

**Annual Report of the International Whaling Commission 2004**  
**56<sup>th</sup> Annual Meeting, 2004**

**Resolution 2004-6**

**RESOLUTION ON COMPLETION OF THE REVISED MANAGEMENT SCHEME (RMS)**

RECOGNISING the dual mandate of the IWC for the conservation of whales and the management of whaling according to the 1946 International Convention for the Regulation of Whaling;

NOTING that on this basis, considerable progress has been made in identifying major elements necessary to reach broad agreement on the RMS, as reflected in the Chairman's Proposal for a Way Forward on the RMS (Doc IWC/56/26);

TAKING NOTE of the comments of Contracting Parties on the Chairman's Proposal at the 56<sup>th</sup> Annual Meeting of the Commission;

CONCERNED that the failure to reach broad agreement on the RMS in the near future may seriously jeopardise the ability of the IWC to fulfil its responsibilities;

NOW THEREFORE THE COMMISSION:

COMMENDS the efforts of the Chairman in providing a basis for further work and discussion towards finalizing the RMS;

AGREES to re-establish the Working Group on the RMS with a view to holding an intersessional meeting prior to IWC/57, as outlined in the attached Intersessional Plan of Work.

AGREES to proceed expeditiously towards the completion of both the drafting of text and technical details of the RMS according to the attached Intersessional Plan of Work with the aim of having the results ready for consideration, including for possible adoption, at IWC57, and/or to identify any outstanding policy and technical issues.

## **INTERSESSIONAL PLAN OF WORK**

The Chair's Proposal for a way forward (IWC/56/26), supplemented by his statement (IWC/56/28), other comments made at IWC 56 in relation to the Chair's proposal and the Secretariat's document (IWC/56/36), provides a basis for the development of draft text for the RMS, to clarify policy and technical issues and draft text for the RMS. The goal of this effort is to have clarified outstanding policy and technical issues and, as far as possible, have finalized text of an RMS package ready for consideration at IWC 57. The following iterative process would occur to develop such a text over the intersessional period:

1. Commission formally revives the RMS Working Group and agrees to establish a small drafting group under it (see respective terms of reference in Appendices 1 and 2).
2. All Contracting Governments are invited to send comments / positions on key issues to the RMS Working Group.
3. Secretariat collates and organizes available materials. Technical specialist groups meet and finish their work before December 2004.
4. RMS Working Group to provide guidance on major policy issues to small drafting group (before December)
5. Small drafting group meets (one week) in December 2004.
6. Draft text is circulated to delegations for review and comment. Secretariat circulates comments to all delegations and to members of the small drafting group.
7. RMS Working Group convenes in early March 2005 to consider the draft text and submitted comments and to develop input to the small drafting group for development of the next iteration.
8. The small drafting group meets immediately afterwards to develop the second draft, which the Secretariat circulates to delegates.
9. The RMS Working Group meets for two days during the week prior to the IWC 57 Plenary session to consider the second draft. The results of the RMS Working Group are presented to the Plenary for its consideration at IWC 57.

### **Appendix 1. Terms of Reference for RMS Working Group**

The RMS Working Group will have the following responsibilities:

1. To complete work on the RMS package, with the goal of having a finalized RMS text ready for consideration, including for possible adoption, at IWC 57, and/or to identify any outstanding policy and technical issues.
2. To take account of delegates' comments at IWC 56, as well as written submissions from delegates.
3. To provide guidance to, and to review the work of, the Small Drafting Group.

RMS WG to be open to observers.

### **Appendix 2. Terms of Reference for the Small Drafting Group (SDG)**

Under the auspices of the RMS Working Group the SDG will have the following responsibilities:

1. To prepare a consolidated draft text for the replacement of parts of Chapters V and VI of the current Schedule.
2. To prepare consolidated draft text on other related issues in the RMS package.
3. To utilize the Chair's proposal (IWC/56/26) and his statement (IWC/56/28), as a framework for this work.
4. To rearrange, revise and renumber paragraphs in the draft text for Chapters V and VI as appropriate but not to attempt to merge them with other parts of the Schedule.

Representation on SDG and Technical Specialist Groups (TSGs): Chair to seek expressions of interest to ensure regional and policy diversity in the groups. The SDG and TSGs should include Governments with adequate regional coverage, and adequate coverage of those For/Against/Neutral on the key issues.