of a number of whale stocks. Information on stocks that are subject to aboriginal subsistence whaling, or are relevant to discussions of Conservation Management Plans, or are being discussed under the Implementation process of the RMP are dealt with under Items 3, 10 and 13, respectively.

### 9.1 Antarctic minke whales

### 9.2 Southern Hemisphere humpback whales

### 9.3 Southern Hemisphere blue whales

### 9.4 Western North Pacific gray whales

### 9.5 Southern Hemisphere right whales

### 9.6 North Pacific and North Atlantic right whales and small stocks of bowhead whales

### 9.7 International Research Cruises

### 9.8 Other stocks

## 10. CONSERVATION COMMITTEE

The Conservation Committee is scheduled to meet on Friday 12 September and its report will be available as IWC/65/Rep 5. Its work on Conservation Management Plans and Whalewatching will be reported separately under Agenda Items 10 and 11, and its work on Sanctuaries under Agenda Item 4.

Progress under the voluntary fund for small cetacean conservation research is reported under item 18.1.

- 10.1 Investigation of inedible ‘stinky’ gray whales
  - 10.1.1 Report of the Conservation Committee
  - 10.1.2 Commission discussions and action arising

## 10.2 Ship Strikes

The Conservation Committee will report on the work of its Ship Strikes Working Group, and also the information it will receive from the Scientific Committee’s Human Induced Mortality Sub-committee.

Of particular interest this year will be the report of the joint IWC-UNEP Caribbean Environment Programme workshop to reduce ship strikes in the wider Caribbean region.

- 10.2.1 Report of the Conservation Committee
- 10.2.2 Commission discussions and action arising

## 10.3 Southern Right Whales of Chile-Peru

This standing item allows the Conservation Committee to update on recent work in regards to this population. Progress made through the Conservation Management Plan is reported at Item 10.3 below.

- 10.3.1 Report of the Conservation Committee
- 10.3.2 Commission discussions and action arising

## 10.4 National Reports on Cetacean Conservation

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.

- 10.4.1 Report of the Conservation Committee
- 10.4.2 Commission discussions and action arising

## 10.5 Marine Debris

Of particular interest this year will be reports from the two joint Scientific and Conservation Committee workshops on marine debris which were convened in May 2013 and August 2014.

The IWC’s programme on responding to entangled large whales is reported through Agenda Item 12.3.

- 10.5.1 Report of the Conservation Committee
- 10.5.2 Commission discussions and action arising

# 11. CONSERVATION MANAGEMENT PLANS

In 2008 the IWC adopted Conservation Management Plans as an adaptive, flexible and tailored management tool to improve the conservation outcomes for the most at risk cetacean populations.

Work is progressed through the Conservation Committee’s Standing Working Group on Conservation Management Plans and through the Scientific Committee’s work on whale stocks and environmental concerns.

Of particular interest this year will be the report and progress update from the Standing Working Group meeting held in Brisbane in May 2013.

- 11.1 Western Pacific gray whale
  - 11.1.1 Report of the Conservation Committee
  - 11.1.2 Commission discussions and action arising

- 11.2 South-west Atlantic southern right whale
  - 11.2.1 Report of the Conservation Committee
  - 11.2.2 Commission discussions and action arising
- 11.3 South-east Pacific southern right whale
  - 11.3.1 Report of the Conservation Committee
  - 11.3.2 Commission discussions and action arising
- 11.4 Additional CMP proposals
  - 11.4.1 Developing a list of priority species for CMPs
  - 11.4.2 Development of threat-based CMPs
  - 11.4.3 Commission discussions and action arising
- 11.5 Strategic Planning
  - 11.5.1 Working with IGOs, NGOs and others to develop and deliver CMPs
  - 11.5.2 CMP Strategic Plan
- 11.6 Progress Report by the CMP Standing Working Group
- 11.7 Commission discussions and action arising

## 12. WHALEWATCHING

In 2012 the Commission adopted its Five Year Strategic Plan for Whalewatching and the SWG-WW has continued to make progress against the actions outlined in the plan. Of particular interest this year will be the report of the IWC whalewatch operators workshop held in Brisbane in May 2013.

The scientific aspects of whalewatching are discussed by the Scientific Committee in response to a request in Resolution 1994-14 for it to provide advice relating to whalewatching.

- 12.1 Report of the Conservation Committee
- 12.2 Commission discussions and action arising

## 13. WHALE KILLING METHODS AND ASSOCIATED WELFARE ISSUES

The Working Group on Whale Killing Methods and Associated Welfare Issues is scheduled to meet on Thursday 11 September 2014 and its report will be available as IWC/65/Rep 6.

The Working Group will summarise data received on whales killed and measures to improve the humaneness of whaling operations.

Of particular interest this year will be the report of the expert workshop on administration of euthanasia for stranded large whales, and also the development of the Commission's programme to respond to whales entangled in fishing gear and other marine debris.

- 13.1 Summary of data provided on whales killed
- 13.2 Improving the humaneness of whaling operations
- 13.3 Welfare issues associated with the entanglement of large whales
- 13.4 Whale Welfare
  - 13.4.1 Report of the Workshop on Euthanasia Protocols
  - 13.4.2 Commission discussions and action arising
  - 13.4.3 Progress update from the ad-hoc intersessional working group on Welfare
  - 13.4.4 Commission discussions and action arising

#### 14. REVISED MANAGEMENT PROCEDURE (RMP)

The RMP is a method of calculating sustainable removal levels which are consistent with the Commission's objectives for commercial whaling as developed at the 1990 annual meeting. It consists first of the Catch Limit Algorithm (CLA) which is the formula used to compute the number of removals permitted, based on past catches and estimates of abundance. It also includes rules for spreading such removals by area to take account of uncertainties about both the number of stocks of the species concerned, and the extent of the areas that they inhabit.

The Commission adopted the RMP in 1994 through Resolution 1994-5, although the same Resolution reaffirmed that the RMP should not be applied in practice until all aspects of the Revised Management Scheme (RMS) are incorporated into the Schedule. The Commission recognised that discussions on the RMS had reached impasse at IWC/58 in 2006.

The Scientific Committee continues to prepare for how the RMP could best be applied. This work includes ongoing consideration of ways to improve the RMP itself and these are reported under 'General Issues' below.

The Scientific Committee also continues to assemble and analyse information on how best to apply the RMP for a range of stocks. This process is known as an "Implementation of the RMP", and is an ongoing process given new knowledge. The results would allow the Scientific Committee to recommend catch limits for stocks should commercial whaling be re-introduced, and to specify how such catches would need to be spread spatially. It is reported under the item 'Implementation process' below. While the CLA computations require data on past catches and estimates of abundance by area only, the Implementation process takes account of other data as well, such as genetic information which indicates the areas which different stocks inhabit. .

Bycatch is part of the RMP. This is because the RMP considers all removals, including those caused by ship strikes, bycatch and entanglement. Estimates of likely future removals of this nature would be subtracted from the catch limits generated by the RMP when recommending catch limits for commercial whaling.

##### 14.1 Commission discussions and action arising

#### 15. SCIENTIFIC PERMITS

Paragraph 30 of the Schedule to the International Convention for the Regulation of Whaling (1946) refers to scientific permits and states that 'Proposed permits shall be reviewed and commented upon by the Scientific Committee at Annual Meetings when possible'.

##### 15.1 Implications for the IWC of a recent case before the International Court of Justice entitled 'Whaling in the Antarctic: Australia vs Japan; New Zealand intervening'

- 15.1.1 Introduction by the parties to the case
- 15.1.2 Commission discussion and action arising

##### 15.2 Review of results from existing permits

###### 15.2.1 Expert scientific review of results from existing permits

The Scientific Committee has developed a process known as 'Annex P' for providing a full regular review of individual special permit programmes. For long term programmes a review occurs around every six years, and this item allows discussion of any reviews undertaken since IWC64 in 2012

- Annex P review of the Icelandic Research Programme 2003-2007
- Annex P review of JARPAII

###### 15.2.2 Other review of results from existing permits

- JARPNII

##### 15.3 Review of new or continuing proposals

- 15.3.1 Planning for an Annex P review of JARPNII
- 15.3.2 Future Japanese special permits in the Antarctic

#### 15.4 Procedures for reviewing scientific permit proposals

This item allows for comment upon the approach and methods for Annex P reviews.

#### 15.5 Other

### 16. SAFETY AT SEA

In responding to the draft Agenda, the Government of Japan requested the inclusion of this item in order to provide information as a follow up to discussions at past plenary meetings of the Commission. Japan noted that in spite of the related Resolutions and statement adopted by the Commission, violent activities by the Sea Shepherd Conservation Society have continued. Japan also indicated its desire to make a PowerPoint presentation under this item within the meeting.

### 17. CATCHES BY NON-MEMBER NATIONS

This item provides the opportunity for Contracting Governments to raise issues related to catches by non-member nations. The Scientific Committee will report on communications received during the intersessional period from the Government of Canada.

#### 17.1 Commission discussions and action arising

### 18. INFRACTIONS, 2012 and 2013 SEASON

The Infractions Sub-committee will meet on 11 September 2014 and its report will be available as IWC/65/Rep 4. The Sub-committee allows Contracting Governments to report Infractions as required under Article IX.4 of the ICRW(1946). It also considers matters and documents relating to national inspection schemes, information required under Section VI of the Schedule and updates to national laws and regulations.

#### 18.1 Report of the Infractions Sub-committee

#### 18.2 Commission discussions and action arising

### 19. ENVIRONMENTAL AND HEALTH ISSUES

Under Resolution 1998-5 the Commission agreed to establish a regular agenda item under which the Scientific Committee would report on its progress in non-lethal research on environmental concerns, and Contracting Governments could report on national and regional efforts to monitor and address the impacts of environmental change on cetaceans and other marine mammals.

#### 19.1 State of the Cetacean Environment (SOCER)

#### 19.2 POLLUTION 2000+ research programme

#### 19.3 Cetacean diseases

#### 19.4 Anthropogenic sound

#### 19.5 Climate Change

Of particular interest this year will be the report of the recent IWC workshop on Arctic impacts.

#### 19.6 Other habitat related issues

#### 19.7 Ecosystem modelling

#### 19.8 Health Issues

#### 19.9 Other



## 20. OTHER SCIENTIFIC COMMITTEE ACTIVITIES

### 20.1 Small cetaceans

In 1990 and 1991 the Commission adopted Resolutions 1990-3 and 1991-5 on Small Cetaceans. Together these requested the Scientific Committee to commence and continue a process of collecting information on those stocks of small cetaceans subject to significant directed and incidental takes. Additionally, in 1994 the Commission adopted Resolution 1994-2 which inter alia commended the work of the Scientific Committee, agreed that the Commission and non-member coastal states should be involved in the selection of priority topics and established a voluntary fund to enhance the participation of developing countries in small cetacean work.

#### 20.1.1 Commission discussions and action arising

### 20.2 Regional non-lethal research partnerships

The IWC Southern Ocean Research Partnership (SORP) is a multi-lateral scientific research programme to deliver relevant scientific information to the IWC. Of particular interest this year will be the recommendations arising from the SORP conference held in Korea in June 2013.

#### 20.2.1 Commission discussions and action arising

### 20.3 Working Methods of the Committee

This item allows discussion of the Committee's working methods. In commenting on the draft agenda the Government of Australia requested time be made available to discuss the Secretariat's comparative review of the rules of the IWC's Scientific Committee and those of other IGOs

#### 20.3.1 Commission discussions and action arising

### 20.4 Other activities

This item allows the Commission to discuss other aspects of the Scientific Committee's work, including Stock Definition and DNA Testing etc. DNA testing is discussed in response to Commission Resolution 1998-8.

#### 20.4.1 Commission discussions and action arising

## 21. CO-OPERATION WITH OTHER ORGANISATIONS

### 21.1 Commission discussions and action arising

## 22. FINANCE AND ADMINISTRATION

The Finance and Administration Committee is scheduled to meet on Saturday 13 September 2014 and its report will be available as IWC/65/Rep 2.

### 22.1 Meeting arrangements and Procedures

#### 22.1.1 Report of the Finance & Administration Committee

- Need for a Technical Committee
- Meeting Arrangements including observer participation

#### 22.1.2 Commission discussions and action arising

### 22.2 Communications

This item will allow the F&A Committee to report on work to develop and increase the IWC's external and internal communications.

## 22.2.1 Report of the Finance &amp; Administration Committee

- External Communications
- Internal Communications

## 22.2.2 Commission discussions and action arising

## 22.3 Measures to support the participation of Governments of limited means

This item will allow the F&A Committee to report on progress made by the Working Group tasked with providing assistance to Governments of limited means to participate in the Commission's work.

## 22.3.1 Report of the Finance &amp; Administration Committee

## 22.3.2 Commission discussions and action arising

## 22.4 Report of the Working Group on Operational Effectiveness and Cost Saving Measures

At IWC/63 the Commission adopted Resolution 2011-1. This resolved inter alia to include the effectiveness of the operations of the IWC as a regular item on the Commission's agenda to ensure the Commission's rules and procedures are kept up to date with international good practice, and to address any specific problems or issues arising in the operation of the Commission.

The Working Group was established at IWC64 in 2012 and the F&A Committee will report progress to date.

## 22.4.1 Report of the Finance and Administration Committee

## 22.4.2 Commission discussions and action arising

## 22.5 Reporting of confidential communications

Rule of Procedure P.3 requires the Secretary to report any confidential communications arising during the previous year to the Commission or Bureau in the years when the Commission does not meet.

This item will allow the F&A Committee to report the Secretary's statement. It will also allow the Commission to consider a possible change to Rule of Procedure P.3 to ensure that the report is made to all Contracting Governments as well as the Bureau in years when the Commission does not meet.

## 22.5.1 Report of the Finance and Administration Committee

## 22.5.2 Commission discussions and action arising

## 22.6 Cost saving measures

At IWC/63 in 2011 the F&A Committee stressed the importance of continued examination of savings that could be brought about by changes in the Commission's working practices.

## 22.6.1 Report of the Finance &amp; Administration Committee

## 22.6.2 Commission discussions and action arising

## 22.7 Formula for calculating contributions and related matters

The F&A Committee will report on its discussions on the formula for calculating financial contributions or any other related matters.

## 22.7.1 Report of the Finance and Administration Committee

## 22.7.2 Commission discussions and action arising

## 22.8 Report of the Intersessional Correspondence Group on Strengthening IWC Financing

At IWC/62 in 2010, the Commission endorsed a recommendation to convene a small correspondence group to examine ways of integrating conservation funding into the overall budget of the IWC. The group's terms of reference were refined at IWC/63 in 2011, and it gave a progress update to IWC64 in 2012. Intersessional work has continued and the F&A Committee will report the progress achieved since 2012.

- 22.8.1 Report of the Finance and Administration Committee
- 22.8.2 Commission discussions and action arising

#### 22.9 Establishment of a voluntary fund

At IWC64 in 2012 the Chair of the Commission's Aboriginal Subsistence Whaling Working Group requested the F&A Committee to establish a voluntary fund to support management of aboriginal subsistence whaling. This item will allow the F&A Committee to report its recommendation.

- 22.9.1 Report of the Finance and Administration Committee
- 22.9.2 Commission discussions and action arising

#### 22.10 Date and place of forthcoming meetings

The Commission's biennial schedule means that its next meeting is due in September or October 2016. Rule of Procedure B.1 encourages any Contracting Government desiring to extend an invitation to provide notice two years in advance.

The Scientific Committee retains its annual meeting schedule and is expected to meet next in late May or early June of 2015 and again at a similar time in 2016.

The Secretariat is able to provide detailed information to any Contracting Government considering an offer to host either a Commission or a Scientific Committee meeting.

- 22.10.1 Report of the Finance and Administration Committee
- 22.10.2 Commission discussions and action arising

### 23. FINANCIAL STATEMENTS, BUDGETS AND OTHER MATTERS CONSIDERED BY THE BUDGETARY SUB-COMMITTEE

These matters will first have been discussed by the Budgetary Sub-committee at its meeting which is scheduled to take place on Thursday 11 September 2014. The Budgetary Sub-committee will report to the Finance and Administration Committee (see IWC/65/Rep 2).

#### 23.1 Review of provisional financial statement for financial year ending 31 August 2014.

- 23.1.1 Report of the Finance & Administration Committee
  - Provisional Financial statement
  - Report on measures to adjust financial regulations to assist Contracting Governments in arrears of payments
- 23.1.2 Commission discussions and action arising

#### 23.2 Scientific Committee Future Work Plan and Research Budget

This item will allow discussion of the Scientific Committee's proposals for its priority work in the next two year period.

- 23.2.1 Report of the Finance and Administration Committee
- 23.2.2 Commission discussions and action arising

#### 23.3 Consideration of budget for the biennial period 1 January 2015 to 31 December 2016.

The F&A Committee will present a two year budget for Commission approval. The budget will be accompanied by a forecast of income and expenditure for the following two year period 1 Jan 2017 to 31 Dec 2018.

- 23.3.1 Report of the Finance & Administration Committee
- 23.3.2 Commission discussions and action arising

23.4 Change to the timing of the Commission's financial year

The F&A Committee may propose a change to the Commission's financial year from 1 September – 31 August as at present to 1 January – 31 December.

This change may be proposed (1) to ensure that when the Commission meets in September/October it is able to adopt a budget for a financial period which has not already commenced; and (2) so that the Commission's financial year can become contemporaneous with that of the majority of Contracting Governments.

- 23.4.1 Report of the Finance & Administration Committee
- 23.4.2 Commission discussions and action arising

## 24. ADOPTION OF COMMITTEE REPORTS

This item allows for formal adoption of all Committee, Sub-committee and Working Group reports and endorsement of all recommendations contained therein.

- 24.1 2013 Report of the Scientific Committee (SC65a)
- 24.2 2014 Report of the Scientific Committee (SC65b)
- 24.3 Report of the Working Group on Whale Killing Methods and Associated Welfare Issues
- 24.4 Report of the Infractions Sub-committee
- 24.5 Report of the Conservation Committee
- 24.6 Report of the Aboriginal Subsistence Whaling Sub-committee
- 24.7 Report of the Finance and Administration Committee

## 25. ELECTION OF OFFICERS

Jeannine Compton-Antoine (St Lucia) took up the Chairmanship of the IWC at the end of IWC64 in 2012 and has completed her two year term.

Frederic Chemay (Belgium) took up the Vice-Chairmanship of the IWC at the end of IWC64 in 2012 and has completed his two year term.

Donna Petrachenko (Australia) has completed her second term as Chair of F&A Committee and wishes to stand down.

Under Rule of Procedure M.9 the Chair, Vice-Chair and Chair of F&A are automatic members of the Bureau.

- 25.1 Election of Chair
- 25.2 Election of Vice-Chair
- 25.3 Election of Chair of Finance and Administration Committee

## 26. BUREAU MEMBERSHIP

The Bureau is established under Rule of Procedure M.9. Commissioners are appointed for a period of two years and this item will allow for the nomination of new members.

27. OTHER MATTERS

28. ADOPTION OF SUMMARY OF MAIN OUTCOMES, DECISIONS AND REQUIRED ACTIONS FROM THE 65<sup>th</sup> MEETING

A summary of the main outcomes, decisions and actions from the meeting will be presented for adoption by the plenary.

- 28.1 Adoption of summary of outcomes, decisions and required actions
- 28.2 Chair's closing remarks