

## ANNOTATED PROVISIONAL AGENDA

**60<sup>th</sup> Annual Meeting of the International Whaling Commission  
Santiago, Chile, 23-27 June 2008**

**NOTE:**

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

### 1. INTRODUCTORY ITEMS

- |   |           |
|---|-----------|
| 1.1 Welcome Address                                     |           |
| 1.2 Opening Statements.....                             | IWC/60/OS |
| 1.3 Secretary's Report on Credentials and Voting Rights |           |
| 1.4 Meeting Arrangements                                |           |
| 1.5 Review of Documents .....                           | IWC/60/1  |

*(Note that the draft list of participants will be IWC/60/3)*

### 2. ADOPTION OF THE AGENDA..... IWC/60/2

### 3. WHALE STOCKS

*[Chair's Report of the 59<sup>th</sup> Annual Meeting, Section 3]*

- |  |              |
|--|--------------|
| 3.1 Antarctic minke whales                       |              |
| 3.1.1 Report of the Scientific Committee.....    | IWC/60/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/60/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/60/Rep 1 |
| 3.3.2 Commission discussions and action arising  |              |
| 3.4 Southern Hemisphere blue whales              |              |
| 3.4.1 Report of the Scientific Committee.....    | IWC/60/Rep 1 |
| 3.4.2 Commission discussions and action arising  |              |
| 3.5 Other small stocks – gray, bowhead and right |              |
| 3.5.1 Report of the Scientific Committee.....    | IWC/60/Rep 1 |
| 3.5.2 Commission discussions and action arising  |              |

#### 3.6 Other

### 4. WHALE KILLING METHODS AND ASSOCIATED WELFARE ISSUES

*[Chair's Report of the 59<sup>th</sup> Annual Meeting, Section 4]*

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|--|--|
| 4.1 Data on whales killed and on improving the humaneness of whaling operations                  |  |
| 4.1.1 Reports from Contracting Governments with whaling operations                               |  |
| 4.1.2 Commission discussion and action arising   |  |
| 4.2 Preparation for the workshop on welfare issues associated with entangled/entrapped cetaceans |  |
| 4.2.1 Report from the Organising Committee   |  |
| 4.2.2 Commission discussion and action arising   |  |

## 5. ABORIGINAL SUBSISTENCE WHALING

*[Chair's Report of the 59th Annual Meeting, Section 5]*

- |       |   |              |
|-------|---|--------------|
| 5.1   | Aboriginal Subsistence Whaling Management Procedure                                   |              |
| 5.1.1 | Report of the Aboriginal Subsistence Whaling Sub-committee.....                       | IWC/60/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/60/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/60/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 59th Annual Meeting, Section 6]*

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|-------|---|--------------|
| 6.1   | Revised Management Procedure (RMP)  |              |
| 6.1.1 | Report of the Scientific Committee.....   | IWC/60/Rep 1 |
|       | <ul style="list-style-type: none"> <li>• General issues</li> <li>• <i>Implementation</i> process (Western North Pacific Bryde's whales, North Atlantic fin and common minke whales)</li> <li>• Bycatch</li> </ul> |              |
| 6.1.2 | Commission discussions and action arising   |              |
| 6.2   | Revised Management Scheme   |              |
| 6.3   | Other   |              |

## 7. SANCTUARIES

*[Chair's Report of the 59th Annual Meeting, Section 8]*

- |       |  |              |
|-------|--|--------------|
| 7.1   | Issues raised in the Scientific Committee                              |              |
| 7.1.1 | Report of the Scientific Committee.....                                | IWC/60/Rep 1 |
| 7.1.2 | Commission discussions and action arising                              |              |
| 7.2   | Proposal to amend the Schedule to establish a South Atlantic Sanctuary |              |
| 7.2.1 | Introduction of the proposal   |              |
| 7.2.3 | Commission discussions and action arising                              |              |

## 8. SOCIO-ECONOMIC IMPLICATIONS AND SMALL-TYPE WHALING

*[Chair's Report of the 59th Annual Meeting, Section 9]*

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|-----|---|--|
| 8.1 | Commission discussions and action arising |  |
|-----|---|--|

## 9. SCIENTIFIC PERMITS

*[Chair's Report of the 59th Annual Meeting, Section 10]*

- |       |  |              |
|-------|--|--------------|
| 9.1   | Report of the Scientific Committee.....                        | IWC/60/Rep 1 |
| 9.1.1 | Improving procedures for reviewing scientific permit proposals |              |
| 9.1.2 | Review of results from existing permits                        |              |
| 9.1.3 | Review of new or continuing proposals                          |              |
| 9.1.4 | Other  |              |
| 9.2   | Commission discussions and action arising                      |              |

## 10. SAFETY ISSUES AT SEA

*[Chair's Report of the 59th 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 59th Annual Meeting, Section 12]*

- 11.1 Cetacean emerging and resurging diseases
  - 11.1.1 Report of the Scientific Committee..... IWC/60/Rep 1
  - 11.1.2 Commission discussions and action arising
- 11.2 Ecosystem modelling
  - 11.2.1 Report of the Scientific Committee..... IWC/60/Rep 1
  - 11.2.2 Commission discussions and action arising
- 11.3 Other habitat-related issues
  - 11.3.1 Report of the Scientific Committee..... IWC/60/Rep 1
    - Climate change workshop preparations
    - Planning of Phase II of POLLUTION 2000+
    - State of the Cetacean Environment (SOCER)
    - 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/60/Rep 1
- 12.2 Commission discussions and action arising

## 13. CO-OPERATION WITH OTHER ORGANISATIONS

*[Chair's Report of the 58th Annual Meeting, Section 14]*

- 13.1 Report of the Scientific Committee ..... IWC/60/Rep 1
- 13.2 Other reports IWC/60/4
- 13.3 Commission discussions and action arising

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

*[Chair's Report of the 58th Annual Meeting, Section 15]*

- 14.1 Small cetaceans
  - 14.1.1 Report of the Scientific Committee..... IWC/60/Rep 1
  - 14.1.2 Commission discussions and action arising
- 14.2 Other activities
  - 14.2.1 Report of the Scientific Committee..... IWC/60/Rep 1
  - 14.2.2 Commission discussions and action arising

14.3	New initiatives	
14.3.1	Report of the Scientific Committee.....	IWC/60/Rep 1
14.3.2	Commission discussions and action arising	
14.4	Scientific Committee Future Work Plan	
14.4.1	Report of the Scientific Committee.....	IWC/60/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 59th Annual Meeting, Section 16]</i>	
15.1	Report of the Conservation Committee .....	IWC/60/Rep 5
15.2	Commission discussions and action arising	
16.	CATCHES BY NON-MEMBER NATIONS	
	<i>[Chair's Report of the 59th Annual Meeting, Section 17]</i>	
16.1	Commission discussions and action arising	
17.	INFRACTIONS, 2007 SEASON	
	<i>[Chair's Report of the 59th Annual Meeting, Section 18]</i>	
17.1	Report of the Infractions Sub-committee .....	IWC/60/Rep 4
17.2	Commission discussions and action arising	
18.	THE IWC IN THE FUTURE	
	<i>[Chair's Report of the 59th Annual Meeting, Section 7]</i>	
19.	ADMINISTRATIVE MATTERS	
	<i>[Chair's Report of the 59th Annual Meeting, Section 19]</i>	
19.1	Annual Meeting arrangements and procedures	
19.1.1	Report of the Finance and Administration Committee .....	IWC/60/Rep 2
	• Need for a Technical Committee	
	• Frequency of meetings	
19.1.2	Commission discussions and action arising	
19.2	NGO accreditation and participation	
19.2.1	Report of the Finance and Administration Committee .....	IWC/60/Rep 2
19.2.2	Commission discussions and action arising	
19.3	Website	
19.3.1	Report of the Finance and Administration Committee .....	IWC/60/Rep 2
19.3.2	Commission discussions and action arising	
19.4	Amendments to the Rules of Procedure, Financial Regulations and Rules of Debate	
19.4.1	Report of the Finance and Administration Committee .....	IWC/60/Rep 2
19.4.2	Commission discussions and action arising	
20.	FORMULA FOR CALCULATING CONTRIBUTIONS	
	<i>[Chair's Report of the 59th Annual Meeting, Section 21]</i>	
20.1	Report of the Finance and Administration Committee .....	IWC/60/Rep 2
20.2	Commission discussions and action arising	

## 21. FINANCIAL STATEMENTS AND BUDGETS

*[Chair's Report of the 59th Annual Meeting, Section 22]*

- 21.1 Review of the provisional financial statement, 2007/2008
  - 21.1.1 Report of the Finance and Administration Committee ..... IWC/60/Rep 2
  - 21.1.2 Commission discussions and action arising
- 21.2 Secretariat offices
  - 21.2.1 Report of the Finance and Administration Committee ..... IWC/60/Rep 2
  - 21.2.2 Commission discussions and action arising
- 21.3 Consideration of estimated budgets, 2008/2009 and 2009/2010
  - 21.3.1 Report of the Finance and Administration Committee ..... IWC/60/Rep 2
  - 21.3.2 Commission discussions and action arising
- 21.4 Other

## 22. ADOPTION OF THE REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

## 23. DATE AND PLACE OF ANNUAL AND INTERSESSIONAL MEETINGS

- 23.1 61<sup>st</sup> Annual Meeting, 2009 ..... IWC/60/6
- 23.2 Future Commission meetings
- 23.3 Other

## 24. ADVISORY COMMITTEE

## 25. SUMMARY OF DECISIONS AND REQUIRED ACTIONS

## 26. OTHER MATTERS

## ANNOTATIONS TO THE PROVISIONAL AGENDA

### 1. INTRODUCTORY ITEMS

#### 1.1 Welcome Address

The 60<sup>th</sup> Annual Meeting will open formally at 10.00 on Monday 23 June 2008. Opening remarks will be given by Mr. Alejandro Foxley, Minister of Foreign Affairs and Mrs. Ana Lya Uriarte, Minister of the Environment.

#### 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 IWC/60/1.

### 2. ADOPTION OF THE AGENDA

The Secretary dispatched the Draft Agenda to all Contracting Governments and Commissioners on 14 March 2008 with a request for comments and additions together with annotations they might wish to propose. The Annotated Provisional Agenda was made available on 24 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 March intersessional meeting. It further noted that as was the case for the 59<sup>th</sup> 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 especially concerning proposals for Schedule amendments since obtaining a  $\frac{3}{4}$  majority for controversial 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 items from the agenda 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 60<sup>th</sup> Annual Meeting. However, it will ask for the floor to state its opinion on this matter for the record.

### 3. WHALE STOCKS

The Scientific Committee will report (Document IWC/60/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 not meet this year. Consequently the issues it normally addresses will be dealt with directly in plenary under item 4.1.

#### 4.1 Data on whales killed and on improving the humaneness of whaling operations

This item gives the opportunity for Contracting Governments to provide information specified in Resolutions 1997-1, 1999-1 and 2001-2. Resolution 1997-1 concerns steps being taken to improve the humaneness of aboriginal whaling operations. Resolution 1999-1 *inter alia* encouraged reporting of data on whales killed (e.g. numbers killed by each method, number killed instantaneously, times to death) and the development of more accurate indicators for determining times to death other than cessation of movement. Resolution 2001-2 encouraged governments to: (1) submit information on variance data on times to death (to the extent possible) and comparative data from the killing of other large mammals; and (2) provide appropriate technical assistance to reduce time to unconsciousness and death in all whaling operations.

#### 4.2 Preparation for the workshop on welfare issues associated with entangled/entrapped cetaceans

Last year, the Commission agreed that a one-day workshop to consider approaches to the euthanasia of entangled/entrapped whales that cannot be released alive should be held in association with IWC/60 and established an Organising Committee to plan for the workshop.

At the March 2008 Intersessional Meeting on the Future of IWC, revisions were made to the schedule of meetings at IWC/60 to allow sufficient time for follow-up discussions to the March meeting. As a result, the planned workshop was replaced by a half-day scoping meeting of the workshop Organising Committee to develop a draft agenda, identify experts who should be involved and further plans for the workshop including timing (e.g. whether it should be held prior to or associated with IWC/61 in 2009).

The Organising Committee will make recommendations to the Commission.

### 5. ABORIGINAL SUBSISTENCE WHALING

The Aboriginal Subsistence Whaling Sub-committee will meet in Santiago on Wednesday 18 June. The report will be distributed as Document IWC/60/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 (IWC/60/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
- Preparations for the *Implementation Review* of 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 last year's 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).

Further to discussions at last year's meeting, 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/60/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 Revised Management Scheme

For the last two years the Commission has not identified specific activities on the RMS. This item has been retained on the agenda to provide an opportunity for discussions should they arise. Discussions on the RMS may also take place in the context of the future of IWC under item 18.

### 6.3 Other

## 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. Noting the Chair's efforts concerning the future of IWC, it urges other Contracting Governments to refrain from submitting proposals for Schedule amendments under this item.

### 7.1 Issues raised in the Scientific Committee

The outcome of discussions on any issues raised in the Scientific Committee will be reported in Document IWC/60/Rep 1.



## 7.2 Proposal to amend the Schedule to establish a South Atlantic Whale Sanctuary

Brazil intends to propose that IWC, at its 60<sup>th</sup> Annual Meeting in Santiago, designate the waters of the Atlantic Ocean south of the Equator as a Sanctuary in accordance with Article V(1)(c) of the 1946 Convention. It notes that this will call for an amendment of the Schedule by inclusion of a new sub-paragraph (i.e. 7(c)) in Section III CAPTURE which, if adopted may as follows:

“In accordance with Article V(1)(c) of the Convention, commercial whaling, whether by pelagic operations or from land stations, is prohibited in a region designated as the South Atlantic Whale Sanctuary. This Sanctuary comprises the waters of the South Atlantic Ocean enclosed by the following line: starting from the Equator, then generally south following the eastern coastline of South America to the coast of Tierra del Fuego and, starting from a point situated at Lat 55°07,3'S Long 066°25,0'W; thence to the point Lat 55°11,0'S Long 066°04,7'W; thence to the point Lat 55°22,9'S Long 065°43,6'W; thence due South to Parallel 56°22,8'S; thence to the point Lat 56°22,8'S Long 067°16,0'W; thence due South, along the Cape Horn Meridian, to 60°S, where it reaches the boundary of the Southern Ocean Sanctuary; thence due east following the boundaries of this Sanctuary to the point where it reaches the boundary of the Indian Ocean Sanctuary at 40°S; thence due north following the boundary of this Sanctuary until it reaches the coast of South Africa; thence it follows the coastline of Africa to the west and north until it reaches the Equator; thence due west to the coast of Brazil, closing the perimeter at the starting point. This prohibition shall be reviewed twenty years after its initial adoption and at succeeding ten-year intervals, and could be revised at such times by the Commission. Nothing in this sub-paragraph shall prejudice the sovereign rights of coastal states according to, inter alia, the United Nations Convention on the Law of the Sea.”

## 8. SOCIO-ECONOMIC IMPLICATIONS AND SMALL-TYPE WHALING

When commenting on the Draft Agenda, Japan noted that as stated at the March 2008 intersessional meeting, it is prepared not to request a vote or even not to make a proposal regarding its small-type coast whaling at IWC/60 provided that substantial or concrete progress on discussions concerning the future of the IWC is being made and that other members take similar action. It notes that this is to allow more time for plenary discussions on the future of IWC. Japan does, however, reserve its right to propose an amendment to paragraph 10 of the Schedule which would provide for a quota for its small-type whaling.

Japan noted that if it does decide to propose a Schedule amendment, its proposal would be similar to that presented to last year's Annual Meeting which would only allow community-based whaling in order to reinstate traditional and local practices associated with the catching, processing, distribution and consumption of whale meat, and revitalise traditional festivals and rituals of the region. The proposal presented to IWC/59 was to add the following 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 subarea 7 (excluding Okhotsk Sea) shall be permitted for each of the years 2007, 2008, 2009, 2010 and 2011 and the meat and products are to be used exclusively for local consumption.

## 9. SCIENTIFIC PERMITS

Since IWC/59, 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 (JARPN II). Note, however, that Japan agreed to delay the take of humpback whales in its Antarctic research programme at least until after the 2008 Annual Meeting.

### 9.1 Report of the Scientific Committee

The Scientific Committee will report on improving procedures for reviewing scientific permit proposals and on its review of results from existing permits and of new or continuing proposals. These matters will be reported in Document IWC/60/Rep 1.

## 9.2 Commission discussions and action arising

In recent years, Japan has made brief PowerPoint presentations of its results from JARPA II and JARPN II. In commenting on the Draft Agenda, it indicated that since its understanding is that the issue of Scientific Permits will be addressed in the context of discussions on the future of IWC, it will forego making such presentations this year. Similarly, it will refrain from submitting a draft Resolution expressing support for Japan's whale research programmes. Nevertheless, Japan noted its strongly-held view that science must be the basis for the conservation and management of all resources.

## 10. SAFETY ISSUES AT SEA

In commenting on the Draft Agenda, Japan indicated that it would like to make a presentation and have further discussions as a follow-up to the 'Statement on Safety at Sea' issued at the close of the March intersessional meeting. It requested that a new item be added to the agenda.

## 11. ENVIRONMENTAL AND HEALTH ISSUES

By Resolution 1998-5 at the 50<sup>th</sup> 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 Cetacean emerging and resurging diseases;
- 11.2 Ecosystem modelling;
- 11.3 Other habitat-related issues (i.e. climate change, POLLUTION 2000+ and SOCER);
- 11.4 Reports from Contracting Governments.

The Scientific Committee will report on its work on environmental issues in Document IWC/60/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) reviewing the report of the workshop on strategic planning of large-scale whalewatching research; (2) assessment of the biological impacts of whalewatching on cetaceans; and (3) a review of whalewatching in South America (see IWC/60/Rep 1).

## 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/60/4. The Scientific Committee will include its discussions and comments on co-operation with the other organisations in its report (Document IWC/60/Rep 1).

The Secretary will report on co-operation with IMO.

#### 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 Santiago from 1-13 June under its Chair, Dr Arne Bjørge (Norway). On 29 and 30 May there will be a workshop to review skin diseases in cetaceans of South America and pre-meetings of the AWMP and RMP sub-committees.

The Report of the Scientific Committee will be available shortly before the start of the Commission's Annual Meeting as Document IWC/60/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 conservation issues regarding small cetaceans in the Southeast Pacific.

##### 14.3 New initiatives

The Scientific Committee will report back on any proposed new initiatives (see IWC/60/Rep 1).

In commenting on the Draft Agenda, Australia indicated that as a follow-up to the paper it submitted to the March Intersessional Meeting on the Future of IWC (IWC/M08/INFO 11), it will submit papers on two aspects of the original paper for consideration by the Commission, i.e.:

- Development of Conservation and Management Plans for Improved Cetacean Management;
- Regional Non-lethal Collaborative Research Programs; A Proposal for the Southern Ocean.

These papers will also be reviewed by the Scientific Committee.

In discussions with Australia, it was considered most appropriate to include this new agenda item to address new initiatives, whether these are from the Scientific Committee or from a Contracting Government.

##### 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 during the morning of Tuesday 17 June. Its report will be available as IWC/60/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.

#### 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, 2007 SEASON

The Infractions Sub-committee will meet in Santiago during the afternoon of Tuesday 17 June. Its report will be circulated as Document IWC/60/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 on the Future of IWC held from 6-8 March 2008 in London, Heathrow. Time has also been set aside for these discussions on 19 and 20 June and during the private meeting of Commissioners on Sunday 22 June. Discussions in the plenary will therefore depend on discussions at the earlier meetings.

The Chair's Report of the intersessional meeting will be available (Document IWC/60/7). In commenting on the Draft Agenda, Norway and Belgium indicated that they would be submitting documents for consideration under this item and the corresponding earlier discussions referred to above. Australia noted that it would submit its paper distributed for the intersessional meeting to the Commission plenary for information (i.e. 'Whale Conservation and Management: a Future for the IWC', Document IWC/M08/INFO 11).

In commenting on the Draft Agenda, Japan noted that it believes that the Commission must devote as much time as possible to this agenda item and that there is urgency to this matter. Noting the current conflicting opinions among Commission members that make it difficult to reach consensus decisions or to hold normal discussions, Japan stressed that unless this situation is changed soon, the collapse of IWC will be unavoidable. Japan considers that the process initiated by the Chair to resolve IWC's problems cannot continue indefinitely and wished, therefore, to remind other members of its statement made at IWC/59 last year concerning the real possibility that Japan would have to review the way it engages with the IWC at a fundamental level. It believes that a clear direction for the future of IWC should be determined and the procedures reformed by the end of the 61<sup>st</sup> Annual Meeting at the latest. Japan expressed the strong hope that other members will share its view and co-operate to advance the discussions concerning IWC's future.

## 19. ADMINISTRATIVE MATTERS

Most administrative matters will first have been discussed by the Finance and Administration Committee. The F&A Committee will meet in Santiago during the afternoon of Wednesday 18 June. The Committee's report will be distributed as Document IWC/60/Rep 2.

### 19.1 Annual Meeting arrangements and procedures

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

- Need for a Technical Committee;
- Frequency of meetings.

## 19.2 NGO accreditation and participation

While the Commission agreed to review the effectiveness of the new Rules of Procedure agreed last year after a 2-year operating trial (i.e. at IWC/62), the Secretariat will take the opportunity to report to the F&A Committee on its experiences to date with the implementation of the new procedures.

## 19.3 Website

The F&A Committee will have addressed two issues: (1) linking IWC's website to those of Contracting Governments; and (2) translation of IWC's website.

## 19.4 Amendments to the Rules of Procedure, Financial Regulations and Rules of Debate

In commenting on the Draft Agenda, France noted its intention to propose an amendment to Rule of Procedure N.1 recognising French and Spanish as working languages of the Commission. This proposal will first be considered by the F&A Committee.

## 20. FORMULA FOR CALCULATING CONTRIBUTIONS

This matter will have first been discussed by the F&A Committee and reported in Document IWC/60/Rep 2.

At IWC/59 in Anchorage, no proposals were made to resume the work of the Contributions Task Force to develop a new financial contributions scheme. The Interim Measure adopted at IWC/54 for calculating financial contributions therefore remains in place. However, noting that the cut-off points defining the capacity to pay groups of the Interim Measure had not been reviewed or revised since their introduction in 2002, the Commission agreed last year that the Secretariat should undertake such a review and develop a proposal, as appropriate for consideration by the F&A Committee at IWC/60.

## 21. FINANCIAL STATEMENTS AND BUDGETS

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/60/Rep 2.

Financial matters arising under agenda items 21.1 (Review of the provisional financial statement, 2007/2008) and 21.3 (Consideration of estimated budgets, 2008/2009 and 2009/2010) are dealt with in Document IWC/60/5 (Financial Statements).

## 22. ADOPTION OF THE REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

## 23. DATE AND PLACE OF ANNUAL AND INTERSESSIONAL MEETINGS

23.1 61<sup>st</sup> Annual Meeting, 2009

This meeting will be hosted by the Government of Portugal. It will be held in Madeira in the period 26 May to 26 June 2009. Portugal will make a short presentation to plenary.

At IWC/54 it was agreed that before the end of each Annual Meeting, the Commission should decide upon the length of the meeting the following year. The Secretariat will develop a proposed schedule for IWC/60 including: (1) proposed duration and dates for the meeting of the Scientific Committee; (2) proposals for which Commission sub-groups need to meet and when; and (3) the length of the plenary meeting. It will be based on the outcome of earlier discussions within the Scientific Committee, Commission sub-groups and plenary discussions up to this point in the agenda. This proposal will be available as Document IWC/60/6.

### 23.2 Future Commission meetings

According to Rule of Procedure B.1, meeting venues should be decided 2 years in advance. A Circular Communication was distributed on 25 March 2008 (IWC/CCG.685) seeking expressions of interest in hosting IWC/62 in 2010. As of 24 April the Secretariat has not received any expressions of interest or formal offers.

A formal invitation should include:

- (a) which meetings it covers, i.e. Scientific Committee, Commission sub-groups, Annual Commission meeting;
- (b) a proposed time window within which the meeting will take place; and
- (c) a timetable for finalising details of the exact timing and location of the meeting.

### 24. ADVISORY COMMITTEE

At IWC/60, the Commissioner for Cameroon will have come to the end of his two-year term on the Advisory Committee and a replacement will need to be elected.

### 25. SUMMARY OF DECISIONS AND REQUIRED ACTIONS

The Chair or Secretary will summarise briefly the decisions taken during the 60<sup>th</sup> Annual Meeting and the follow-up actions required. It will include any financial consequences arising from decisions in Plenary and not already provided for in the budget. The Chair will not allow discussions under this item, except for clarification.

### 26. 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.