

## Terms of Reference and modus operandi for the Expert Panel on Bycatch Mitigation

The Expert Panel will assist in the delivery of the IWC's Bycatch Mitigation Initiative (BMI) by providing scientific and technical advice in support of its aim to address issues relating to cetacean bycatch. The Expert Panel will, as required assist in delivering the Bycatch Mitigation Initiative's work plan, undertake the key activities given below.

1. The collation of relevant information on bycatch issues and its mitigation, monitoring and assessment;
2. Build on current understanding by identifying research gaps and needs, and develop research questions, if needed;
3. Identify and develop approaches to evaluate bycatch mitigation success;
4. Evaluate the effectiveness and practical implementation of mitigation measures—and monitoring schemes;
5. Assist the Bycatch Coordinator with the development and implementation of case studies and pilot projects;
6. Work with the Bycatch Coordinator to help distil relevant information into documents for the Standing Working Group, Conservation Committee, Scientific Committee and Commission, and external organisations as appropriate;
7. Provide advice on how to
  - a. best communicate issues and ideas,
  - b. develop appropriate policy, and
  - c. work with the relevant communities and national or regional management bodies;
8. Assist the Secretariat, the Bycatch Coordinator and the Bycatch SWG in reviewing the capacity building needs of governments and identifying means to respond to, and taking forward the response to requests for assistance; and
9. Provide input to the strategic development of the Bycatch Mitigation Initiative.

### 2.1. Membership

#### 2.1.1 *Required expertise*

The Expert Panel should include a range of expertise, (particularly in relation to small-scale fisheries) including in:

- cetacean biology and behaviour
- cetacean population monitoring and assessment
- fisheries science and technology
- fisheries management
- bycatch mitigation, monitoring and assessment approaches (cetacean and other taxa e.g. seabirds, turtles)
- Fisheries economics and social science/community engagement
- policy development/influencing expertise (i.e. in achieving effective change of fisheries and other relevant policies)
- direct experience in working with fishing industry and fishing communities

To ensure a diversity of views it could be desirable to have more than one panel member with each type of expertise. However, some experts may have multiple skills. Expertise should be complemented by a regional and gender balance if possible.

### *2.1.2. Selection process*

IWC Contracting members, members of the Scientific Committee and accredited observers, as well as other IGOs relevant for cetacean bycatch issues (e.g. FAO, the RFMOs, ICES, NAMMCO, CMS etc.) will be invited to nominate individuals with relevant expertise to the Expert Panel. Such individuals can be experts currently involved in the IWC and its Committees, or external candidates.

It is envisaged that the Expert Panel will be composed of a maximum of 20-25 experts. The panel should be of a manageable size whilst securing a sufficient level of representation of expertise.

The process for agreeing the membership of the Panel is outlined in Annex 1 and the process for re-nomination is outlined in Annex 2.

### *2.1.3 Term of service*

The term of service will be four years, following which members may be reappointed according to the process set out in Annex 2. An annual evaluation of membership will be undertaken by the Bycatch Coordinator in liaison with the Chair of the Bycatch SWG based on the availability and participation of members, and action taken to address any vacancies or gaps in expertise.

## *2.2. Modus operandi*

The Bycatch Coordinator will act as the Expert Panel convenor. The Expert Panel formally reports to the Bycatch SWG, via the Bycatch Coordinator. The Expert Panel will further support the Bycatch SWG with its aim by responding to its requests for advice.

The Expert Panel will, with coordination from the Bycatch Coordinator, liaise and collaborate with the Conservation Committee, Scientific Committee and Whale Killing Methods and Welfare Issues Working Group, and seek input from these Committees on the relevant aspects of its work.

The Coordinator, in collaboration with the Chair of the SWG, shall convene Expert Panel meetings as deemed necessary, either in person or via teleconference. When possible, in-person meetings will be planned in conjunction with other workshops or conferences. The report of the Expert Panel's meetings shall be prepared by the Coordinator and the agreed report will be distributed to the Expert Panel, Bycatch SWG, Conservation Committee and Scientific Committee.

The Expert Panel may establish subgroups of its members on an ad hoc basis, as the Coordinator deems necessary to organise and progress its work. Such subgroups shall report to the Expert Panel.

Expert Panel members will be asked to commit to a minimum of 3.5hrs a month, with an additional commitment from members involved in specific projects or collaborations with the BMI. Panellists may be required to travel for meetings, workshops, capacity building training programmes, or to provide in-country advice on bycatch issues.

## **Annex 1: Process for appointment of the membership of the Expert Panel**

Nominations will be sought through a Circular that will go out to Commissioners and Contracting Governments; Members of the Scientific Committee and the Conservation Committee and Accredited Observers. The circular will identify the specific gaps in areas of expertise and geography which would be a priority for the Expert Panel membership.

The Secretariat will send formal letters to other IGOs and follow this up with informal contacts and online mailing lists relevant to cetacean conservation and research.

Before making a nomination, people will be asked to discuss with the nominee that they are willing and able to commit to serving on the Panel. Panel members will be asked to commit to active engagement in Expert Panel discussions.

Nominations should be accompanied by a short supporting statement by the nominee (max. 500 words) and a CV setting out the prospective member's expertise, abilities and willingness to serve on the Expert Panel.

A sift of nominations will be undertaken by a smaller group, Chaired by the Chair of the Bycatch SWG and also consisting of the Vice-Chair of the Bycatch SWG; Chair of the Conservation Committee (or a nominee); Chair of the Scientific Committee (or a nominee), Bycatch Coordinator and Secretariat. Proposals will then be presented to the Bycatch SWG for comments and endorsement.

## **Annex 2: Process for re-appointment of members of the Expert Panel**

Prior to the end of the four-year appointment period for Expert Panel members the Coordinator and Chair of the SWG will approach Expert Panel members to discuss their willingness, interest and availability to remain on the Expert Panel for another 4-year term. Panel members who wish to re-nominate themselves shall provide a brief cover letter indicating that they wish to be nominated and outlining their commitment. Re-nominations will be discussed and agreed by the smaller group described in Annex 1.