

Minutes of Bureau Meeting
Held virtually
Friday 16 October – 16h00 – 19h00 (UK)

Attending:

Andrej Bibic (IWC Chair, Slovenia)

Ryan Wulff (Chair of Finance & Administration Committee, USA)

Lucia Scheinkman (Argentina)

Miguel Iñiguez (Argentina)

Katja Piskur (Slovenia)

Branka Tavzes (Slovenia)

Horace Walters (St Lucia)

Gemma Harper (UK, Co-chair of Working Group on Operational Effectiveness)

Rosie Carpenter (UK, Vice-chair of the Conservation Committee,)

Lisa Phelps (USA, Co-chair of Working Group on Operational Effectiveness)

Alisha Falberg (USA)

Madi Harris (USA)

Tom Gleason (USA)

Committee Chairs participating at the invitation of the IWC Chair

Robert Suydam (Chair of Scientific Committee)

Alex Zerbini (Vice-chair of Scientific Committee)

Lorenzo Rojas-Bracho (Chair, Conservation Committee)

Paula Perrett (Chair, BSC)

Secretariat

Rebecca Lent

Katie Penfold

Sarah Smith

Iain Staniland

Apologies: Amadou Telivel Diallo (IWC Vice-Chair, Guinea) Emmanuel Mantey Mensah (Ghana)

WELCOME FROM THE CHAIR

The Chair welcomed members of the Bureau and thanked them for their attendance. He reminded members that the meeting is convened in accordance with Rule of Procedure B.4. The Chair also passed on the regards of the IWC Vice-chair who regrets he is unable to attend but has passed on some comments to be reported to the Bureau under the relevant agenda items. Finally, the Chair noted that the Chair and Vice-chairs of the Scientific and Conservation Committees were invited to attend this Bureau meeting. The Chair of the Budgetary Subcommittee, Paula Perrett (Australia) was also invited to join the Bureau meeting to cover the first agenda item addressing the Commission's financial situation and the preparation of the next budget for consideration by the Commission at IWC68.

APPOINTMENT OF RAPPORTEUR

It was agreed that the Secretariat would serve as rapporteur.

ADOPTION OF AGENDA

The agenda was adopted with one modification, notably the Vice-chair's request to consider a letter to the Secretariat from COMHAFAT regarding payment of contributions and vote suspension during the intersessional period, which was added to Agenda item 1.2.2. The Bureau adopted the agenda with this change.

MINUTES OF THE LAST MEETING

The Minutes of the meeting on 25 May were adopted with no amendments and can be read at <https://archive.iwc.int/?r=16959&k=3271b273be>

1. COMMISSION'S FINANCIAL SITUATION AND PROCESS FOR THE BUDGET TO BE ADOPTED AT IWC68

1.1 BSC Items

1.1.1 Proposal on process for setting the budget for the next biennium

The Chair of the Budgetary Sub-Committee presented the BSC proposal for a process to set a balanced and sustainable budget for IWC68, as agreed by the Bureau at its October 2019 meeting. The BSC proposal would engage and support relevant Committee Chairs and the Secretariat in developing balanced budget options for 2022/23. The goal is to ensure that the Commission only sets sustainable, balanced budgets going forward, and addresses the growing deficit by making strategic reductions.

Noting the feedback from the first round of WG-OE consultations and mindful of the financial impact of the COVID-19 pandemic, the BSC will not be proposing an increase in financial contributions. As the Commission has not agreed inflationary increases in contributions in nearly all years since 2012, the deficit could be as high as £142k in 2022. As increases in income do not seem feasible at the current time, the only way to balance the budget is to reduce expenditure.

The BSC asked the Bureau to endorse the formation of two informal discussion groups that would establish priorities in Commission expenditure in order to propose savings. The principal group would identify possible savings from all three budget streams (Secretariat, Meetings and Scientific Committee's research fund) while the second group would address scientific priorities and provide input into the principal committee. These groups would be comprised of BSC members, relevant Committee Chairs and the Secretariat.

The groups would meet during December 2020-March 2021, such that proposed reductions to the budget would be brought to the May 2021 Bureau meeting. Based on Bureau guidance, a proposal for the Commission would be ready by the 60-day deadline in July 2021. Additional outreach would be conducted in August 2021 in preparation for the Commission meeting at which the budget will be discussed and adopted.

The United States raised the point that if the Commission were to change its meeting cycle as a result of the postponed meeting, this would affect the alignment of ASW quota years. Because the decision on whether or not to change Commission cycle years will have a financial impact,

the United States requested that this issue be addressed by the informal groups, with input from the Chair of the ASW Committee.

Following discussion of the proposal, the Bureau agreed to this process noting that in addition to the SC and CC leadership, the Chair of the ASW sub-committee and others, as appropriate, would be invited to join discussions.

1.1.2 Status of the Commission's cashflow

The Secretariat noted the continuing challenge faced by the Commission due to delays and arrears in contributions. If contributions are not received on time, cash will eventually run out. This not only impacts the ability of the Commission to cover its expenditures, including staff salaries and contract payments, it also impacts the ability of the Commission to conduct voting given that a loss of voting rights can lead to a lack of quorum.

Letter from COMHAFAT

The Chair invited Bureau members to provide input in response to a letter from COMHAFAT expressing concerns about the suspension in voting rights of developing countries during the extended intersessional period due to the pandemic. The Bureau agreed that the pandemic has strained government budgets, particularly in developing countries. Whilst it is not possible to change the Rules of Procedure without conducting a vote, the Bureau agreed that all efforts should be made to avoid conducting intersessional votes unless the need for a decision is urgent. The intent of intersessional voting is to reach decisions under extenuating circumstances that may arise between meetings, and not to vote on Resolutions or Schedule Amendments. The overall issue of Rules of Procedure pertaining to delayed payment of contributions can be addressed at the IWC68 meeting. The Bureau noted the need to ensure a balance between supporting participation in Commission decisions whilst ensuring the Commission has the cashflow to function.

The Secretariat was asked to prepare a response to the COMHAFAT reflecting these discussions and consult with other IGOs with regards to issues of contributions and voting status and report back to the Bureau. The Bureau will consider the request of COMHAFAT and respond to further information presented at its next meeting. Outreach will also be needed to remind member governments the importance of the contributions in order for the Commission to continue its mission.

1.2 STANDING FINANCIAL ITEMS

1.2.1 Forecast for 2020 and update on the outcome of the 2021 Budget postal vote

The Secretariat noted that the Commission set deficit budgets for the 2019-2020 biennium. For 2020, the agreed deficit was £68k.

Due to the extreme circumstances caused by COVID-19, one-off underspends were realised due to holding the SC Meeting virtually and by postponing the Commission meeting. These underspends will be carried forward to support the cost of in-person meetings in 2021. Once these carry-forwards are taken into consideration, there will be a modest surplus of £30k, primarily from one-off savings created by the Red House not being occupied as Secretariat staff worked from home in line with UK COVID-19 guidance.

Given the severely restricted activities of the Commission in 2020 under the pandemic, including the virtual Scientific Committee meeting and the postponement of IWC68 and the Secretariat working from home for most of the year in line with UK COVID-19 guidance, the expected forecast for 2020 is a modest surplus of £30k.

Despite this forecast, the financial situation of the Commission remains critical.

The Secretariat also noted that a postal vote was held to adopt a one-year 'bridge budget' for 2021, with the same contribution levels as 2020. The bridge budget was adopted by a vote of 46 yes, zero no, and one abstention.

1.2.2 Update on contributions and voting status

The Secretariat noted that as of the date of the Bureau meeting, 48 member countries (out of 88) have paid their 2021 contributions, with a total of 23% of contributions still outstanding. Voting rights have been suspended for 40 countries.

2. Brief update on WG-OE from Co-chairs (USA and UK)

The UK Co-chair of WG-OE, provided an update on the progress with governance reforms. A second meeting of the WG-OE was held (virtually) on 3 September, which was an opportunity to review and discuss comments received on the draft documents that were distributed in February 2020.

The timeline was agreed as follows:

- any additional comments to be submitted by 30 September;
- revised papers to be distributed in November (translations to be provided);
- outreach to be conducted in collaboration with the Chair's regional meetings (see section 7.2);
- WG-OE to meet again in May 2021 (around the time of the Scientific Committee meeting); revised papers to be prepared and translated within the 60-day deadline (early July 2021).

The Bureau members agreed on the importance of outreach and offered to support these efforts in their regional groups as outlined in section 7.2.

3. Discussion of combined outreach on WG-OE and budget

The Bureau discussed the combined outreach on WG-OE and the budget, and the Chair agreed this could be included with his planned regional outreach meetings. The Secretariat will work with the Chair, Bureau members, WG-OE Co-chairs and BSC Chair to arrange for these virtual meetings in the next few months.

4. Update on the possible sale of the Red House

The Secretariat noted that the Red House continues to be a financial liability for the Commission even though it has not been occupied for 7 months. Rental accommodations for the Secretariat are available at costs that are the same or less as staying in the Red House, reflecting the more appropriate accommodations possible under a smaller, more modern, open office space reflecting an increase in teleworking.

The Secretariat will proceed with a formal property valuation assessment for the Red House, which will provide a basis for establishing a minimum sale price for the property. A postal vote will then be arranged, with the guidance of the Bureau, with an understanding that the sale will only be finalized if the minimum price is obtained. The Secretariat's arrangement for a leased accommodation will be conducted subject to the variable costs being at or below current costs.

The Bureau endorsed this plan and noted that the income from the eventual sale of the Red House should be seen as a much-needed cash reserve and does **not** solve the Commission's budget situation.

5. Need for Commission endorsement of Conservation Committee workplan for 2020/21

The CC Chair updated the Bureau on the outcomes of a successful virtual Conservation Committee which was held 28 September-2 October 2020 with over 150 participants from 30 countries. He noted progress in areas including a proposed Amazon River Dolphins CMP, Bycatch Mitigation, the Whale Watching Handbook and the agreement of a 2020/21 CC work programme to continue to progress these important priorities that have already been endorsed by the Commission.

He gratefully acknowledged £120k in voluntary contributions that were pledged during the meeting from a range of Contracting Governments and NGOs.

The Chair of F&A thanked the CC Chair and Vice-Chair for their work, noting the effectiveness of the virtual meeting.

The Bureau noted that there were no outcomes from the virtual meeting that were not 'business as usual' or that required further endorsement from the Commission. Therefore, the Bureau welcomed the report of the CC Chair and noted that the outcomes would be summarised and distributed by Circular Communication.

The Chair of the Commission thanked the CC for their hard work.

6. Bureau input on SC68C May 2021

- 6.1 SC Chair and Vice-chair and the Secretariat seek Bureau guidance on thresholds for holding SC68C in person, virtually, or at a later date in the year.

The SC Chair presented a document which outlined flexible options for hosting the 2021 Scientific Committee meeting given the ongoing risks cause by the COVID-19 epidemic. In order to assess the options, the SC Chair and Vice-chair consulted with SC Heads of Delegations, Convenors and the Secretariat, and outlined 3 options for a way forward:

- Conduct an in-person meeting as planned in 2021
- Host a hybrid meeting with a mixture of in-person and some virtual participation
- Host the meeting fully online, noting the need to utilize a longer time period and to have more sessions per day than at the virtual 2020 meeting.

The SC Chair noted that a hybrid model was not desirable based on the experiences of the 2019 meeting. Whilst an in-person meeting is preferable as it gives opportunities to interact face-to-face to reach consensus, this would only be possible if sufficient progress had been made in tackling the COVID-19 pandemic. Therefore, the SC will prepare for the likelihood of an all-virtual meeting in 2021, with an in-person meeting to be held only if it becomes feasible.

6.2 Guidance on a date on which the decision will be taken.

The SC Chair proposed that a final decision on whether an in-person meeting should be held could be taken in January 2021. The Secretariat confirmed that no deposits had yet been paid to venues for this meeting.

The Bureau supported the SC Chair's proposed approach.

6.3 Guidance with respect to budget to be prepared at SC68C; should a one-year or two-year budget be prepared?

Given the question of whether the Commission will meet in 2021 and 2022, or whether it will meet in 2021 and then shift the biennium so that the next meeting is in 2023, the SC Chair requested the Bureau's guidance on whether the SC should prepare a one-year or two-year budget.

The F&A Chair advised that the SC should produce a flexible two-year budget that could be adapted if needed to a one-year budget.

7. AOB

7.1 Updates needed given extended intersessional period

7.1.1 Updating the list of Chairs, Co/Vice-chairs, Bureau members, etc of IWC subsidiary bodies to include the third year of this extended intersessional period as needed.

The Bureau agreed to the modified dates of the terms of Chairs and Vice-Chairs of Committees, Sub-committees and other positions as indicated in the ['Structure of the Commission'](#) document. The Chair will work with the Secretariat to nominate a Chair for the WKM&WI Sub-committee.

7.1.2 Updating observer fees for 2021

The Bureau agreed that Observer and NGO Fees for 2021 would remain the same as 2020.

7.2 Regional Meetings

The Chair confirmed with the Bureau that he intends to have a series of calls with regional groups regarding IWC business. These outreach meetings would be combined with the outreach for WG-OE and the BSC process. This would include COMHAFAT/ATLAFCO and the Buenos Aires Group.

St Lucia confirmed that they would continue to reach out to the OECS (Organisation of Eastern Caribbean States) to arrange a meeting comprising of Caribbean country members. The Secretariat will assist the Chair in identifying appropriate opportunities to speak with Pacific Island Countries.

7.3 Secretariat brief update

Strategic Plan

Resolution 2018-01 Annex B mandated the Secretariat to progress improvements in management and accountability within the Secretariat without delay. Over the past two years the Secretariat has implemented the Annex B mandate, working collaboratively within the Secretariat to address IT, financial management and reporting practices, and allocation of human and financial resources to ensure alignment with Commission priorities. The foundation for much of this work was a four-year Strategic Plan prepared by the Secretariat, with the guidance of the Bureau. The four-year Secretariat Strategic Plan will be accompanied by a two-year workplan. Regular updates on the implementation of Annex B, including the 4-year Secretariat Strategic Plan, have been provided to the Bureau (October 2018, April and October 2019, and May 2020) as well as the WG-OE at the 2019 London workshop. The Secretariat's 4-year Strategic Plan was endorsed by the Bureau at the October 2019 meeting. A summarised, outward-facing Secretariat Strategic Plan, developed with the input of the Secretariat, was discussed by the Bureau.

Wikipedia

The Secretariat has noted that Wikipedia entries for the IWC appear to be out of date or incorrect. Therefore, the Secretariat will prepare input to Wikipedia to update/correct its entries on IWC. All input will be based on already-approved material and will be consistent with the Commission guidelines on website content.

A Paper-Free Commission

The Secretariat no longer prints any meeting reports, in an effort to reduce costs and address the environmental impacts of printing paper copies. Although printing itself is relatively low cost, the transportation/mailling costs are high and there are also storage costs associated with surplus copies. The Secretariat has been informed (through collaborators at CCAMLR) that another option is direct printing services (self-publishing) whereby hard copies can be ordered on-line (e.g. Amazon, IngramSpark, LULU etc) and delivered directly at a cost price. Anyone particularly wanting a printed copy would be able to order it themselves at a cost of around £20-30 to UK or US for a colour report of 600 pages.

The next meeting of the Bureau will be around the end of the year at a date TBD.

There was no additional business, and the Chair closed the meeting at 19h00 (UK time) thanking everyone for their attendance