



International
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Commission

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CIRCULAR COMMUNICATION TO COMMISSIONERS AND CONTRACTING GOVERNMENTS
IWC.CCG.970

Membership of Intersessional Groups 2011/12

This Circular:

- 1) Confirms the current membership of the Intersessional Group to examine the issue of a quorum within the IWC Rules of Procedure (IGQ);
- 2) Confirms the current membership of the Intersessional Group to allow biennial Commission Meetings and establish a bureau (IGBB);
- 3) Makes a call for membership for a working group to compile a report on providing assistance to member governments with limited means to participate in the Commission's work.

1 **Current membership of the Intersessional Group to examine the issue of a quorum within the IWC's Rules of Procedure (IGQ).**

Circular Communication IWC.CCG.968 provided terms of reference for the IGQ and also made a call for membership of this group. The following Contracting Governments have responded to the call for membership:

COUNTRY	Contact
ARGENTINA	Santiago Villalba
BRAZIL	Marcus Paranagua
CHILE	Jose Fernandez
FRANCE	Jean-Philippe Gavois
JAPAN	Kenji Kagawa (FAJ) Kiyoshi Katsuyama (FAJ) Akima Umezawa (MOFA) Toshinori Uoya (FAJ) Shinji Hiruma (FAJ) Akiko Muramoto (MOFA)

Secretary: Dr. Simon Brockington

NEW ZEALAND*	Gerard van Bohemen
PANAMA	Tomas Guardia
SWITZERLAND	Bruno Mainini
UK	Jim Gray
USA	Roger Eckert Keith Benes

* The Commissioner for New Zealand has offered to Chair the IGQ.

The membership of this group remains open and any further Contracting Governments wishing to take part should notify the secretariat at secretariat@iwcoffice.org. The Secretary and Chair of the IGQ will now work to develop a discussion document for circulation within the IGQ as described in the terms of reference.

The IGQ's terms of reference indicate that its final output will be submitted for the consideration of the Finance and Administration Committee and circulated to all Commissioners and Contracting Governments at least 60 days in advance of the Annual Meeting.

2 Current membership of the Intersessional Group to develop proposals to allow biennial Commission meetings and establish a bureau (IGBB).

Circular Communication IWC.CCG.969 provided terms of reference for the IGBB and also made a call for membership. The following Contracting Governments have responded to the call for membership:

COUNTRY	Contact
BRAZIL	Marcus Paranagua
DENMARK	Ole Samsing Md. Gitte Hundahl) Nette Levermann
FRANCE	Jean-Philippe Gavois
GERMANY	Walter Duebner
JAPAN	Toshinori Uoya
SWITZERLAND	Bruno Mainini
USA	Lisa Phelps Ryan Wulff

The membership of this group remains open and any further Contracting Governments wishing to take part should notify the secretariat at secretariat@iwcoffice.org. The Secretary will now proceed with developing the documents described in the Group's terms of reference (Circular IWC.CCG.969) and circulate them within the group.

The IGBB's terms of reference indicate that its final output will be submitted for the consideration of the Finance and Administration Committee and circulated to all Commissioners and Contracting Governments at least 60 days in advance of the Annual Meeting.

3 Call for membership to join a working group to compile a report on providing assistance to member governments with limited means to participate in the Commission's work.

Commission Resolution 2011-1 requested the Secretary to report 100 days before the IWC's 64th Annual Meeting on potential options for providing assistance to member governments with limited means to participate actively in the Commission's work, while retaining consistency with the Convention.

During the discussion of this item at IWC/63 several Contracting Governments expressed interest in developing the options requested through Resolution 2011-1. Accordingly, the Secretary proposes to convene a working group (hereafter WG-AGLM) for this purpose with the following terms of reference:

Objective

The objective of the WG-AGLM will be as stated in Resolution 2011-1: *'to report on potential options for providing assistance to member governments with limited means to participate actively in the Commission's work, while retaining consistency with the Convention.'*

As requested at IWC/63, the group will include consideration of support for both developing and transitional economies.

In addition to developing options to provide assistance, the group will also propose any necessary changes to the Commission's Rules or Procedures so as to allow the Commission to take action at IWC/64 if it so desires.

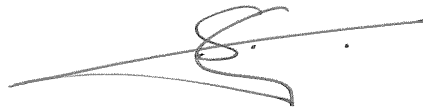
Proposed method of working

- 1) November 2011: The Secretary makes a call for membership of the WG-AGLM.
- 2) By end of December 2011: The Secretary will produce and circulate to the WG-AGLM an initial review of options for providing assistance to countries with limited means to participate. The review will build on: (1) The relevant F&A Committee and BSC Sub-committee discussions at IWC/61 in 2009; (2) The 'interim measure' developed to provide assistance to developing countries during the SWG meetings associated with the Future of the IWC process; (3) The Secretary's review of the Commission's rules and procedures as presented to IWC/63 in 2011, focussing particularly on the actions being taken by other intergovernmental organisations in this regard; and (4) comments raised during debate at IWC/63.
- 3) The review will propose options for providing assistance and also note the relative advantages and disadvantages of each option. The options are likely to include:
 - Further modification of the contributions scheme so as to lower payments for group 1 and 2 nations and proportionally increase contributions to group 3 and 4 nations;
 - Use of central budget funds to support attendance at Commission meetings;
 - Use of voluntary funds to support attendance at Commission meetings;
 - Use of voluntary or central funds to support attendance at 'special' (i.e. non-routine) events established through the Commission's work (e.g. intersessional workshops);
 - Increased use of the research fund and/or small cetaceans fund to promote attendance of scientists from developing countries.
- 4) As suggested by the Advisory Committee, the review will also include a legal interpretation of the meaning of the phrase *'while retaining consistency with the Convention'* in order to inform debate on the acceptability of the options developed for providing financial assistance.
- 5) End of January 2012. Deadline to receive comments on review and options for providing assistance.

- 6) February 2012. Any comments received will be included into the review and a series of proposed rules changes to implement each option will be developed. These will be circulated to the group for further comment by end of March 2012.
- 7) Once the group have agreed upon the review and the proposed rule changes they will be circulated to the Commission at least 60 days in advance of IWC/64. The group's report will be considered by the F&A Committee at IWC/64 before being discussed at the plenary session as part of the Agenda Item on Finance and Administration.

Membership and Action Required

This Circular Communication is a call for membership for this working group to all Contracting Governments who wish to take part. Any Contracting Government wishing to join the group is requested to notify the Secretariat via email at secretariat@iwcoffice.org by **Wednesday 30 November**, after which time a membership list for the group will be circulated to all Contracting Governments. The membership of the group will remain open and other Contracting Governments wishing to join at a later date will be able to do so.



Simon Brockington
Secretary to the Commission

c.c. Intergovernmental Organisation observers to the IWC