

## FINANCE AND ADMINISTRATION COMMITTEE

11 May 1998

### DRAFT AGENDA and annotations

1. APPOINTMENT OF CHAIRMAN *[Mr. C.I. Llewelyn (UK) is proposed]*
2. APPOINTMENT OF RAPPORTEUR *[ is proposed]*
3. REVIEW OF DOCUMENTS
4. ADOPTION OF AGENDA
5. PLENARY AGENDA ITEMS 19 - 22

#### Item 19. FINANCIAL STATEMENTS AND BUDGET ESTIMATES

- 19.1 Review of provisional financial statement, 1997/98
- 19.2 Consideration of estimated basic budgets, 1998/99 and 1999/2000

Financial matters arising under these agenda items are dealt with in Papers IWC/50/8A and B

##### 19.2.1 Research proposals

The Scientific Committee will forward its recommendations for funding research proposals which it considers should be supported financially by the Commission (Paper IWC/50/4).

##### 19.2.2 Assessment of contributions from Contracting Governments

At the 49<sup>th</sup> Annual Meeting Germany voiced its concern over the realised and assessed contributions, which it would like to see changed. It agreed to prepare a paper on the subject for this meeting.

In addition, at last year's meeting, Japan shared the view expressed by Antigua & Barbuda that contributions should be assigned by a more UN-like model, and it would prepare specific proposals to address this issue.

#### Item 20. IWC ADMINISTRATION

##### 20.1 Review of administrative systems

At last year's meeting the Commission authorised, by IWC Resolution 1997-9, an external review of the IWC's administrative systems and the Secretariat, to be completed in 1998 in time for consideration by the Commission at IWC 51, with a budget of no more than £50,000. A report on progress to date will be available to the Finance & Administration Committee and Commissioners.

## 20.2 Advisory Committee

Also last year the Commission decided, by IWC Resolution 1997-10, to establish an Advisory Committee comprising the Chairman, Vice-Chairman, Secretary and two Commissioners to broadly represent the interests within the IWC forum. The role of this Committee is one of support to the Secretariat, and the two Commissioners who volunteered to serve until the 50<sup>th</sup> Annual Meeting are Norway and Mexico.

## 20.3 Annual Meeting arrangements

At the 49<sup>th</sup> Annual Meeting the Commission agreed that the Press be allowed access to the next meeting on the same basis as NGOs and given access to documents, and be charged a nominal fee approximately equal to the costs of producing the documents they require. The Commission should review the matter in the light of experience at the 50<sup>th</sup> Annual Meeting. The arrangements adopted for this year's meeting are outlined in Paper IWC/50/F&A2.

The Secretary was instructed to revise the Rules of Conduct for Observers to take account of this decision. The revised Rules, developed in consultation with the Advisory Committee, are shown in Paper IWC/50/F&A4.

## 20.4 Communications

Following agreement at last year's meeting, all standard communications to Commissioners, Contracting Governments and members of the Scientific Committee have been by electronic means (e-mail or fax), with a hard copy following in the post. It would be appropriate to review the operation of this procedure at this meeting (Paper IWC/50/F&A4).

# Item 21. AMENDMENT OF THE RULES OF PROCEDURE

## 21.1 Voting procedures

Japan proposed an amendment to the Rule of Procedure E.3(d) last year which would have permitted votes by secret ballot under certain conditions. After differing views were expressed by delegations, it was agreed that:

- (a) further discussion and consideration of this issue at the 49th meeting of the IWC be deferred;
- (b) meanwhile,
  - (i) interested Contracting Governments were invited to submit information on voting practices and rules of procedure used in international fora;
  - (ii) the Secretariat would write to international organisations, with which the IWC has established links, in order to gather information on voting procedures including the use of secret ballots;
- (c) the Commission should refer this additional information, together with the proposal for an amendment to Section E.3(d) of the Rules of Procedure, to the Finance and Administration Committee with a view to consideration and disposal of this issue at the 50<sup>th</sup> Annual Meeting in Oman.

The material obtained by the Secretary from other IGOs is collated in Paper IWC/50/F&A3.

## 21.2 Observers

The Commission failed to reach agreement last year regarding a change in treatment for observers to IWC meetings. The USA and the Netherlands put forward a proposal which would have the effect of admitting observers to all meetings and intersessional meetings of the Commission and its subsidiary groups, except the Finance and Administration Committee. However, because of the impasse, the co-sponsors withdrew the proposal and will bring it forward to the meeting in Oman.

The USA has indicated that it “would like to state its intention to propose an amendment to the Rules of Procedure to streamline the process of non-governmental organization admittance into IWC meetings and to ensure the inclusion of non-governmental organization representatives in all IWC sessions as appropriate.”

## 21.3 Advisory Committee

The Commission last year, by IWC Resolution 1997-10, established an Advisory Committee and suggested that the Secretary draw up a Rule of Procedure for consideration at the next meeting. A proposed text is included in Paper IWC/50/15.

## 21.4 Scientific Committee

Amendments to the Rules of Procedure of the Scientific Committee to set out that Committee’s objectives, priorities and procedures were agreed last year (*IWC/49/4 Annex L*). They will be given final consideration at the Scientific Committee’s 1998 Meeting (and amended if considered appropriate) before being recommended for adoption at the 50<sup>th</sup> Annual Meeting of the Commission. Further additions for the selection and providing financial support for Invited Participants were also proposed for Rule A.6 (*Chairman’s Report, item 18.2.1*). The present draft texts of the proposed Rules are given in Paper IWC/50/15.

## Item 22. DATE AND PLACE OF ANNUAL MEETINGS

Last year Grenada announced that it proposed to host the 51st Annual Meeting, in 1999, which offer was welcomed by the Commission.

To date, there have been no invitations to host the meeting in the year 2000.

## 6. ANY OTHER BUSINESS

## 7. ADOPTION OF REPORT

## TERMS OF REFERENCE

The Finance and Administration Committee shall advise the Commission on expenditure, budgets, scale of contributions, financial regulations, staff questions, and such other matters as the Commission may refer to it from time to time.  
*(Rules of Procedure, Rule M.7)*

## **OBSERVERS**

Observers are not admitted to the meeting as this Committee is considered closed as in other international organisations.  
*(Rep. int. Whal. Commn 44: 27)*

## **LIST OF DOCUMENTS**

### **Commission documents**

#### **IWC/50**

- 8A Provisional Financial Statement 1997/98 (Agenda Item 19.1)
- 8B Provisional Budget Estimates 1998/99 and 1999/2000 (Agenda Item 19.2)
- 8 Supp. Supplementary Information and Explanatory Notes
- 15 Proposed amendments to the Rules of Procedure (Agenda Items 21.3, 21.4)

### **Finance and Administration Committee documents**

#### **IWC/50/F&A**

- 1 Invited Participants to the Scientific Committee
- 2 Admission of the Press at Annual Meetings
- 3 Voting Procedures
- 4 Provisional Rules of Conduct for Observers
- 5 Communications with the Commission

## ABORIGINAL SUBSISTENCE WHALING SUB-COMMITTEE

### DRAFT AGENDA and annotations

13 May 1998

1. APPOINTMENT OF CHAIRMAN *[Mr. J.K. McLay (New Zealand) is proposed]*
2. APPOINTMENT OF RAPPORTEUR *[ is proposed]*
3. ADMISSION OF OBSERVERS
4. REVIEW OF DOCUMENTS
5. ADOPTION OF AGENDA
6. COMMISSION AGENDA ITEM 10

#### 10.2 Aboriginal subsistence whaling scheme

##### 10.2.1 Report of the Scientific Committee (Paper IWC/50/4)

The Scientific Committee is continuing to investigate potential management regimes for aboriginal subsistence whaling, including regimes based on the approach taken in the Revised Management Procedure and utilising simulation trials where appropriate. Its progress will be reported in Paper IWC/50/4.

##### 10.2.2 Action Arising

#### 10.3 Review of aboriginal subsistence whaling catch limits

Last year the Commission set catch limits for aboriginal subsistence whaling which included provisions to ensure review of some in the light of advice or new data from the Scientific Committee.

##### 10.3.1.1 Bering-Chukchi-Beaufort Seas stock of bowhead whales

The strike limits for this stock are to be reviewed annually by the Commission in light of the advice of the Scientific Committee, particularly its advice arising from the 1998 Comprehensive Assessment.

##### 10.3.1.2 North Pacific Eastern stock of gray whales

The taking of gray whales from this stock by aborigines whose traditional aboriginal subsistence and cultural needs have been recognised is to be reviewed annually by the Commission in light of the advice of the Scientific Committee.

##### 10.3.1.3 North Atlantic West Greenland stock of minke whales

The catch limit for this stocks will be reviewed if new scientific data become available within the 5 year period 1998 - 2002 and if necessary amended on the basis of the advice of the Scientific Committee.

#### 10.3.1.4 North Atlantic humpback whales

The catch limit of 2 humpbacks each season permitted to be taken by Bequians of St Vincent and The Grenadines expires after the 1998/99 season.

#### 10.3.2 Action arising

7. ANY OTHER BUSINESS

8 ADOPTION OF REPORT

### TERMS OF REFERENCE

The terms of reference of the Aboriginal Subsistence Whaling Sub-Committee were revised at the 49<sup>th</sup> Annual Meeting to consider relevant information and documentation from the Scientific Committee, and to consider nutritional, subsistence and cultural needs relating to aboriginal subsistence whaling and the use of whales taken for such purposes, and to provide advice on the dependence of aboriginal communities on specific whale stocks to the Commission for its consideration and determination of appropriate management measures (*Chairman's Report of the 49<sup>th</sup> Annual Meeting, Item 10.3.6.2*).

### ADMISSION OF OBSERVERS

The Commission has established the principle that only delegates should attend Sub-committees of the Technical Committee, unless the Sub-committee decides otherwise unanimously (*Rep. int. Whal. Commn 33:24*). Extension of this principle to all subsidiary meetings of the Commission means that final acceptance will be decided by the agreement of the meeting concerned. Accredited observers are asked, when they accept the invitation to attend the Annual Meeting, if they wish to attend any of the Sub-committee or Working Group meetings held before the Commission meeting (*Rep. int. Whal. Commn 43:35*).

### LIST OF DOCUMENTS

IWC/50/AS

#### Other Documents

Extracts from Report of the Scientific Committee, Items 10 and 11 (IWC/50/4)

## INFRACTIONS SUB-COMMITTEE

### DRAFT AGENDA (Annotations overleaf)

13 May 1998

1. Appointment of Chairman *[Japan is proposed]*
2. Appointment of Rapporteur *[Mr. G.P. Donovan (Secretariat) will assist]*
3. Admission of Observers
4. Review of documents
5. Adoption of Agenda
6. Infractions Reports from Contracting Governments
7. Surveillance of Whaling Operations
8. Checklist of Information Required or Requested under Section VI of the Schedule
9. Submission of National Laws and Regulations
10. Reports from Contracting Governments on availability, sources and shipments of whale meat and products, and relevant developments; and on stockpiles and sale of whale meat and products, domestic laws and enforcement actions on illegal possession and sale
11. Any other business
12. Adoption of Report

### TERMS OF REFERENCE

The Infractions Sub-committee considers matters and documents relating to the International Observer Scheme and Infractions insofar as they involve monitoring of compliance with the Schedule and penalties for infractions thereof (*Rep. int. Whal. Commn 29: 22*).

### ADMISSION OF OBSERVERS

The Commission has established the principle that only delegates should attend Sub-committees of the Technical Committee, unless the Sub-committee decides otherwise unanimously (*Rep. Int. Whal. Commn 33:24*). Extension of this principle to all subsidiary meetings of the Commission means that final acceptance will be decided by the agreement of the meeting concerned. Accredited observers are asked, when they accept the invitation to attend the Annual Meeting, if they wish to attend any of the Sub-committee or Working Group meetings held before the Commission meeting (*Rep. int. Whal. Commn 43:35*).

## ANNOTATIONS

### Item 7. REPORTS FROM CONTRACTING GOVERNMENTS ON THE AVAILABILITY, SOURCES AND SHIPMENTS OF WHALE MEAT AND PRODUCTS, AND RELEVANT DEVELOPMENTS; AND ON STOCKPILES AND SALE OF WHALE MEAT AND PRODUCTS, DOMESTIC LAWS AND ENFORCEMENT ACTIONS ON ILLEGAL POSSESSION AND SALE

At the 46th Annual Meeting the Commission adopted a Resolution (IWC Resolution 1994-7) which invited each Contracting Government to report to the Infractions Sub-committee at every Annual Meeting on the sources and trade in whale meat and products.

At its 47th Annual Meeting the Commission adopted IWC Resolution 1995-6 which called for all governments and other entities with a history of whaling to determine whether they have any remaining stockpiles of whale meat, and to report to annually to the Commission on these, relevant domestic laws, and enforcement actions. It also encouraged development of mechanisms using DNA or isozyme analysis to randomly sample and identify whale meat in their market places by species and to prohibit the sale of meat from all whales that could not have been taken nor acquired in accordance with ICRW and CITES provisions.

The Commission adopted IWC Resolution 1996-3 at the 48<sup>th</sup> Annual Meeting which effectively repeated and re-enforced these requests; and then last year the Commission adopted IWC Resolution 1997-2 which encouraged all Contracting Governments to provide information to the IWC about the size of remaining stockpiles and the species of origin of meat remaining in stockpiles, to collect and inventory skin or meat samples for DNA identification from all whales that enter into commerce, and to make the DNA database available to the IWC.

Norway has requested that this agenda item be deleted. "As stated previously, Norway holds the view that questions relating to trade in whale products fall outside the scope of the IWC. In the opinion of Norway CITES and WTO are the appropriate international fora in this context." Norway has asked that if this agenda item is maintained, then its statement should be reflected in the annotations.

### Item 9. CHECKLIST OF INFORMATION REQUIRED OR REQUESTED UNDER SECTION VI OF THE SCHEDULE

This Checklist was developed as an administrative aid to the Sub-committee in helping it to determine whether obligations under Section VI of the Schedule were being met. It is not compulsory for Contracting Governments to fill in the Checklist although, of course, they do have to fulfil their obligations under this Section of the Schedule.

## LIST OF DOCUMENTS

### IWC/50/

- 6        Infractions - Summary of Reports received by the Commission in 1997

### IWC/50/INF

- Reports from Contracting Governments on availability, sources and shipments of whale meat and products, and relevant developments; and on stockpiles and sale of whale meat and products, domestic laws and enforcement actions on illegal possession and sale
- 2        Checklist of Information Required or Requested under Section VI of the Schedule.



## HUMANE KILLING WORKING GROUP

### DRAFT AGENDA and annotations

11 May 1998

1. APPOINTMENT OF CHAIRMAN *[Dr A. Nouak (Austria) is proposed]*
2. APPOINTMENT OF RAPPORTEUR *[ is proposed]*
3. ADMISSION OF OBSERVERS
4. REVIEW OF DOCUMENTS
5. ADOPTION OF AGENDA
6. COMMISSION AGENDA ITEM 8.1

#### Item 8.1.1 NAME OF THE WORKING GROUP

At last year's meeting some delegations had recommended deleting humane killing from the IWC agenda or, at least, changing the name of the Working Group. France, supported by Mexico and Monaco, suggested changing the name of the Working Group to hunting methods. Antigua & Barbuda felt the name was a particular worry, preferring gear and methods for whaling activities. On South Africa's suggestion, it was agreed to leave this issue to the Working Group to decide.

The USA has commented that "We . . . note that, according to the Chairman's report, the name of the Working Group is an unresolved question and would . . . be deserving of attention in Oman."

#### Item 8.1.2 INFORMATION ON IMPROVING THE HUMANENESS OF ABORIGINAL SUBSISTENCE WHALING

IWC Resolution 1997-1 welcomed the steps taken so far by the aboriginal subsistence whalers of the USA, the Russian Federation and Greenland to improve the humaneness of whaling techniques in aboriginal subsistence hunts; urged them to do everything possible to reduce still further any unavoidable suffering caused to whales in such hunts; requested the USA, the Russian Federation and Denmark to continue to inform the Commission on an annual basis of progress made in this matter, and to provide other information concerning the taking of whales under aboriginal subsistence quotas; and requested all Contracting Parties to provide appropriate technical assistance to improve the humaneness of aboriginal subsistence whaling;

It also agreed to consider this issue at Annual Meetings of the Humane Killing Working Group; and requested the next Workshop on Whale Killing Methods to review the data received by the Commission on this matter.

The USA has commented that "the lateness of last year's meeting combined with the early start of this year's meeting would make it difficult for the U.S. to respond meaningfully on the subject of improving the humaneness of aboriginal subsistence whaling at this year's meeting of the working group. Indeed, the Makah's hunt would not have begun by the time of the annual meeting and therefore, we would have no new information to report. The U.S. had understood that the focus of the 1999 Workshop on Whale Killing Methods would be on improving the humaneness of aboriginal subsistence whaling and will be prepared to provide substantial information at that time. In this circumstance, it would seem that the Humane Killing Working Group should spend the majority of its time planning the 1999 workshop."

Item 8.1.3            **WORKSHOP ON WHALE KILLING METHODS**

At last year's meeting it was agreed, because of the short time before the next meeting in Oman, that a Workshop should be held at the same time as the Scientific Committee before the 1999 Annual Meeting, and to retain the annual meetings of the Working Group. Planning for the Workshop should be put in hand at the present meeting.

The USA, following the comments relating to the two items noted above, "suggests that the Working Group on Humane Killing be asked to focus on preparations for the 1999 Workshop, as well as on its name."

7.            **ANY OTHER BUSINESS**

8.            **ACTION ARISING**

9.            **ADOPTION OF REPORT**

**TERMS OF REFERENCE**

At the 49<sup>th</sup> Annual Meeting the Commission agreed that the three items identified as agenda items 8.1.1, 8.1.2 and 8.1.3 - the name of the Working Group; improving the humaneness of aboriginal subsistence whaling; and preparations for the next Workshop on Whale Killing Methods; should be discussed by the Working Group meeting in Oman [*Chairman's Report of the 49<sup>th</sup> Annual Meeting, Item 8.3*].

**ADMISSION OF OBSERVERS**

The Commission has established the principle that only delegates should attend Sub-committees of the Technical Committee, unless the Sub-committee decides otherwise unanimously (*Rep. int. Whal. Commn 33:24*). Extension of this principle to all subsidiary meetings of the Commission means that final acceptance will be decided by the agreement of the meeting concerned. Accredited observers are asked, when they accept the invitation to attend the Annual Meeting, if they wish to attend any of the Sub-committee or Working Group meetings held before the Commission meeting (*Rep. int. Whal. Commn 43:35*).

**LIST OF DOCUMENTS**

**IWC/50/HK**

**Other documents**

## REVISED MANAGEMENT SCHEME WORKING GROUP

### DRAFT AGENDA

12 May 1998

1. APPOINTMENT OF CHAIRMAN *[Mr. F. von der Assen (Netherlands) is proposed]*
2. APPOINTMENT OF RAPPORTEUR *[UK is proposed]*
3. ADMISSION OF OBSERVERS
4. REVIEW OF DOCUMENTS
5. ADOPTION OF AGENDA
6. INSPECTION AND OBSERVATION SCHEME
7. TOTAL CATCHES OVER TIME, INCLUDING MONITORING AND REPORTING OF BYCATCHES
8. OTHER OUTSTANDING ISSUES IN RELATION TO THE RMS
9. SCHEDULE AMENDMENTS
10. ANY OTHER BUSINESS
11. ACTION ARISING
12. ADOPTION OF REPORT

### TERMS OF REFERENCE

The Working Group's terms of reference, as specified in IWC Resolution 1994-5, include completion of work on:

- (i) an effective inspection and observation scheme;
- (ii) arrangements to ensure that total catches over time are within the limits set under the Revised Management Scheme; and
- (iii) incorporation into the Schedule of the specification of the Revised Management Procedure and all other elements of the Revised Management Scheme.

Last year the Commission received a proposal from Japan for inspection and observation schemes. It was agreed that comments on the proposal should be forwarded to Mr F. von der Assen (Netherlands) and then circulated to all Commissioners.

The Commission also adopted IWC Resolution 1997-4 calling for improved monitoring and reporting of bycatches of cetaceans.

## ADMISSION OF OBSERVERS

The Commission has established the principle that only delegates should attend Sub-committees of the Technical Committee, unless the Sub-committee decides otherwise unanimously (*Rep. int. Whal. Commn* 33:24). Extension of this principle to all subsidiary meetings of the Commission means that final acceptance will be decided by the agreement of the meeting concerned. Accredited observers are asked, when they accept the invitation to attend the Annual Meeting, if they wish to attend any of the Sub-committee or Working Group meetings held before the Commission meeting (*Rep. int. Whal. Commn* 43:35).

## LIST OF DOCUMENTS

### IWC/50/RMS

Draft Revision of Chapter V of the Schedule "Supervision and Control"

2 Outstanding Issues in Relation to RMS

### Other Documents