



International
Whaling
Commission

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CIRCULAR COMMUNICATION TO COMMISSIONERS
AND CONTRACTING GOVERNMENTS
IWC.CCG.992

Letter from the Chair of the Commission's 63rd Annual Meeting

I have been asked to circulate the attached letter from Herman Oosthuizen, IWC Commissioner for South Africa and the Chair of the Commission's last Annual Meeting held in Jersey in July 2011.

As part of his letter Mr Oosthuizen indicates that he had asked the Secretary to consult with the Advisory Committee to establish a procedure for opening the Commission's 64th Annual Meeting in 2012 and electing a new Chair and Vice-Chair of the Commission. That procedure, as recommended by the Advisory Committee, is also included within this communication.

Simon Brockington
Secretary to the Commission

c.c. Intergovernmental Organisation observers to the IWC

Secretary: Dr. Simon Brockington



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Dear Commissioners

When the Commission last met at IWC/63, at the urgent request of the Commissioners, I agreed to act as Chair of the Meeting. In doing so I received extensive support from many Commissioners and Contracting Governments and I would like to thank everyone who assisted me at that time and since the close of the meeting.

As a result of the request you made at IWC/63 for me to consider standing for the Chair of the Commission, South Africa has undertaken an assessment of this from a government perspective. This process has recently been concluded and with this letter I must inform you that South Africa does not wish me to stand as candidate for the role of Chair at this time.

Should Commissioners so desire, I am however able and willing and have been authorised by my Department to continue to act prior to IWC/64 in the role of 'interim Chair', as I have done since the conclusion of IWC/63, in order to allow the Commission's intersessional business to continue. I have asked the Secretary to consult with the Advisory Committee on procedural issues related to the election of a new Chair and Vice-Chair and opening the meeting at IWC/64.

I want to thank you all again for the very extensive support I received both during and after our last meeting.

Sincerely,

A handwritten signature in black ink, appearing to be 'H. Oosthuizen'.

Herman Oosthuizen
Date: 20 February 2012

Procedure for Opening the Commission's 64th Annual Meeting in 2012 and Electing a Chair and Vice-Chair

Introduction

In his letter of 20 February 2012 the Chair of the Commission's last Annual Meeting (Herman Oosthuizen) indicated that South Africa does not wish him to stand for election as Chair of the Commission or to preside over the next Annual Meeting (IWC/64) due to be held from 2-6 July 2012. Mr Oosthuizen is, however, able to continue to act as 'interim-Chair' until the opening of IWC/64 if necessary. Accordingly he has asked the Secretary to confer with the Advisory Committee so as to establish a procedure for opening the Commission's 64th Annual Meeting and electing a Chair and Vice-Chair according to the Commission's Rules of Procedure. The procedure as agreed by the Advisory Committee is given below.

Procedure for Opening IWC/64 and electing a Chair and Vice-Chair

The Advisory Committee recognised that many Commissioners and Contracting Governments will wish to elect a Chair and Vice-Chair simultaneously so as to provide the opportunity to form a balanced leadership representing the full range of views expressed at the IWC. This will require time for consultation and discussion between Contracting Governments.

The Advisory Committee considered that a postal ballot is not required before IWC/64 in July 2012. This decision took into account the requirement for adequate time for consultation between Contracting Governments and the difficulties in organising a postal ballot. It also recognised that Mr Oosthuizen has offered to continue to act as 'interim-Chair' until the opening of the Commission's 64th Meeting, thus permitting the Commission's intersessional business to continue as it has done since the close of IWC/63.

1. Nominations for Chair and Vice-Chair of the IWC

If prospective candidates so desire, the Secretary is able to receive nominations for the roles of Chair and Vice-Chair up until the private Commissioner's meeting on Sunday 1 July 2012. Any nominations received will be circulated to all Commissioners and Contracting Governments.

This timescale will allow plenty of time for Commissioners to consult prior to IWC/64.

2. Process for opening IWC/64

Mr Oosthuizen will remain as 'interim-Chair' until the opening of IWC/64 and the following process will apply:

a. Private Commissioner's Meeting

Commissioners from all Contracting Governments should make every effort to attend the Private Commissioner's Meeting on Sunday 1 July prior to the opening of IWC/64. The Private Commissioner's meeting will be opened by Mr. Oosthuizen, and the first task shall be to see if consensus candidates for the roles of Chair and Vice-Chair can be determined.

If consensus candidates for Chair and Vice-Chair can be identified then the 'Chair-elect' will chair the remainder of the Private Commissioners' Meeting. The necessary formal election will be held at the opening of IWC/64 (see point b. below).

If more than one candidate for Chair is identified then Mr. Oosthuizen will Chair the remainder of the Private Commissioner's Meeting pending an election to choose between candidates to be held at the opening of IWC/64 (see point b. below).

b. 64th Annual Meeting

The meeting will be opened by Mr. Oosthuizen who will announce that Commissioners have requested him to proceed with one of the following three options:

- i. IF COMMISSIONERS HAVE IDENTIFIED CONSENSUS CANDIDATES: Mr. Oosthuizen will proceed with the election for Chair and Vice-Chair as the first item of business. A senior member of the Commission will immediately nominate the consensus candidates, and Mr. Oosthuizen will ask if there are any other nominations. If none are forthcoming then Mr. Oosthuizen will announce that the candidates have been elected by consensus and the new Chair will be invited to the top table to preside over the meeting.
- ii. IF COMMISSIONERS HAVE IDENTIFIED MORE THAN ONE CANDIDATE FOR ONE OR BOTH POSTS: Mr. Oosthuizen will ask the Secretary to proceed with the election for Chair and Vice-Chair by [secret] vote for the identified candidates. The Chair's vote will occur first, and the newly elected Chair will be invited to the top table. The vote for Vice-Chair will take place after a Chair has been elected and will follow the same procedure.
- iii. IF COMMISSIONERS REQUIRE MORE TIME TO IDENTIFY CONSENSUS CANDIDATES: This is the least desirable option given that the procedure outlined above provides extensive time for consultation. In this case Commissioners will need to propose, ideally by consensus, a new Chair for the meeting only during the private Commissioners meeting. The new 'Meeting Chair' will then preside over the remainder of the Private Commissioner's Meeting and IWC/64, and elections for the Chair and Vice-Chair will take place at the end of IWC/64 in the normal way.