Resolution 2014-4

Resolution on the Scientific Committee

NOTING reiterated concerns expressed in relation to the conservation status and the increasing threats that various cetacean stocks are facing;

RECALLING resolution 2003-1 on The Berlin Initiative on Strengthening the Conservation Agenda of the International Whaling Commission;

FURTHER RECALLING more than fifty resolutions of the International Whaling Commission addressing the work of the Scientific Committee[1], particularly regarding the increasing and evolving work over decades on conservation aspects, including small cetaceans;

RECOGNISING the value of the Scientific Committee's work on these conservation issues for the Commission and the Conservation Committee;

NOTING that the Scientific Committee has been discussing aspects related to increasing the support of the Scientific Committee on conservation related issues and has agreed, *inter alia*, to improve communication with the Commission and keep track of recommendations;

FURTHER NOTING that the work of the Scientific Committee oriented toward issues related to other threats than direct takes, has increased over the last decades but has received little funding;

AWARE of the different views between member states on the regulatory competence of the IWC with regard to small cetaceans;

BELIEVING that Commission procedures for the Scientific Committee should be updated to reflect its breadth of work over the last decades;

NOW, THEREFORE, THE COMMISSION:

DIRECTS the Scientific Committee to continue to improve its work towards conservation-related matters including an increasing allocation of funding for conservation oriented research, such as investigation on conservation or mitigation measures, while taking into consideration other core activities as provided for by the Convention;

AGREES 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;

DIRECTS the Working Group on Operational Effectiveness and Cost Saving Measures to provide for closer engagement of the Commission in the setting of the Scientific Committee's work plans by formulating advice to the Scientific Committee on;

- research priorities and any specific scientific advice the Commission may require at its next meeting;
- the Scientific Committee's two-year detailed work plans particularly where it will assist the Scientific Committee in scheduling activities and reporting over its two following annual meetings;

REQUESTS the Scientific Committee, including its sub-Committees and working groups, to improve reporting efficiency by providing consolidated reports covering the two-year intersessional period wherever possible.

INSTRUCTS the Secretariat to annually prepare a compilation of concerns and recommendations expressed by the Scientific Committee related to conservation aspects and to forward it to contracting and non-contracting governments, intergovernmental organisations and other entities as appropriate, at the same time drawing their attention to any particular advice contained therein and offering more detailed advice if that should be sought;

[1]Annex I: Compiled list of IWC resolutions addressing the work of the Scientific Committee 1976-2012

ADOPTS the amendments to the Rules of Procedure of the Commission contained in the Annex II to this Resolution;

FORWARDS to the Scientific Committee the proposed amendments to the Rules of Procedures of the Scientific Committee in Annex III for their consideration, with a view to adopting amended rules at the Commission's next meeting after considering advice from the Scientific Committee.

And

CONSOLIDATES the mandate of the Small Cetaceans Standing Sub-Committee by adopting the following terms of reference:

- Review the distribution and stock structure of small cetaceans.
- Review information on the status of the stocks of small cetaceans and provide an assessment of the threats to the stocks concerned.
- Advice on ways in which those threats can be eliminated or mitigated.
- Review developments on topics and recommendations that were subject of previous reports.
- Coordinate with other Scientific Committee sub-committees and working groups, where appropriate, to further address topics related to environmental concerns, whale watching, RMP, AWMP, human induced mortality, among others.
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Annex I

Compiled list of IWC resolutions addressing the work of the Scientific Committee 1976-2012

IWC 31st Annual Meeting
1979-3 Resolution in relation to the establishment of a whale sanctuary in the Indian Ocean

IWC 32nd Annual Meeting
1980-6 Resolution aimed at discouraging whaling operations outside IWC regulations
1980-8 Resolution concerning extension of the Commission's responsibility for small cetaceans

IWC 33rd Annual Meeting
1981-7 Resolution relating to pollutants in whales

IWC 38th Annual Meeting
1986-2 Resolution on special permit for scientific research[2]

IWC 39th Annual Meeting
1987-1 Resolution on scientific research programmes[2]

IWC 42nd Annual Meeting
1990-3 Resolution on small cetaceans

IWC 43rd Annual Meeting
1991-4 Resolution on the revised management procedure
1991-5 Resolution on small cetaceans

IWC 44th Annual Meeting
1992-2 Resolution on the need for research on the environment and whale stocks in the Antarctic region
1992-3 Resolution on the revised management system
1992-4 Resolution on a sanctuary in the Southern Hemisphere

IWC 45th Annual Meeting
1993-4 Resolution on addressing small cetaceans in the IWC
1993-5 Resolution on research related to conservation of large baleen whales in the Southern Oceans
1993-12 Resolution on research on the environment and whale stocks

[2]Resolutions replaced afterwards by Resolution 1995-9

IWC 46th Annual Meeting

1994-2 Resolution on small cetaceans
1994-4 Resolution on a review of aboriginal subsistence management procedures
1994-5 Resolution on the revised management scheme
1994-8 Resolution on scientific permits
1994-12 Resolution on promotion of research related to conservation of large baleen whales in the Southern Oceans
1994-13 Resolution on research on the environment and whale stocks
1994-14 Resolution on whalewatching

IWC 47th Annual Meeting

1995-7 Resolution on surveys intended to provide abundance estimates for the implementation of the revised management scheme
1995-9 Resolution on whaling under special permit[3]

IWC 48th Annual Meeting

1996-2 Resolution on whalewatching
1996-4 Resolution on small cetaceans
1996-6 Resolution of provisions for completing the revised management scheme
1996-8 Resolution on environmental change and cetaceans

IWC 49th Annual Meeting

1997-5 Resolution on special permit catches in the Southern Ocean by japan
1997-7 Resolution on environmental change and cetaceans
1997-8 Resolution on small cetaceans

IWC 50th Annual Meeting

1998-2 Resolution on total catches over time
1998-3 Resolution on t the Southern Ocean sanctuary
1998-4 Resolution on whaling under special permit
1998-5 Resolution on environmental changes and cetaceans
1998-10 Resolution to consider establishment of a mechanism to improve communications between the commission and its scientific committee

IWC 51st Annual Meeting

1999-2 Resolution on special permits for scientific research
1999-4 Resolution on health effects from the consumption of cetaceans
1999-5 Resolution for the funding of high priority scientific research
1999-7 Resolution on small populations of highly endangered whales
1999-8 Resolution on DNA testing
1999-9 Resolution on Dall's porpoise

IWC 52nd Annual Meeting

2000-7 Resolution on environmental change and cetaceans
2000-8 Resolution on Western North Atlantic right whales

IWC 53rd Annual Meeting

2001-3 Resolution on Western North Pacific gray whale
2001-4 Resolution on the incidental capture of cetaceans
2001-7 Resolution on Southern Hemisphere minke whales and special permit whaling
2001-9 Resolution on interactions between whales and fish stocks
2001-12 Resolution on Dall's porpoise
2001-13 Resolution on small cetaceans

IWC 54th Annual Meeting

2002-1 Guidance to the scientific committee on the sanctuary review process

[3]Resolution on whaling under special permit that replace resolutions 1986-2 and 1987-1.

IWC 55th Annual Meeting
2003-1 The Berlin initiative on strengthening the conservation agenda of the international whaling commission
2003-3 Resolution on Southern Hemisphere minke whales and special permit whaling

IWC 56th Annual Meeting
2004-1 Resolution on Western North Pacific gray whale

IWC 57th Annual Meeting
2005-1 Resolution on JARPA II

IWC 61st Annual Meeting
2009-1 Consensus resolution on climate and other environmental changes and cetaceans

IWC 63rd Annual Meeting
2011-1 On improving the effectiveness of operations within the International Whaling Commission

IWC 64th Annual Meeting
2012-1 Resolution on the importance of continued scientific research with regard to the impact of the degradation of the marine environment on the health of cetaceans and related human health effects

Annex II
Amendments to the Commission's Rules of Procedure and Financial Regulations

[These amendments are shown as changes to the Rules of Procedure and Financial Regulations as adopted at the 64th Annual Meeting (http://iwc.int/document_2385.download).]

[New text for inclusion is in bold italics; old text for deletion is struck out.]

CHANGES TO RULES OF PROCEDURE

M. Committees
4. (a) The Scientific Committee shall review the current scientific and statistical information with respect to whales and whaling, shall review current scientific research programmes of Governments, other international organisations or of private organisations, shall review the scientific permits and scientific programmes for which Contracting Governments plan to issue scientific permits, ***shall review current and potential threats and methods to mitigate them in order to maintain cetacean populations at viable levels, shall provide conservation and management advice where appropriate,*** shall consider such additional matters as may be referred to it by the Commission or by the Chair of the Commission, and shall submit reports and recommendations to the Commission.

(b) Any ad hoc committee, sub-committee or working group established to provide scientific advice shall report to the Scientific Committee, which shall review the report of such committee, sub-committee or working group, and, as appropriate, make its own recommendations on the subject matter.

CHANGES TO FINANCIAL REGULATIONS

C. General Financial Arrangements
1. There shall be established a Research Fund and a General Fund, and a Voluntary Fund for Small Cetaceans.
(a) The Research Fund shall be credited with voluntary contributions and any such monies as the Commission may allocate for research and scientific investigation and charged with specific expenditure of this nature. ***The Research Fund shall have a balanced distribution among activities, defined according to conservation priorities and the work of the Commission, including small cetaceans.***

(b) The General Fund shall, subject to the establishment of any other funds that the Commission may determine, be credited or charged with all other income and expenditure.
(c) The details of the Voluntary Fund for Small Cetaceans are given in Appendix 1.
The General Fund shall be credited or debited with the balance on the Commission's Income and Expenditure Account at the end of each financial year.

Annex III
Proposed Amendments to the Rules of Procedures of the Scientific Committee

[These amendments are shown as changes to the Rules of Procedure and Financial Regulations as adopted at the 64th Annual Meeting (http://iwc.int/document_2385.download).]

[New text for inclusion is in bold italics; old text for deletion is struck out.]

The Scientific Committee, established in accordance with the Commission's Rule of Procedure M.1, has the general terms of reference defined in Rule of Procedure M.4.

In this regard, the DUTIES of the Scientific Committee, can be seen as a progression from the scientific investigation of whales and their environment, leading to assessment of the status of the whale stocks and the impact of ***direct*** catches ***and any other non-direct removal threats*** upon them, and then to provision of ***conservation and*** management advice on ***cetacean stocks and*** ~~the regulation of~~ ***lethal and non-lethal*** whaling ***activities***. This can be defined in the following terms for the Scientific Committee to:

Encourage, recommend, or if necessary, organise studies and investigations related to whales and whaling [Convention Article IV.1(a)]

Collect and analyse statistical information concerning the current condition and trend of whale stocks and the effects of whaling activities on them [Article IV.1 (b)]

Study, appraise, and disseminate information concerning methods of maintaining and increasing the population of whale stocks [Article IV.1 (c)]

Provide scientific findings on which amendments to the Schedule shall be based to carry out the objectives of the Convention and to provide for the conservation, development and optimum utilisation of the whale resources [Article V.2 (a) and (b)]

Publish reports of its activities and findings [Article IV.2]

In addition, specific FUNCTIONS of the Scientific Committee are to:

Review current threats and methods to mitigate them in order to maintain cetacean populations at viable levels [Rule of Procedure M.4]

Provide conservation and management advice [Rule of Procedure M.4; Rep. int. Whal. Commn 31:30-31; ARIWC 1998:46; 2003:58]

Receive, review and comment on Special Permits issued for scientific research [Article VIII.3 and Schedule paragraph 30]

Review research programmes of Contracting Governments and other bodies [Rule of Procedure M.4]

SPECIFIC TOPICS of current concern to the Commission include:

Comprehensive Assessment of whale stocks [*Rep. int. Whal. Commn*34:30***; 44:32; 45:48; ARIWC 1999:55; 2000:57; 2001AnnexC:2; 2001AnnexC:4; 2003:103; 2004:66***]
Implementation of the Revised Management Procedure [*Rep. int. Whal. Commn****42:47-48; 43:40;*** 45:43-***44; 46:45-46; 47:51; 48:47; ARIWC 1998:42; 1999:55***]
Assessment of stocks subject to aboriginal subsistence whaling ***and Aboriginal Subsistence Whaling Management Procedure*** [Schedule paragraph 13(b); ***Rep. int. Whal. Commn45:42-43; ARIWC 1998:42; 2004:66***]
~~Development of the Aboriginal Subsistence Whaling Management Procedure [*Rep. int. Whal. Commn*45:42-3]~~
Effects of environmental change on cetaceans [*Rep. int. Whal. Commn****32:37;*** 43:39-40; 44:35; 45:49***; 47:52; 48:47; ARIWC 1998:43-44; 1999:53; 1999:53-54; 2000:56-57; 2001AnnexC:5; 2003:103; 2009:95; 2012:77***]
~~Scientific aspects of w~~***W***hale sanctuaries [*Rep. int. Whal. Commn****30:34;*** 33:21-2; ***43:41;*** 45:63***; ARIWC 1998:42-43; 2002:89***]
~~Scientific aspects of s~~***S***mall cetaceans [*Rep. int. Whal. Commn****31:31;*** 41:48; 42:48; 43:51; ***44:31-32;*** 45:41-***42; 47:49-50; 48:49; ARIWC 1998:43-44; 1999:55-56; 2001AnnexC:2-3; 2001AnnexC:6; 2001AnnexC:7***]
~~Scientific aspects of w~~***W***halewatching [*Rep. int. Whal. Commn*45:49-50***; 47:48***]
Human induced mortality [ARIWC 1998:42; 1998:43-44; 1999:55; 2001AnnexC:2-3]
Special permits [Rep. int. Whal. Commn45:46; 46:46-47; ARIWC 1998:43; 1999:52-53; 2003:103; 2005:66]
DNA [ARIWC 1999:55]
Stock definition [ARIWC 1999:55]

(…)

A. Membership and Observers

5. Any non-governmental organisation sending an accredited observer to a meeting of the Commission may nominate a scientifically qualified observer to be present at meetings of the Scientific Committee. ~~Any such nomination must reach the Secretary not less than 60 days before the start of the meeting in question.and must specify the scientific qualifications and relevant experience of the nominee.~~The Chair of the Scientific Committee shall decide upon the acceptability of any nomination but may reject it only after consultation with the Chair and Vice-Chair of the Commission.~~Observers admitted under this rule shall not participate in discussions but the papers and documents of the Scientific Committee shall be made available to them at the same time as to members of the Committee.~~***They may present and discuss documents and papers for consideration by the Scientific Committee, participate on sub-committees, and they shall receive all Committee documents and papers.***

(...)

C. Organisation
1. The Scientific Committee shall include standing sub-committees and working groups by area or species, or other subjects, and a standing sub-committee on small cetaceans. The Committee shall decide at each meeting on sub-committees for the coming year.
2. The sub-committees and working groups shall prepare the basic documents***, inter alia,*** on the identification, status and trends of stocks, including biological parameters, ***threats, mitigation measures*** and related matters as necessary, for the early consideration of the full Committee.
3. The sub-committees shall concentrate their efforts on stocks ~~of large cetaceans, particularly those~~ which are currently exploited***,*** or for which exploitation is under consideration, or for which there is concern over their status~~.but they may examine matters relevant to all cetaceans where appropriate~~.
4. The Chair may appoint other sub-committees as appropriate.
5. The Committee shall elect from among its members a Chair and Vice-Chair who will normally serve for a period of three years. They shall take office at the conclusion of the annual meeting at which they are elected. The Vice-Chair shall act for the Chair in his/her absence.
The election process shall be undertaken by the heads of national delegations who shall consult widely before nominating candidates[2]**.** The Vice-Chair will become Chair at the end of his/her term (unless he/she declines), and a new Vice-Chair will then be elected. If the Vice-Chair declines to become Chair, then a new Chair must also be elected. If the election of the Chair or Vice-Chair is not by consensus, a vote shall be conducted by the Secretary and verified by the current Chair. A simple majority shall be decisive. In cases where a vote is tied,

the Chair shall have the casting vote. If requested by a head of delegation, the vote shall proceed by secret ballot. In these circumstances, the results shall only be reported in terms of which nominee received the most votes and the vote counts shall not be reported or retained.

(…)

G. Financial Support for Research Proposals
1. The Scientific Committee shall identify research needs.
2. It shall consider unsolicited research proposals seeking financial support from the Commission to address these needs. A sub-committee shall be established to review and rank research proposals received 4 months in advance of the Annual Meeting and shall make recommendations to the full Committee.
3. The Scientific Committee shall recommend in priority order those research proposals for Commission financial support as it judges best meet its objectives***, giving priority to the conservation status of cetacean stocks***.

(…)

H. Availability of data

4. Accredited persons
Accredited persons are those scientists defined under sections A.1, 2, 3***, 5*** and 6 of the Rules of Procedure of the Scientific Committee. Invited participants are also considered as 'accredited' during the inter-sessional period following the meeting which they attend.