

ANNOTATED PROVISIONAL AGENDA

**61st Annual Meeting of the International Whaling Commission
22-26 June 2009**

NOTE:

Provisions adopted under agenda items 5, 6, 7, 8 and 18 may require amendment of the Schedule.

1. INTRODUCTORY ITEMS

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|-----|---|-----------|
| 1.1 | Welcome Address | |
| 1.2 | Opening Statements | IWC/61/OS |
| 1.3 | Secretary's Report on Credentials and Voting Rights | |
| 1.4 | Meeting Arrangements | |
| 1.5 | Review of Documents | IWC/61/1 |

(Note that the draft list of participants will be IWC/61/3)

2. ADOPTION OF THE AGENDA..... IWC/61/2

3. WHALE STOCKS

[Chair's Report of the 60th Annual Meeting, Section 4]

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|-------|--|--------------|
| 3.1 | Antarctic minke whales | |
| 3.1.1 | Report of the Scientific Committee | IWC/61/Rep 1 |
| 3.1.2 | Commission discussions and action arising | |
| 3.2 | Western North Pacific common minke whales | |
| 3.2.1 | Report of the Scientific Committee | IWC/61/Rep 1 |
| 3.2.2 | Commission discussions and action arising | |
| 3.3 | Southern Hemisphere humpback whales | |
| 3.3.1 | Report of the Scientific Committee | IWC/61/Rep 1 |
| 3.3.2 | Commission discussion and action arising | |
| 3.4 | Southern Hemisphere blue whales | |
| 3.4.1 | Report of the Scientific Committee | IWC/61/Rep 1 |
| 3.4.2 | Commission discussion and action arising | |
| 3.5 | Other small stocks – gray, bowhead and right | |
| 3.5.1 | Report of the Scientific Committee | IWC/61/Rep 1 |
| 3.5.2 | Commission discussion and action arising | |
| 3.6 | Other | |

4. WHALE KILLING METHODS AND ASSOCIATED WELFARE ISSUES

[Chair's Report of the 60th Annual Meeting, Section 5]

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|-----|--|--------------|
| 4.1 | Report of the Working Group on Whale Killing Methods and Associated Welfare Issues | IWC/61/Rep 6 |
| 4.2 | Commission discussions and action arising | |

5. ABORIGINAL SUBSISTENCE WHALING

[Chair's Report of the 60th Annual Meeting, Section 6]

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|-------|--|--------------|
| 5.1 | Aboriginal Subsistence Whaling Management Procedure | |
| 5.1.1 | Report of the Aboriginal Subsistence Whaling Sub-committee | IWC/61/Rep 3 |
| 5.1.2 | Commission discussions and action arising | |

- 5.2 Aboriginal Whaling Scheme
 5.2.1 Report of the Aboriginal Subsistence Whaling Sub-committee IWC/61/Rep 3
 5.2.2 Commission discussions and action arising
- 5.3 Aboriginal subsistence whaling catch limits
 5.3.1 Report of the Aboriginal Subsistence Whaling Sub-committee IWC/61/Rep 3
 5.3.2 Commission discussions and action arising, including a proposal to amend the Schedule
- 5.4 Other
6. REVISED MANAGEMENT SCHEME (RMS)
[Chair's Report of the 60th Annual Meeting, Section 7]
- 6.1 Revised Management Procedure (RMP)
 6.1.1 Report of the Scientific Committee IWC/61/Rep 1
 • general issues
 • *Implementation* process (western North Pacific Bryde's whales, North Atlantic fin and common minke whales)
 • bycatch
 6.1.2 Commission discussions and action arising
- 6.2 Other
7. SANCTUARIES
[Chair's Report of the 60th Annual Meeting, Section 8]
- 7.1 Issues raised in the Scientific and Conservation Committees
 7.1.1 Report of the Scientific Committee IWC/61/Rep 1
 7.1.2 Report of the Conservation Committee IWC/61/Rep 5
 7.1.3 Commission discussions and action arising
- 7.2 South Atlantic Whale Sanctuary
8. SOCIO-ECONOMIC IMPLICATIONS AND SMALL-TYPE WHALING
[Chair's Report of the 60th Annual Meeting, Section 9]
- 8.1 Commission discussions and action arising
9. SCIENTIFIC PERMITS
[Chair's Report of the 60th Annual Meeting, Section 10]
- 9.1 Report of the Scientific Committee..... IWC/61/Rep 1
 9.1.1 Review of results from existing permits
 9.1.2 Review of new or continuing proposals
 9.1.3 Improving procedures for reviewing scientific permit proposals
 9.1.4 Other
- 9.2 Commission discussions and action arising
10. SAFETY ISSUES AT SEA
[Chair's Report of the 60th Annual Meeting, Section 11]
- 10.1 Introduction by Japan
 10.2 Commission discussions and action arising

11. ENVIRONMENTAL AND HEALTH ISSUES
[Chair's Report of the 60th Annual Meeting, Section 12]
- 11.1 Workshop on Climate Change
- 11.1.1 Report of the Scientific Committee IWC/61/Rep 1
- 11.1.2 Commission discussions and action arising
- 11.2 Ecosystem modelling
- 11.2.1 Report of the Scientific Committee IWC/61/Rep 1
- 11.2.2 Commission discussions and action arising
- 11.3 Other issues
- 11.3.1 Report of the Scientific Committee IWC/61/Rep 1
- Report from the POLLUTION 2000+ Phase II Planning Workshop
 - State of the Cetacean Environment (SOCER)
 - Cetacean Emerging and Resurging Disease (CERD)
 - Marine renewable energy
 - Other
- 11.3.2 Commission discussions and action arising
- 11.4 Reports from Contracting Governments on national and regional efforts to monitor and address the impacts of environmental change on cetaceans and other marine mammals
- 11.5 Health Issues - Commission discussions and action arising
- 11.6 Other
12. WHALEWATCHING
[Chair's Report of the 60th Annual Meeting, Section 13]
- 12.1 Report of the Scientific Committee..... IWC/61/Rep 1
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- 12.3 Commission discussions and action arising
13. CO-OPERATION WITH OTHER ORGANISATIONS
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- 13.1 Report of the Scientific Committee..... IWC/61/Rep 1
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14. OTHER SCIENTIFIC COMMITTEE ACTIVITIES, ITS FUTURE WORK PLAN AND ADOPTION OF THE SCIENTIFIC COMMITTEE REPORT
[Chair's Report of the 60th Annual Meeting, Section 15]
- 14.1 Small cetaceans
- 14.1.1 Report of the Scientific Committee IWC/61/Rep 1
- 14.1.2 Commission discussions and action arising
- 14.2 Regional non-lethal research partnerships
- 14.2.1 Report of the Scientific Committee IWC/61/Rep 1
- 14.2.2 Commission discussions and action arising

14.3	Other activities	
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14.3.2	Commission discussions and action arising	
14.4	Scientific Committee Future Work Plan	
14.4.1	Report of the Scientific Committee	IWC/61/Rep 1
14.4.2	Commission discussions and action arising	
14.5	Adoption of the Report	
15.	CONSERVATION COMMITTEE	
	<i>[Chair's Report of the 60th Annual Meeting, Section 16]</i>	
15.1	Report of the Conservation Committee.....	IWC/61/Rep 5
15.2	Commission discussions and action arising	
16.	CATCHES BY NON-MEMBER NATIONS	
16.1	Commission discussions and action arising	
17.	INFRACTIONS, 2008 SEASON	
	<i>[Chair's Report of the 60th Annual Meeting, Section 18]</i>	
17.1	Report of the Infractions Sub-committee	IWC/61/Rep 4
17.2	Commission discussions and action arising	
18.	THE IWC IN THE FUTURE	
	<i>[Chair's Report of the 60th Annual Meeting, Section 3]</i>	
19.	ADMINISTRATIVE MATTERS	
	<i>[Chair's Report of the 60th Annual Meeting, Section 20]</i>	
19.1	Annual Meeting arrangements and procedures	
19.1.1	Report of the Finance and Administration Committee.....	IWC/61/Rep 2
19.1.2	Commission discussions and action arising	
19.2	Website	
19.2.1	Report of the Finance and Administration Committee.....	IWC/61/Rep 2
19.2.2	Commission discussions and action arising	
19.3	Amendments to the Rules of Procedure, Financial Regulations and Rules of Debate	
19.3.1	Report of the Finance and Administration Committee.....	IWC/61/Rep 2
19.3.2	Commission discussions and action arising	
19.4	Carbon-neutral study	
19.4.1	Report of the Finance and Administration Committee.....	IWC/61/Rep 2
19.4.2	Commission discussions and action arising	
20.	FINANCIAL ASSISTANCE FOR DEVELOPING COUNTRY MEMBERS	
20.1	Report of the Finance and Administration Committee.....	IWC/61/Rep 2
20.2	Commission discussions and action arising	
21.	FORMULA FOR CALCULATING CONTRIBUTIONS AND RELATED MATTERS	
	<i>[Chair's Report of the 60th Annual Meeting, Section 21]</i>	
21.1	Report of the Finance and Administration Committee.....	IWC/61/Rep 2
21.2	Commission discussions and action arising	

22. FINANCIAL STATEMENTS AND BUDGETS AND OTHER MATTERS
CONSIDERED BY THE BUDGETARY SUB-COMMITTEE
[Chair's Report of the 60th Annual Meeting, Section 22]
 - 22.1 Review of the provisional financial statement, 2008/2009
 - 22.1.1 Report of the Finance and Administration Committee..... IWC/61/Rep 2
 - 22.1.2 Commission discussions and action arising
 - 22.2 Secretariat offices
 - 22.2.1 Report of the Finance and Administration Committee..... IWC/61/Rep 2
 - 22.2.2 Commission discussions and action arising
 - 22.3 Consideration of estimated budgets, 2009/2010 and 2010/2011
 - 22.3.1 Report of the Finance and Administration Committee..... IWC/61/Rep 2
 - 22.3.2 Commission discussions and action arising
 - 22.4 Other
23. ADOPTION OF THE REPORT OF THE FINANCE AND ADMINISTRATION
COMMITTEE
24. DATE AND PLACE OF ANNUAL AND INTERSESSIONAL MEETINGS
25. ELECTION OF CHAIR AND VICE CHAIR
26. ADVISORY COMMITTEE
27. SUMMARY OF DECISIONS AND REQUIRED ACTIONS
28. OTHER MATTERS

ANNOTATIONS TO THE PROVISIONAL AGENDA

1. INTRODUCTORY ITEMS

1.1 Welcome Address

The 61st Annual Meeting will open formally at 10.00 on Monday 22 June 2009. Opening remarks will be given by representatives of both national and regional governments. The former will be given by the Minister for Environment, Spatial Planning and Regional Development, Professor Francisco Nunes Correia. The speaker from the regional government will be announced later.

1.2 Opening Statements

The Commission's practice is to accept opening statements from Commissioners and Observers in writing only, although the Chair will invite any new Contracting Governments to make a short opening statement during the opening plenary session. Written statements will be collated by the Secretariat and distributed as Commission documents at the meeting.

1.3 Secretary's Report on Credentials and Voting Rights

The Secretary will report on the received notifications of credentials (Rule of Procedure D.1.(d)) and on the situation with respect to voting rights (Rule of Procedure E.2.(a) and (b)).

1.4 Meeting Arrangements

Delegates will be informed of the practical organisation and arrangements for the meeting at registration and by the Secretary at the start of the meeting.

1.5 Review of Documents

A draft list of documents will be available as Document IWC/61/1.

2. ADOPTION OF THE AGENDA

The Secretary dispatched the Draft Agenda to all Contracting Governments and Commissioners on 6 March 2009 with a request for comments and additions together with annotations they might wish to propose. The Annotated Provisional Agenda was made available on 23 April. The Draft and Provisional Agendas were circulated in accordance with Rules of Procedure H.2 (d)(i) and H.2 (d)(ii) respectively.

When providing feedback on the draft agenda, Japan noted that its comments were based on its respect for the Chair's efforts concerning the future of the IWC and in the spirit of co-operation that emerged from the meetings of the Small Working Group and the March 2009 intersessional meeting. It further noted that as was the case for the 60th Annual Meeting, its comments reflect Japan's efforts to try to reduce conflicts and to try to build trust and consensus in part by minimising the number of decisions taken by voting at the plenary session. Japan strongly urged other members to contribute in a similar manner by refraining from making controversial Schedule amendment proposals that it believes are likely to damage the atmosphere of calm and solid dialogue which has developed. It further considered that obtaining a ¾ majority for such proposals is not possible under current circumstances. Japan requested that these comments be included in the annotations to the Provisional Agenda.

Japan further remarked that in the past it has expressed the view that it would like to see the Commission focus on its core responsibilities consistent with the Convention and has proposed the deletion of a number of agenda items including: whale killing methods and associated welfare issues; proposals for new sanctuaries; health issues; whalewatching; small cetaceans and the Conservation Committee. While noting that its position on these matters is well known, Japan indicated that in keeping with its attempt to reduce conflict within the IWC and as part of its efforts to normalise the organisation, it will not propose the deletion of these or any other agenda item at the 61st Annual Meeting. It asks that its position be duly recorded.

3. WHALE STOCKS

The Scientific Committee will report (Document IWC/61/Rep 1) on the progress of its work on assessments of priority whale stocks identified in its report last year, i.e., Antarctic minke whales, western North Pacific common minke whales, Southern Hemisphere humpback whales and blue whales and other small stocks (gray, bowhead and right).

4. WHALE KILLING METHODS AND ASSOCIATED WELFARE ISSUES

The Whale Killing Methods and Associated Welfare Issues Working Group will meet in Madeira in the week prior to the Commission plenary. The Working Group report will be available as Document IWC/61/Rep 6.

The Working Group was established to review information and documentation available with a view to advising the Commission on whale killing methods and associated welfare issues (*Chairman's Report of the 52nd Annual Meeting*).

The Working Group will consider:

- Data on whales killed (Contracting Governments are invited to provide the information listed in Resolutions 1999-1 and 2001-2);
- Improving the humaneness of whaling operations (Contracting Governments will be invited to provide the information specified in 1997-1 and supported by Resolution 2001-2); and
- Progress with planning the workshop on welfare issues associated with the entanglement of large whales.

5. ABORIGINAL SUBSISTENCE WHALING

The Aboriginal Subsistence Whaling Sub-committee will meet in Madeira in the week prior to the Commission plenary. The report will be distributed as Document IWC/61/Rep 3.

The Sub-committee's Terms of Reference are 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 (*Rep. int. Whal. Commn* 48: 31).

The Scientific Committee will report in detail to the Aboriginal Subsistence Whaling Sub-committee, and the latter's report will include a summary and conclusions from the Scientific Committee Report (Document IWC/61/Rep 1) to present to the plenary.

5.1 Aboriginal Subsistence Whaling Management Procedure

The Sub-committee will address two issues under this item:

- Progress with the Greenlandic Research Programme; and
- The *Implementation Review* for Eastern North Pacific gray whales.

5.2 Aboriginal Whaling Scheme

This item covers those items of management outside the direct calculation of catch limits, e.g. carry-over, survey guidelines, data collection.

5.3 Aboriginal subsistence whaling catch limits

Catch limits for the stocks listed below were agreed at the 2007 Annual Meeting. The catch limits for these stocks are set until 2012. In some cases the catch limits are to be reviewed annually and in other cases they are dependent on additional Scientific Committee advice.

- Bering-Chukchi-Beaufort stock of bowhead whales (annual review).
- North Pacific Eastern stock of gray whales (annual review).
- Central and West Greenland common minke whale stocks (annual review for minke whales off West Greenland).
- West Greenland stock of fin whales (no Schedule provision for annual review but will be considered in case there are any relevant Scientific Committee comments or recommendations).
- West Greenland stock of bowhead whales (the quota for each year only becomes operative when the Commission has received advice from the Scientific Committee that the strikes are unlikely to endanger the stock).
- North Atlantic humpback whales off St. Vincent and The Grenadines (no Schedule provision for annual review but will be considered in case there are any relevant Scientific Committee comments or recommendations).

Denmark has indicated that it intends to submit a proposed Schedule amendment for the taking of humpback whales off Greenland.

6. REVISED MANAGEMENT SCHEME (RMS)

6.1 Revised Management Procedure (RMP)

The Scientific Committee will report on progress with its work in this area (see Document IWC/61/Rep 1), including progress with: (1) the *Implementation* process for western North Pacific Bryde's whales, North Atlantic fin and common minke whales; and (2) work on bycatch.

6.2 Other

For the last three years, the Commission has not identified specific activities on the Revised Management Scheme (RMS). Rather reference to the RMS has been made in the context of discussions on the future of IWC.

7. SANCTUARIES

In commenting on the Draft Agenda, Japan noted that in the past it has proposed amendments to paragraph 7(b) of the Schedule to the effect that it becomes consistent with Article V(2) of the Convention. As last year and in keeping with its attempts to reduce conflicts within the IWC, Japan notes that it does not intend to propose a Schedule amendment under this agenda item.

7.1 Issues raised in the Scientific and Conservation Committees

The outcome of discussions on any issues will be reported in Documents IWC/61/Rep 1 and 5 respectively.

7.2 South Atlantic Whale Sanctuary

The proposal for a South Atlantic Whale Sanctuary (SAWS) has been included in the recent negotiations on the future of the Commission. In commenting on the Draft Agenda, Brazil and other co-proponents of the SAWS indicated that they wish to retain this item on the agenda for IWC/61 in order to allow for progress on the issue to be discussed.

8. SOCIO-ECONOMIC IMPLICATIONS AND SMALL-TYPE WHALING

When commenting on the Draft Agenda, Japan noted that it reserves its right to propose an amendment to paragraph 10 of the Schedule which would provide for a quota for its small-type whaling. It further noted however, that provided substantial or concrete progress on discussions concerning the future of the IWC is being made and that other members take similar action, Japan is prepared not to request a vote or even not to make a proposal regarding its small-type coastal whaling.

If Japan does decide to make a proposal under this agenda item, its proposal would be similar to that presented to the 59th and 60th Annual Meetings which was also described in the 'Chairs' Suggestions on the Future of the International Whaling Commission' (Document IWC/M09/4), i.e. to add the following sub-paragraph (f) to existing paragraph 10 of the Schedule, i.e. (f) Notwithstanding the other provisions of paragraph 10, the taking of up to () minke whales from the Okhotsk Sea-West Pacific stock of the North Pacific in the coastal waters east of Japan north of 35°N and east of 150°E (excluding Okhotsk Sea) shall be permitted for each of the years 2009, 2010, 2011, 2012 and 2013 and the meat and products are to be used exclusively for local consumption.

9. SCIENTIFIC PERMITS

Since IWC/60, Japan has issued permits for taking minke, fin and humpback whales in the Antarctic (JARPA II) and for taking minke, Bryde's, Sei and sperm whales in the North Pacific (JARPNI). Note, however, that Japan agreed to continue to suspend the take of humpback whales in its Antarctic research programme in the 2008/09 season as long as progress is being made in the discussions on the future of IWC.

9.1 Report of the Scientific Committee

The Scientific Committee will report on its review of results from existing permits and of new or continuing proposals and on work to improve procedures for reviewing scientific permit proposals. These matters will be reported in Document IWC/61/Rep 1.

9.2 Commission discussions and action arising

In commenting on the Draft Agenda, Japan noted its view that science must be the basis for the conservation and management of all resources and that because of this it had made brief PowerPoint presentations on the results of its JARPA II and JARPNI programmes to plenary in the past. It noted that this year it is planning PowerPoint presentations on these programmes as a side event outside the normal plenary sessions.

10. SAFETY ISSUES AT SEA

In commenting on the Draft Agenda, Japan noted that it believes it important for the IWC to share information about the violent attacks on its research vessels in the Antarctic in order to take co-ordinated international actions against the Sea Shepherd Conservation Society. It indicated that it wished to make a presentation and have follow-up discussions to those at the March 2009 intersessional meeting of the Commission. It requested that a new agenda item be added for this purpose.

11. ENVIRONMENTAL AND HEALTH ISSUES

By Resolution 1998-5 at the 50th Annual Meeting, the Commission agreed to establish a regular Commission agenda item under which the Scientific Committee would report annually on its progress in non-lethal research on environmental concerns, and Contracting Governments could report annually on national and regional efforts to monitor and address the impacts of environmental change on cetaceans and other marine mammals. These issues will be covered under agenda items:

- 11.1 Workshop on Climate Change;
- 11.2 Ecosystem modelling;
- 11.3 Other issues (i.e. POLLUTION 2000+, SOCER, Cetacean Emerging and Resurging Diseases, marine renewal energy);
- 11.4 Reports from Contracting Governments.

The Scientific Committee will report on its work on environmental issues in Document IWC/61/Rep 1.

Resolution 1998-11 on concern about human health effects from the consumption of cetaceans invites member and non-member governments directly affected to:

- submit, when possible, reliable information to the IWC relating to possible human health effects resulting from the consumption of cetacean products;
- encourage the World Health Organisation (WHO) and other appropriate agencies to put this issue on their own agenda; and
- requested further collaboration between the WHO and the IWC on this matter.

Contracting Governments are invited to raise any health issues under item 11.5.

12. WHALEWATCHING

The Scientific Committee will report on progress with its work plan on whalewatching which this year includes: (1) discussion of a proposal for a large-scale whalewatching experiment; (2) reviewing whalewatching in Portugal (including the Azores and Madeira), Canary Islands and Strait of Gibraltar; and (3) assessing the impact of whalewatching on cetaceans (see Document IWC/61/Rep 1).

The Conservation Committee will report on its discussions with respect to whalewatching (see Document IWC/61/Rep 5).

13. CO-OPERATION WITH OTHER ORGANISATIONS

Organisations with whom IWC is currently working include CITES, CMS (ASCOBANS & ACCOBAMS), CCAMLR, FAO, Southern Ocean GLOBEC, ICES, IATTC, ICCAT, IUCN, PICES, ECCO, NAMMCO and UNEP (SPAW).

IWC observers' reports of meetings of these and any other intergovernmental organisations will be distributed as Document IWC/61/4. The Scientific Committee will include its discussions and comments on co-operation with the other organisations in its report (Document IWC/61/Rep 1).

14. OTHER SCIENTIFIC COMMITTEE ACTIVITIES, ITS FUTURE WORK PLAN AND ADOPTION OF THE SCIENTIFIC COMMITTEE REPORT

The Scientific Committee will hold its annual meeting in Madeira from 31 May to 12 June under its Chair, Dr Arne Bjørge (Norway). On 29 and 30 May there will be a pre-meeting of the AWMP sub-committee.

The Report of the Scientific Committee will be available shortly before the start of the Commission's Annual Meeting as Document IWC/61/Rep 1.

14.1 Small cetaceans

In 1991 the Commission adopted a Resolution on Small Cetaceans [*Rep. int. Whal. Commn 42:49*] which recalled its request of the previous year to the Scientific Committee to commence a process of drawing together information on the stocks subjected to significant directed and incidental takes, and requested the Scientific Committee to continue this work, including those stocks which were not reviewed. Its priority topic this year is a review of the taxonomy, population structure and status of common dolphins.

14.2 Regional non-lethal research partnerships

In commenting on the Draft Agenda, Australia noted that the outcomes of the Workshop on the Southern Ocean Research Partnership that it convened in April 2009 will be discussed and reviewed during the Scientific Committee meeting. It therefore requested that a new item be added to the agenda to provide an opportunity for a report-back by the Scientific Committee and discussions by the Commission on what it believes is a significant initiative.

14.4 Scientific Committee Future Work Plan

The Scientific Committee will put forward its proposals for the priority work that it believes it should carry out in the next year for comment and endorsement by the Commission.

15. CONSERVATION COMMITTEE

The Conservation Committee will meet in Madeira during the week prior to the Commission plenary. Its report will be available as Document IWC/61/Rep 5.

This item is placed after the Scientific Committee has reported back on all items in case any matters arising from the Scientific Committee's work need to be taken into consideration during the Commission's discussions on the Conservation Committee. This year it will be addressing: (1) progress on investigations into the causes of inedible 'stinky' gray whales; (2) ship strikes; (3) Southern right whale population of Chile-Peru; (4) whalewatching (particularly management aspects); (5) whale sanctuaries; (6) conservation management plans; (6) national reports on cetacean conservation. Discussions on some of these issues will be reported on under other items where appropriate.

16. CATCHES BY NON-MEMBER NATIONS

This item provides the opportunity for Contracting Governments to raise issues related to catches by non-member nations.

17. INFRACTIONS, 2008 SEASON

The Infractions Sub-committee will meet in Madeira during the week prior to the Commission plenary. Its report will be circulated as Document IWC/61/Rep 4.

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*].

The Sub-committee will consider the following issues:

- Infractions reports from Contracting Governments;
- Surveillance of whaling operations - this gives Governments the opportunity to comment on their own national inspection schemes;
- 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 determine whether obligations under Section VI of the Schedule were being met;
- Submission of national laws and regulations concerning whaling.

18. THE IWC IN THE FUTURE

This item will provide the opportunity for further follow-up discussions to the Intersessional Meeting of the Commission on the Future of IWC held from 9-11 March 2009 in Rome. Time has also been set aside for these discussions on 17 and 18 June and during the private meeting of Commissioners on Sunday 21 June 2009. Discussions in plenary will therefore depend on discussions at the earlier meetings.

The Chair's Report of the March 2009 intersessional meeting is available as Document IWC/61/7.

In commenting on the Draft Agenda, Australia noted that it will be submitting two documents for consideration under this item, i.e. (1) Addressing Special Permit Whaling and the Future of the IWC; and (2) Australian Comment on the Intersessional Correspondence Group on Issues Relating to the Scientific Committee.

19. ADMINISTRATIVE MATTERS

Most administrative matters will first have been discussed by the Finance and Administration Committee. The F&A Committee will meet in Madeira during the week prior to the Commission plenary. The Committee's report will be distributed as Document IWC/61/Rep 2.

The F&A Committee will have considered issues in relation to:

- Annual Meeting arrangements and procedures;
- The IWC website;
- Amendments to the Rules of Procedure, Financial Regulations and Rules of Debate;
- A carbon-neutral study.

20. FINANCIAL ASSISTANCE FOR DEVELOPING COUNTRY MEMBERS

This matter will have first been discussed by the F&A Committee and reported in Document IWC/61/Rep 2.

21. FORMULA FOR CALCULATING CONTRIBUTIONS AND RELATED MATTERS

This matter will have first been discussed by the F&A Committee and reported in Document IWC/61/Rep 2. Issues that will have been addressed include:

- Updating cut-off points defining capacity-to-pay groups;
- The due date for financial contributions.

22. FINANCIAL STATEMENTS AND BUDGETS AND OTHER MATTERS CONSIDERED BY THE BUDGETARY SUB-COMMITTEE

These matters will first have been discussed by the Budgetary Sub-committee who will make recommendations to the F&A Committee. The discussions and recommendations of the F&A Committee will be reported in Document IWC/61/Rep 2.

Financial matters arising under agenda items 22.1 (Review of the provisional financial statement, 2008/2009) and 22.3 (Consideration of estimated budgets, 2009/2010 and 2010/2011) are dealt with in Document IWC/61/5 (Financial Statements).

23. ADOPTION OF THE REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

24. DATE AND PLACE OF ANNUAL AND INTERSESSIONAL MEETINGS

At IWC/60 last year, the Commission deferred taking a decision on holding an Annual Meeting in 2009 to IWC/61.

25. ELECTION OF CHAIR AND VICE CHAIR

Bill Hogarth completes his three-year term as Chair at the end of IWC/61. Minoru Morimoto who was appointed as Vice Chair at IWC/58 ceased to be Japan's Commissioner in September 2008 and could therefore not continue as Vice Chair. Akira Nakamae (Japan) was appointed as Acting Vice Chair in September 2008 until a new Vice Chair could be elected at IWC/61. A new Chair and Vice Chair should therefore be elected (Rules of Procedure F.1 and G.1.).

26. ADVISORY COMMITTEE

At IWC/61, the Commissioner for Chile indicated that he was unable to continue serving on the Advisory Committee and was replaced for one year by the Commissioner for Costa Rica, i.e. until IWC/61. A replacement will therefore need to be elected.

27. SUMMARY OF DECISIONS AND REQUIRED ACTIONS

The Chair will refer to the daily reports written by the Secretariat and posted on the IWC's website (www.iwcoffice.org). He will not allow discussions under this item, except for clarification.

28. OTHER MATTERS

This item may be used to raise any other matters not previously identified in the agenda, and which do not require immediate substantive action by the Commission.