

Conservation Committee Working Methods

Drafted by the Secretariat at the request of the Chair and Vice Chair of the Conservation Committee

This document contains draft Working Methods for the Conservation Committee for discussion and endorsement.

Background

At its meetings in 2017 and 2018 the Conservation Committee Planning Group (CCPG) discussed the development of working methods for the Conservation Committee. It established an intersessional group, with a current membership of the Chair and Vice-chair of the Conservation Committee, the Secretariat, Argentina, Australia, Belgium, Chile and Norway to develop a proposal for discussion by the CCPG and subsequently by the Conservation Committee. This document contains draft Conservation Committee Working Methods for discussion.

The draft Working Methods contain a number of provisions that relate to existing practices, including those determined by Commission Rules of Procedure or rules of debate as well as some new proposals. New proposals include establishment of Conservation Committee focal points; terms for officers of the Conservation Committee; a new deadline (one week) for submission of primary documents in advance of Conservation Committee meetings and some proposals regarding the nature and accessibility of meeting documents. New proposals are highlighted with a note which will be removed in the final version.

In addition, there are several areas in the draft Working Methods which relate to other proposals that have been submitted to the Commission at IWC67. These include the proposal to hold annual Conservation Committee meetings, proposed changes to the Voluntary Conservation Fund, and a proposal on changes to the Voluntary Conservation Reports. In such cases bracketed text is included which can either be adopted or amended depending on the outcome of discussions on these items.

In addition, the draft Working Methods cover several areas that have been raised as issues in the Governance Review. Some future amendments may therefore be required to ensure coherence with the Governance review process and outcomes. It is thus proposed that these Working Methods are a living document and can be submitted for review and, if necessary amended, at IWC68.

The Conservation Committee is invited to:

- (i) Comment on the draft Working Methods
- (ii) Recommend the endorsement of these Working Methods by the Commission

DRAFT Conservation Committee Working Methods Version: IWC67-IWC68

1 Introduction

The Conservation Committee was established through Resolution 2003-1 to undertake the preparation and recommendation to the Commission of its future Conservation Agenda, taking full account of this Resolution; the implementation of those items in the Agenda that the Commission may refer to it and making recommendations to the Commission in order to maintain and update the Conservation Agenda on a continuing basis.

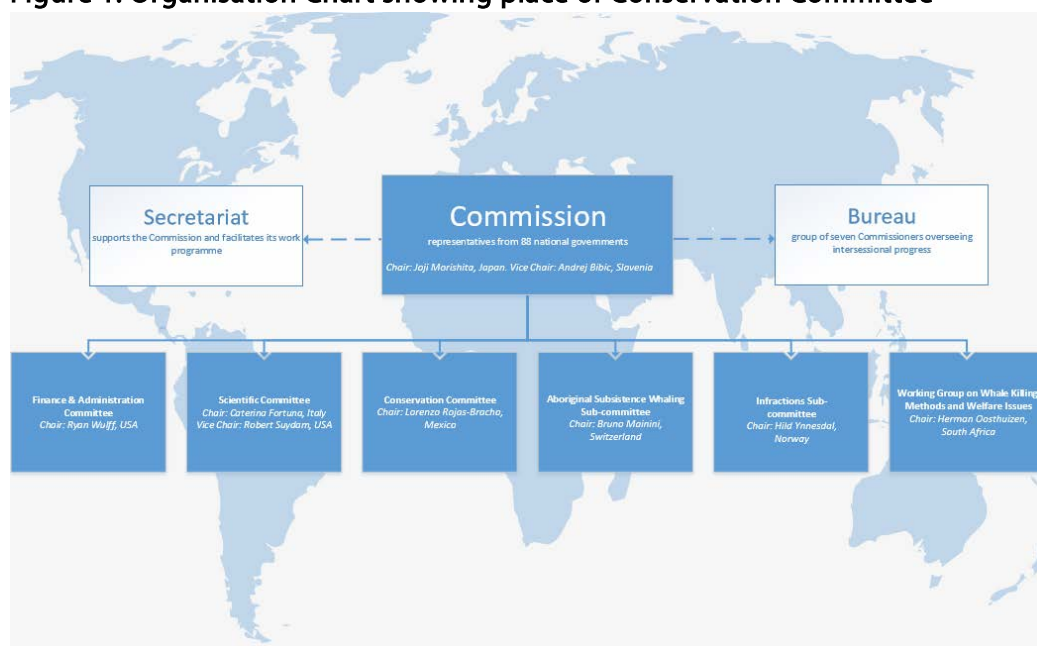
At IWC66, in 2016, the Conservation Committee developed a Strategic Plan which outlines the vision and objectives of the Committee and identifies the priority actions as whale watching, Conservation Management Plans, whale sanctuaries and protected areas, financing and data collection and reporting; and priority threats as ship strikes, marine debris, bycatch, anthropogenic sound, chemical pollution and climate change. It is accompanied by a Work Plan, a living document that is updated following each Conservation Committee meeting.

2 Place in the Commission system

The Conservation Committee is one of six main sub-groups established by the Commission, along with the Scientific Committee, the Finance and Administration Committee, the Infractions Subcommittee, the Whale Killing Methods and Welfare Issues Working Group and the Aboriginal Subsistence Whaling Sub-committee. The Commission structure is shown in Figure 1.

The Conservation Committee is a subsidiary body of the Commission and reports directly into the Commission at its biennial meeting. In addition, it exchanges information with other Commission sub-groups and seeks to collaborate on issues of mutual interest (see Section 8 Collaboration with other IWC committees and subgroups).

Figure 1. Organisation Chart showing place of Conservation Committee



3 *Structure of the Conservation Committee*

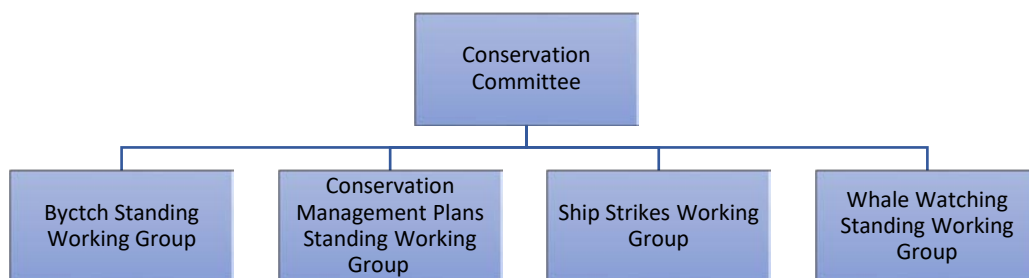
3.1 *Standing Working Groups*

Standing Working Groups (SWG) are established under the Conservation Committee to oversee the development and implementation of Conservation Committee work programmes for priority issues and threats including Conservation Management Plans, Ship Strikes, Whale Watching and Bycatch (Fig 2).

Terms of Reference, thematic strategic plans and work plans for these Standing Working Groups are usually drafted by the SWGs themselves and proposed to the Conservation Committee for endorsement.

Members of Standing Working Groups are nominated by Contracting Governments. Each group may also decide to establish *ex officio* members, including inter alia Chairs of other Commission subgroups with an interest in the topic in question.

Figure 2. Structure of the Conservation Committee



3.2 *The Conservation Committee Planning Group*

At IWC66, the Commission endorsed Terms of Reference (Annex 1) for annual Conservation Committee Planning Group meetings which would help set the agenda for the biennial Conservation Committee meeting and ensure progression of the Conservation Committee work plan in the intersessional period. The Group is Chaired by the Chair of the Conservation Committee. [At IWC67, following endorsement of the proposal to establish annual Conservation Committee meetings, it was agreed that the CCPG would continue to operate as a small “friends of the Chair” group consisting of the Chair and Vice-Chair of the Conservation Committee; Chairs of Standing Working Groups and other key individuals by invitation.].

3.3 *Intersessional Correspondence Groups*

As necessary, the Conservation Committee may also establish intersessional correspondence groups to take forward work intersessionally. These may present reports and proposals for discussion by the Committee as a whole.

4 Membership and Officers

4.1 Membership

The membership of the Conservation Committee is open to all Contracting Governments and new members are welcome on an ongoing basis.

New Proposal: Contracting Governments and accredited observers are, in addition, invited to nominate focal points that can be kept informed on and engage in Conservation Committee matters intersessionally. This list is regularly updated by the Secretariat in liaison with Contracting Governments. Key communications (e.g. notifications regarding Conservation Committee meetings, including draft agendas) are still sent to all Contracting Governments and observers.

4.2 Officers

4.2.1 Election of officers

The formal officers of the Conservation Committee are the Chair and the Vice-Chair. The Chair and Vice-Chair are elected by Commissioners at the Commission meeting. During the Conservation Committee meeting, each officer will be nominated and seconded for the role. Although voting can occur, the preferred approach is to reach consensus. Following election by the Conservation Committee, the appointment of these officers is then endorsed by the Commission.

New proposal: The usual term for a Chair and Vice Chair of the Conservation Committee is six years, though this can be extended by agreement with the new term confirmed at the Commission meeting. The term of the Chair or Vice-Chair will start at the end of the Commission meeting at which their election is endorsed and last until the end of the Commission meeting at which their term expires.

New proposal: In the event that the Chair or Vice Chair of the Conservation Committee steps down intersessionally (or a new Chair or Vice Chair does not come forward at the Commission meeting at which an officer steps down) a new interim Chair or Vice Chair will be appointed through consultation with Contracting Governments and confirmed at the next Commission meeting. In this case, the formal term will begin at the end of the Commission meeting at which they were elected and last until the end of the Commission meeting at which their term expires.

Standing Working Groups

Each of the Standing Working Groups of the Conservation Committee will have a Chair and, where deemed necessary by the members of the group, a Vice-Chair. Officers of Standing Working Groups shall be appointed during the Conservation Committee meeting and will be nominated and seconded for the role.

New proposal: The term of as Standing Working Group Chair will be up to four years with potential for renewal.

In the event that a Chair or Vice-Chair of a Standing Working Group steps down intersessionally, or following establishment of a new group by the Conservation Committee (for which a Chair has not come forward at the same meeting), a new interim Chair will be

appointed through consultation with the Standing Working Group in question and confirmed at the next Conservation Committee meeting.

4.2.2 Role of officers

The role of the Chair and Vice-Chair is to facilitate the work of the Conservation Committee in delivering the objectives of its Strategic Plan. This includes intersessional oversight of the delivery of the work plan, in consultation with the SWG Chairs and the Secretariat. The Chair will oversee in-person meetings of the Conservation Committee and chair meetings of the Conservation Committee Planning Group.

The Chair and Vice-Chair of the Conservation Committee undertake the role in their individual capacity and do not represent the views of their country when acting as Chair and Vice-Chair.

The Chair and Vice-Chair of Standing Working Groups coordinate and oversee the development and delivery of the thematic strategic plans and work plans of their Standing Working Groups. They will provide an update on the work of the SWG to the Conservation Committee and the Conservation Committee Planning Group. The Chair and Vice-Chair of the SWGs undertake the role in their individual capacity and do not represent the views of their country when acting as Chair and Vice-Chair.

The IWC Executive Secretary will designate the Secretariat officers that support the Conservation Committee. The Head of Programme Development is currently the liaison officer dedicated to lead and coordinate Secretariat support to Conservation Committee activities.

4.2.3 Observers

Observers from accredited Inter-Governmental Organisations and Non-Governmental Organisations can attend and participate in meetings of the Conservation Committee in accordance with Rules of Procedure C and Resolution 2014-3. They can also (at their request) be appointed as observers on Standing Working Groups and members of intersessional correspondence groups.

5 Meetings

5.1 Conservation Committee meetings

The primary meeting of the Conservation Committee is currently held biennially immediately prior to the Commission meeting and is open to all Contracting Governments. [As specified in Rule of Procedure B3, in non-Commission years, a Conservation Committee meeting is also held to ensure progress can be reviewed on an annual basis.]

All logistical arrangements for meetings are managed by the Secretariat.

[The Conservation Committee will prepare a biennial agenda, identifying what will be discussed at each Conservation Committee meeting and which topics will be the focus of in-depth discussions (including review of implementation) for the endorsement of the

Commission. The agenda will also take into account any direction or requests from the Commission.]

The draft agenda for each meeting is developed by the Secretariat, working with the Chair and Vice-Chair of the Committee and is circulated to Contracting Governments 90 days in advance of the meeting. The agenda reflects the needs of the Commission and the priorities of the Committee as set out in its strategic plan and workplan (Section 7).

The report[s] from the Conservation Committee is[are] presented to the Commission at its biennial meeting.

5.2 Conservation Committee Planning Group meetings

Meetings of the Conservation Committee Planning Group are usually held back to back with other Commission or Commission subgroup meetings so as to reduce costs. [Meetings of the CCPG are held by teleconference or in person in the margins of other Commission meetings].

5.3 Conservation Committee workshops

Dependent upon the availability of funds, the Conservation Committee may hold intersessional workshops and other meetings that are reported to the full Conservation Committee meeting. These may be on a specific topic (e.g. by theme) or otherwise related to the work or strategic development of the Committee. They may be held as joint workshops with other Committees such as the Scientific Committee.

5.4 Standing Working Group and other meetings

The Standing Working Groups and other subgroups (e.g. correspondence groups) of the Conservation Committee may decide to meet from time to time. Where possible these meetings are held in the margins of or back to back with other meetings in order to limit costs.

6 Documents and papers

The Conservation Committee receives various types of papers and reports as set out below. With the exception of working papers, these documents are publicly available on the IWC website archive.

6.1 Conservation Committee plenary papers

- (i) *Primary papers.* These are the main set of papers for the Conservation Committee. These are agreed with the Chair and vice-Chair of the Conservation Committee and submitted through the Secretariat. The Secretariat allocates document numbers and publishes these papers available for the meeting. [*New proposal:*] Primary papers must be submitted by seven days in advance of the start of the meeting. Documents that propose schedule amendments or amendments to Rules of

Procedure must be submitted according to deadlines set out in the Commission's Rules of Procedures J (1-4).

- (ii) *Conservation Committee Reports.* These are reports from Conservation Committee Standing Working Groups, the Conservation Committee Planning Group or from any Conservation Committee workshops held during the intersessional period. ***New proposal:*** Where possible, these reports are submitted through the Secretariat by SWG Chairs or Workshop Chairs seven days in advance of the Conservation Committee meeting and no later than 48 hours in advance of the meeting.
- (iii) *For Information documents.* These are documents providing useful additional background to items on the meeting agenda. They may include documents that have already been submitted to and have a document reference from a previous meeting (to avoid confusion), or documents submitted by Contracting Governments or observers for the interest of meeting participants. In this latter case, documents submitted by observers must be in accordance with Rule of Procedure C3. The decision on whether to accept a document as relevant to the agenda rests with the Conservation Committee Chair.
- (iv) ***New proposal: Working papers.*** On some occasions, with the agreement of a Conservation Committee Chair, further material may be provided as working papers with the aim of providing some additional contextual information or stimulating debate or progress (for example, on drafting a recommendation) within a meeting. Working papers will not be archived and will essentially disappear from the record at the end of the meeting.

6.2 Voluntary Conservation Reports

These are submitted by countries in order to help the Committee better assess the progress being made by national governments, identify cooperation opportunities and help develop the conservation agenda by gathering and analysing information provided by governments themselves on the status of cetacean conservation and management initiatives they may wish to forward to the IWC. The report format is provided in (Annex 2).

[Following a decision at IWC67, the submission of stand-alone individual Voluntary Conservation Reports has now been replaced by submission of information to the "IWC Conservation Database" - a public, online web-accessible database of cetacean conservation information. Contracting Governments are invited to submit their countries information under a given list of themes (consistent with the Conservation Committee Strategic Plan). An annual reminder is issued to countries to update data but they can also make updates at any time, as needed. A record of all past entries is available from an archive].[\[Insert weblink when available\]](#)

6.3 Conservation Committee Planning Group papers

The Conservation Committee planning group may also receive Primary Papers and Information Papers as set out above. ***New proposal:*** CCPG Documents are made available on the IWC website and archive.

6.4 Standing Working Group papers

The Chair of the SWG may circulate SWG meeting and discussion documents to members and observers of the SWG. These are distributed by email and not usually made available on the IWC website or archived. Where a paper is submitted to a Conservation Committee meeting then it will be submitted as the appropriate paper for that meeting and given a reference number accordingly.

7 Priority setting

7.1 Strategic Plan

A Strategic plan 2016-2026 for the Conservation Committee was endorsed at IWC66. This outlines the vision and objectives of the Committee and identifies the priority actions as whale watching, Conservation Management Plans, whale sanctuaries and protected areas, financing and data collection and reporting, and priority threats as ship strikes, marine debris, bycatch anthropogenic sound, chemical pollution and climate change. It also establishes some near and longer-term measures of success for the Conservation Committee and outlines the partnerships and resourcing it needs to deliver its objectives.

7.2 Thematic Strategic Plans

Sitting underneath the Conservation Committee Strategic plan are thematic strategic plans and associated work plans to help drive progress forward. These are intended as outward facing documents which outline how the Conservation Committee and the relevant working groups will tackle the priority threats and actions outlined in the overall strategic plan. There are currently thematic strategic plans for Whale Watching, Ship Strikes [and Bycatch].

8 Funding

Funding available to take forward the work of the Conservation Committee currently comprises a) Voluntary Conservation Fund and b) external fund-raising.

8.1 Identifying cost requirements

Standing Working Groups should identify the resource requirements for their recommendations to the Commission including whether implementing the recommendation would incur:

- No additional cost e.g. can be undertaken on a voluntary basis by Governments
- Core Secretariat time i.e. no additional funds needed
- Additional external funds needed. For this category, costings should be provided in project template (Annex 3).

This information should be included in Working Group reports to Commission.

The Intersessional Correspondence Group on Strengthening IWC Financing (ICG-SF) supports the development of budgeted work plans, including maintaining a list of projects that require external funding (see 8.3).

8.2 Voluntary Conservation Fund

The Voluntary Conservation Fund provides funding to support the maintenance of healthy whale populations. [The Voluntary Conservation Fund is used for projects which support the delivery of the Conservation Committee's Strategic Plan.] Voluntary donations are made to the Fund by countries, non-government organisations and others to support this work.

Project categories, eligibility criteria, evaluation criteria, and the allocation process for the Voluntary Conservation Fund are outlined in Annex 4.

8.3 External Fund-Raising

The Secretariat maintains a list of potential funders that could be approached to support the delivery of work plans. The development of project proposals can be based on the project concepts outlined in 8.1 above.

Funding streams have varied requirements for proposal submission. The Standing Working Groups will work with their members, other governments and stakeholders, with support of the Secretariat, to develop project proposals.

9 Collaboration with other IWC Committees and subgroups

As with other Committees, the Conservation Committee reports directly to the Commission. It also collaborates with other Commission subgroups on issues of mutual interest including:

9.1 The Scientific Committee

The Scientific Committee undertakes work and provides advice relevant to all of the priority threats and issues of the Conservation Committee strategic plan, and therefore close cooperation between the Committees on areas of mutual interest is important.

Amongst other mechanisms, this cooperation can be achieved through the joint Conservation-Committee/Scientific Committee Working Group (see 9.1.1) as well as collaboration between the respective working groups of the Conservation Committee and Scientific Committee and other joint discussion, for example joint workshops.

9.1.1 Joint Working Group of the Conservation Committee and the Scientific Committee (joint CC/SC WG)

Through IWC Resolution 2014-4 the Commission agreed to establish a Working Group between the Conservation Committee and the Scientific Committee in order to propose a procedure to facilitate the implementation and follow up of conservation recommendations. Since its establishment the Working Group has focused on development of a process for the review and follow up of conservation recommendations including

(currently) the development of a Recommendations Database. It has also allowed the opportunity for wider issues of mutual interest to be jointly discussed.

9.2 Whale Killing Methods and Welfare Issues Working Group

There are several areas under the agenda of the Whale Killing Methods and Welfare Issues Working Group (WKM&WI) which have synergies with priorities under the Conservation Committee Strategic Plan, particularly entanglement (in relation to the bycatch and marine debris work programmes of the Conservation Committee) and strandings. Where appropriate the Conservation Committee provides information to the WKM&WI (and *vice versa*) and seeks *ex-officio* representation by WKM&WI officers on Conservation Committee working groups where appropriate.

10 Collaboration with other agreements/organisations

Resolution 2003-1 directs the Conservation Committee to explore how the Commission can coordinate its conservation agenda through greater collaboration with a wider range of other organisations and conventions, including *inter alia* the Convention on the Conservation of Migratory Species (CMS), the Food and Agriculture Organization of the United Nations (FAO), the International Maritime Organization (IMO), the United Nations Environment Programme (UNN Environment) and the International Union for the Conservation of Nature (IUCN) and a number of regional organisations. In addition, through Resolution 2014-2 the Commission decided to “seek enhanced cooperation in the conservation of migratory cetaceans with other intergovernmental organisations whose cooperation is essential to secure the lasting protection of these species in the world ocean”. These resolutions, and many other recommendations from the Commission and its subgroups mandate the Secretariat to take forward and strengthen collaborations with other organisations.

These recommendations are taken forward by the Secretariat in liaison with the Chair and Vice-Chair of the Conservation Committee, Standing Working Group Chairs and Contracting Governments. For key meetings, the Secretariat aims to engage with Contracting Governments in advance of any IGO meeting which it attends, to discuss IWC participation (including activity in the margins of events e.g. side events) and to coordinate interventions (where appropriate) with those of Contracting Governments. Commissioners and members of country delegations to the IWC are encouraged to liaise with their national counterparts that make representations to other IGOs, in order to take forward (as appropriate) IWC priorities.

Cooperation with other Organisations is a standing agenda item on both the Conservation Committee and Commission agendas which allows the Secretariat to report on activity to date, including implementation of IWC recommendations and allows the Conservation Committee to consider new opportunities and proposals from Contracting Governments. Subsequent recommendations are then put forward for endorsement by the Commission.

10.1 MOUs and MOCs

In the case of some organisations (for example, the International Maritime Organization and the Convention on Migratory Species) collaboration with the IWC is formally established under a Memorandum of Understanding (MOU) or Memorandum of Cooperation (MOC). Any proposals for new MOUs or MOCs which are discussed by the Conservation Committee are forwarded to the Commission for endorsement.

Annex 1 Terms of Reference for annual Conservation Committee Planning Group meeting

[Annex to be deleted if proposal for annual Conservation Committee meetings is agreed]

The Conservation Committee Planning Group is tasked with helping set the agenda for the biennial Conservation Committee meeting and progression of the Conservation Committees work plan in the intersessional period.

It will:

- Consider the Committee's progress since the last meeting of the Committee, in particular with regards to intersessional work, and support continued effective delivery of its work.
- Identify key discussions, priorities and deliverables for inclusion on the agenda of the next meeting of the Committee.
- Support the Chair in preparing for Conservation Committee meetings.
- Provide an additional opportunity for discussing the strategic development of the Conservation Committee, particularly with regards to its outward facing strategic plan, strategic development of priorities, engagement with other organisations, and funding.

Membership

The group is intended to be small and focused and does not replace a full meeting of the Conservation Committee. Attendance is not restricted but may be limited by available space. It will primarily be composed of the Chair and vice-chair of the Conservation Committee, Chairs of the Committee's standing working groups, and nominees from contracted governments. Additional expertise will be invited as appropriate to the agenda by the Chair and Vice-Chair of the Conservation Committee. The meeting will be Chaired by the Chair of the Conservation Committee.

Timings

The Conservation Committee planning meeting should meet at least annually and where possible in conjunction with meetings of the Scientific and/or Conservation Committee to ensure best use of resources.

Annex 2 Voluntary Conservation Report format [or revised proposal] to be added following IWC67.

Annex 3 Project costings template – to be added following IWC67.

Annex 4 Voluntary Conservation Fund - to be added following IWC67.