

## Intersessional Working Group on the Way Forward Terms of Reference

### **Background:**

The year of 2016 marks the 70<sup>th</sup> anniversary of the establishment of the International Whaling Commission (IWC) and the 30<sup>th</sup> year since the so-called moratorium under Paragraph 10(e) of the Schedule to the International Convention on Regulation of Whaling (ICRW) was implemented.

To date, the IWC process has been in a stalemate due to the fundamentally conflicting views on whales and whaling, and the IWC has seen little progress on narrowing such differences, despite reform efforts repeatedly made during its history.

In order that the IWC can lead constructive discussion and produce outputs and achievements that are fair, balanced and meaningful for all of its members, the IWC establishes the Intersessional Working Group on the Way Forward (WG-WF) at its 66<sup>th</sup> meeting.

### **Objective and Scope:**

The WG-WF will discuss fundamental issues on whales and whaling which are necessary in pursuing the way forward for fair and sound functioning of the IWC, including, but not limited to, the questions listed below.

- Are we willing to recognize that the fundamental differences in positions on whales and whaling are hindering the constructive discussion at the IWC and start addressing the fundamental issues?
- How can we overcome the “dysfunction” of the IWC, while respecting the basic positions of each member, at least in the short term?
- How can we achieve both sustainable management and conservation of whales in accordance with the provisions of the ICRW? Both objectives can be more effectively promoted if cooperative relations among the Contracting Governments are established.

The WG-WF is intended to discuss the fundamental and overarching issues that are crosscutting across all activities under the ICRW and therefore are crucial

to the future direction of the IWC. The WG-WF is therefore not intended to discuss individual issues of concern, which are to be discussed under the respective agenda items of the IWC.

**Participants:**

Japan assumes the Chair of the WG-WF.

All Contracting Governments to the ICRW and accredited IWC observers are invited to participate in the WG-WF process by submitting its views, questions, and responses in writing to the WG-WF through the Secretariat.

**Working Methods:**

Participants may submit their views, questions, and answers in writing, through the IWC Secretariat. The Secretariat is asked to upload them on the IWC website, unless otherwise requested by the submitting Participant.

**Working Schedule:**

Participants may submit responses to the questions described above in “Objective and Scope” by 31 May 2017. Thereafter, the Chair will facilitate the web-based discussion and if necessary propose further questions to deepen the discussion.

The report of the discussion during the intersessional period will be circulated among all the IWC Commissioners at least 60 days prior to the 67<sup>th</sup> IWC meeting [in order to solicit further comments] / [for further discussion at the 67<sup>th</sup> IWC meeting].

**Reporting:**

The Chair will report the outcome of the WG-WF, together with the final report, to the 67<sup>th</sup> IWC meeting for its consideration.

(end)