

ANNOTATED PROVISIONAL AGENDA

**59th Annual Meeting of the International Whaling Commission
Anchorage, 28-31 May 2007**

NOTE:

Provisions adopted under agenda items 5, 6, 8 and 9 may require amendment of the Schedule.

1. INTRODUCTORY ITEMS

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|---|-----------|
| 1.1 Welcome Address | |
| 1.2 Opening Statements..... | IWC/59/OS |
| 1.3 Secretary's Report on Credentials and Voting Rights | |
| 1.4 Meeting Arrangements | |
| 1.5 Review of Documents | IWC/59/1 |

(Note that the draft list of participants will be IWC/59/3)

2. ADOPTION OF THE AGENDA..... IWC/59/2

3. WHALE STOCKS

[Chair's Report of the 58th Annual Meeting, Section 5]

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|---|--------------|
| 3.1 Antarctic minke whales | |
| 3.1.1 Report of the Scientific Committee..... | IWC/59/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/59/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/59/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/59/Rep 1 |
| 3.4.2 Commission discussion and action arising | |
| 3.5 Western North Pacific gray whales | |
| 3.5.1 Report of the Scientific Committee..... | IWC/59/Rep 1 |
| 3.5.2 Commission discussion and action arising | |
| 3.6 Other small stocks – bowhead and right | |
| 3.6.1 Report of the Scientific Committee..... | IWC/59/Rep 1 |
| 3.6.2 Commission discussion and action arising | |
| 3.7 North Pacific sei whales | |
| 3.7.1 Report of the Scientific Committee..... | IWC/59/Rep 1 |
| 3.7.2 Commission discussions and action arising | |
| 3.8 Other | |

4.	WHALE KILLING METHODS AND ASSOCIATED WELFARE ISSUES <i>[Chair's Report of the 58th Annual Meeting, Section 6]</i>	
4.1	Report from the Working Group on Whale Killing Methods and Associated Welfare Issues	IWC/59/Rep 6
4.2	Commission discussions and action arising	
5.	ABORIGINAL SUBSISTENCE WHALING <i>[Chair's Report of the 58th Annual Meeting, Section 7]</i>	
5.1	Aboriginal Subsistence Whaling Management Procedure	
5.1.1	Report of the Aboriginal Subsistence Whaling Sub-committee.....	IWC/59/Rep 3
5.1.2	Commission discussions and action arising	
5.2	Advice on other Greenlandic stocks	
5.2.1	Report of the Aboriginal Subsistence Whaling Sub-committee.....	IWC/59/Rep 3
5.2.2	Commission discussions and action arising	
5.3	Aboriginal Whaling Scheme	
5.3.1	Report of the Aboriginal Subsistence Whaling Sub-committee.....	IWC/59/Rep 3
5.3.2	Commission discussions and action arising	
5.4	Aboriginal subsistence whaling catch limits	
5.4.1	Report of the Aboriginal Subsistence Whaling Sub-committee.....	IWC/59/Rep 3
5.4.2	Commission discussions and action arising	
5.5	Other	
6.	REVISED MANAGEMENT SCHEME (RMS) <i>[Chair's Report of the 58th Annual Meeting, Section 8]</i>	
6.1	Revised Management Procedure (RMP)	
6.1.1	Report of the Scientific Committee.....	IWC/59/Rep 1
	<ul style="list-style-type: none"> • general issues • <i>Implementation</i> process (Western North Pacific Bryde's whales, North Atlantic fin whales) • bycatch 	
6.1.2	Commission discussions and action arising	
6.2	Revised Management Scheme	
6.3	Other	
7.	THE IWC IN THE FUTURE	IWC/59/7
8.	SANCTUARIES <i>[Chair's Report of the 58th Annual Meeting, Section 9]</i>	
8.1	Issues raised in the Scientific Committee	
8.1.1	Report of the Scientific Committee.....	IWC/59/Rep 1
8.1.2	Commission discussions and action arising	
8.2	Proposal to amend the Schedule to establish a South Atlantic Whale Sanctuary	
8.2.1	Introduction of the proposal	
8.2.3	Commission discussions and action arising	
8.3	Other	

9. SOCIO-ECONOMIC IMPLICATIONS AND SMALL-TYPE WHALING

[Chair's Report of the 58th Annual Meeting, Section 10]

- 9.1 Use of cetaceans within the context of responsible use of marine resources and their contribution to sustainable coastal communities, sustainable livelihoods, food security and poverty reduction

9.1.1 Introduction by St. Kitts and Nevis

9.1.2 Commission discussions and action arising

- 9.2 Proposal to amend the Schedule

9.2.1 Introduction by Japan

9.2.2 Commission discussions and action arising

- 9.3 Other

10. SCIENTIFIC PERMITS

[Chair's Report of the 58th Annual Meeting, Section 11]

- 10.1 Report of the Scientific Committee IWC/59/Rep 1

10.1.1 Improving procedures for reviewing scientific permit proposals

10.1.2 Review of results from existing permits (including JARPA review workshop)

10.1.3 Review of new or continuing proposals

10.1.4 Other

- 10.2 Commission discussions and action arising

11. SAFETY ISSUES AT SEA AND THEIR IMPLICATIONS

- 11.1 Safety of vessels and crew

- 11.2 Interference with research

- 11.3 Environmental concerns

12. ENVIRONMENTAL AND HEALTH ISSUES

[Chair's Report of the 58th Annual Meeting, Section 12]

- 12.1 Diseases of marine mammals and impacts on cetaceans

12.1.1 Report of the Scientific Committee IWC/59/Rep 1

12.1.2 Commission discussions and action arising

- 12.2 Ecosystem modelling

12.2.1 Report of the Scientific Committee IWC/59/Rep 1

12.2.2 Commission discussions and action arising

- 12.3 Other habitat-related issues

12.3.1 Report of the Scientific Committee IWC/59/Rep 1

- POLLUTION 2000+

- Southern Ocean collaboration (inc. CCAMLR International Polar Year survey)

- Handling and release of entangled cetaceans.

- Climate change workshop preparations

- State of the Cetacean Environment (SOCER)

- Other

12.3.2 Commission discussions and action arising

- 12.4 Reports from Contracting Governments on national and regional efforts to monitor and address the impacts of environmental change on cetaceans and other marine mammals
- 12.5 Health Issues - Commission discussions and action arising
- 12.6 Other
13. WHALEWATCHING
[Chair's Report of the 58th Annual Meeting, Section 13]
- 13.1 Report of the Scientific Committee IWC/59/Rep 1
- 13.2 Commission discussions and action arising
14. CO-OPERATION WITH OTHER ORGANISATIONS
[Chair's Report of the 58th Annual Meeting, Section 14]
- 14.1 Report of the Scientific Committee IWC/59/Rep 1
- 14.2 Other reports IWC/59/4
- 14.3 Commission discussions and action arising
15. 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]
- 15.1 Small cetaceans
- 15.1.1 Report of the Scientific Committee IWC/59/Rep 1
- 15.1.2 Commission discussions and action arising
- 15.2 Other activities
- 15.2.1 Report of the Scientific Committee IWC/59/Rep 1
- 15.2.2 Commission discussions and action arising
- 15.3 Scientific Committee Future Work Plan
- 15.3.1 Report of the Scientific Committee IWC/59/Rep 1
- 15.3.2 Commission discussions and action arising
- 15.4 Adoption of the Report
16. CONSERVATION COMMITTEE
[Chair's Report of the 58th Annual Meeting, Section 16]
- 16.1 Report of the Conservation Committee IWC/59/Rep 5
- 16.2 Commission discussions and action arising
17. CATCHES BY NON-MEMBER NATIONS
[Chair's Report of the 58th Annual Meeting, Section 17]
- 17.1 Commission discussions and action arising
18. INFRACTIONS, 2006 SEASON
[Chair's Report of the 58th Annual Meeting, Section 18]
- 18.1 Report of the Infractions Sub-committee IWC/59/Rep 4
- 18.2 Commission discussions and action arising

19. ADMINISTRATIVE MATTERS

[Chair's Report of the 58th Annual Meeting, Section 20]

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| 19.1 | Annual Meeting arrangements and procedures | |
| 19.1.1 | Report of the Finance and Administration Committee | IWC/59/Rep 2 |
| | <ul style="list-style-type: none"> • Need for a Technical Committee • Use of languages other than English • 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/59/Rep 2 |
| 19.2.2 | Commission discussions and action arising | |
| 19.3 | Legal advice in relation to the IWC | |
| 19.3.1 | Report of the Finance and Administration Committee | IWC/59/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/59/Rep 2 |
| 19.4.2 | Commission discussions and action arising | |

20. SECRETARIAT OFFICES AND POSSIBLE RELOCATION OF SECRETARIAT

[Chair's Report of the 58th Annual Meeting, Section 22.4]

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| 20.1 | Report of the Finance and Administration Committee | IWC/59/Rep 2 |
| 20.2 | Commission discussions and action arising | |

21. FORMULA FOR CALCULATING CONTRIBUTIONS

[Chair's Report of the 58th Annual Meeting, Section 21]

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| 21.1 | Report of the Finance and Administration Committee | IWC/59/Rep 2 |
| 21.2 | Commission discussions and action arising | |

22. FINANCIAL STATEMENTS AND BUDGETS

[Chair's Report of the 58th Annual Meeting, Section 22]

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|--------|---|--------------|
| 22.1 | Review of the provisional financial statement, 2006/2007 | |
| 22.1.1 | Report of the Finance and Administration Committee | IWC/59/Rep 2 |
| 22.1.2 | Commission discussions and action arising | |
| 22.2 | Consideration of estimated budgets, 2007/2008 and 2008/2009 | |
| 22.2.1 | Report of the Finance and Administration Committee | IWC/59/Rep 2 |
| 22.2.2 | Commission discussions and action arising | |
| 22.3 | Other | |

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

24. DATE AND PLACE OF ANNUAL AND INTERSESSIONAL MEETINGS

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| 24.1 | 60 th Annual Meeting, 2008 |
| 24.2 | Future Commission meetings |
| 24.3 | Other |

25. ADVISORY COMMITTEE

26. SUMMARY OF DECISIONS AND REQUIRED ACTIONS

27. OTHER MATTERS

ANNOTATIONS TO THE PROVISIONAL AGENDA

1. INTRODUCTORY ITEMS

1.1 Welcome Address

The 59th Annual Meeting will open formally at 10.00 on Monday 28 May 2007. Opening remarks will be given by Senator Ted Stevens and the Mayor of Anchorage, Mark Begich.

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/59/1.

2. ADOPTION OF THE AGENDA

The Secretary dispatched the Draft Agenda to all Contracting Governments and Commissioners on 15 February 2007 with a request for comments and additions together with annotations they might wish to propose. The Annotated Provisional Agenda was made available on 29 March. The Draft and Provisional Agendas were circulated in accordance with Rules of Procedure H.2 (d)(i) and H.2 (d)(ii) respectively.

In commenting on the draft agenda, Japan noted 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 further noting that its position on these matters is well known and remains the same, 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 59th Annual Meeting. However, it will ask for the floor to state its opinion on this matter.

In commenting on the draft agenda, Norway recalled that while it had not supported the establishment of a Conservation Committee under the Commission, it is under the impression that the sponsors of the Conservation Committee wish to place emphasis on issues related to habitat and environmental questions. Norway therefore suggests that agenda item 12 (Environmental and Health Issues) be deleted and that these issues be deferred to agenda item 16 (Conservation Committee). Norway proposed that item 13 (Whalewatching) should be deleted from the agenda since, in its view, whalewatching falls outside the scope of the Convention. Alternatively it suggested that this issue could be deferred to agenda item 27 (Other Matters) or agenda item 16 (Conservation Committee). Norway noted the Chair's proposal to include an item on 'The IWC in the Future' (item 7). It commented that it could see some merits of this item if the intention is to invite discussion on how to make the IWC fulfil its role as a proper management organisation for whale resources. However, it noted that it may have more specific comments on this item once the Chair's intention has been expressed in more detail.

3. WHALE STOCKS

The Scientific Committee will report on the progress of its work on assessments of priority whale stocks identified in its report last year (Document IWC/59/Rep 1), i.e., Antarctic minke whales, western North Pacific common minke whales and gray whales, Southern Hemisphere humpback whales and blue whales, North Pacific sei whales and other small stocks (bowhead and right).

4. WHALE KILLING METHODS AND ASSOCIATED WELFARE ISSUES

The Whale Killing Methods and Associated Welfare Issues Working Group will meet in Anchorage during the afternoon of Tuesday 22 May. The Working Group report will be available as IWC/59/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); and
- 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).

5. ABORIGINAL SUBSISTENCE WHALING

The Aboriginal Subsistence Whaling Sub-committee will meet in Anchorage on Wednesday 23 May. The report will be distributed as Document IWC/59/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/59/Rep 1) to present to the plenary.

5.1 Aboriginal Subsistence Whaling Management Procedure

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

- progress with the Greenlandic Research Programme;
- *Implementation Review* for bowhead whales; and
- Preparation of the *Implementation Review* for gray whales.

5.2 Advice on other Greenlandic stocks

At last year's meeting, the Commission agreed to Denmark's request that the Scientific Committee be asked to review stocks of humpback whales in West Greenland waters and bowhead whale stocks in the Davis Straits East Canadian Arctic. The Sub-committee will consider the report of the Scientific Committee on this matter and provide advice as appropriate.

5.3 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.

5.4 Aboriginal subsistence whaling catch limits

Existing catch limits for all current aboriginal whaling operations carried out on the following stocks expire in 2007:

- Bering-Chukchi-Beaufort stock of bowhead whales
- North Pacific Eastern stock of gray whales
- Minke whale stocks off Greenland
- West Greenland stock of fin whales
- North Atlantic humpback whales off St. Vincent and The Grenadines.

The Commission will therefore need to set new catch limits based on management advice from the Scientific Committee and needs statements that will have been reviewed by the Aboriginal Subsistence Whaling Sub-committee. This will involve a number of amendments to paragraph 13 of the Schedule.

5.5 Other

In commenting on the Draft Agenda, Japan noted that it, or another Contracting Government that participated in the 'Conference on Normalizing the IWC' held under its auspices in February 2007 (see notes to agenda item 7 and Document IWC/59/7) may propose a Resolution calling for greater respect for cultural diversity and recognition of the contribution of communities for resource management. Japan further noted that a Schedule amendment may also be proposed deleting the term 'aboriginal' from the Schedule as it is considered by some to be derogatory.

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/59/Rep 1), including progress with: (1) the *Implementation* process for Western North Pacific Bryde's whales and North Atlantic fin whales; and (2) work on bycatch.

6.2 Revised Management Scheme

At last year's Annual Meeting, the Commission accepted that an impasse had been reached at the Commission level on RMS discussions and did not identify any formal activity prior to IWC/59. However, it noted that individual governments or groups of governments could work towards the development of an RMS during the intersessional period. This item has been retained on the agenda to provide an opportunity for governments to report on any intersessional activities and/or to propose further work.

6.3 Other

7. THE IWC IN THE FUTURE

The Chair and Vice-Chair believe that it would be useful for the Commission to have a general discussion concerning the IWC in the future, given *inter alia* the impasse reached on the RMS and the number of issues for which polarisation rather than consensus appears to be the norm.

Related to this, the Commission is aware that Japan hosted the 'Conference for the Normalization of the International Whaling Commission' held in Tokyo from 13-15 February 2007. This conference was organised as an initiative of Japan and was not held under the auspices of IWC. The conference was chaired by Mr Kuniwo Nakamura, Commissioner for the Republic of Palau, and his summary report from that meeting was circulated to all Contracting Governments at Mr Nakamura's request (Document IWC/59/7). When submitting his report, Mr Nakamura also requested that 'normalizing the IWC' be included as an item on the agenda of IWC/59. In discussions with the Chair and Vice-Chair of the Commission, it was agreed that it would be appropriate under this agenda item to invite Mr Nakamura to present his summary report and to invite the Commission to comment.

In the Draft Agenda circulated on 15 February 2007, the item on IWC in the future was included as item 17. However, given that the recommendations from the Tokyo meeting may have implications for a number of items, including how the Commission may wish to conduct its business, Japan has asked that an opportunity be given to Mr Nakamura to present his report (IWC/59/7) earlier in the meeting. The Chair believes that this would be useful. He therefore intends to allow presentation of the report of the Tokyo meeting and an initial discussion on the future of IWC early in the meeting. He will keep the item open so that the Commission can return to discussions at a later point.

See also Norway's comments included in annotations to item 2 (Adoption of the Agenda).

8. SANCTUARIES

In commenting of 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. In keeping with its attempts to reduce conflict within the IWC, Japan notes that it does not intend to propose a Schedule amendment under this agenda item this year. It urges other Contracting Governments to refrain from presenting proposals for the establishment of sanctuaries.

8.1 Issues raised in the Scientific Committee

The outcome of discussions on any issues raised in the Scientific Committee will be reported in Document IWC/58/Rep 1.

8.2 Proposal to amend the Schedule to establish a South Atlantic Whale Sanctuary

Brazil intends to propose that IWC, at its 59th Annual Meeting in Anchorage, 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 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 Atlantic Ocean southward of the Equator in the sector from 70° W to 20° E, with the southern boundary set at 60° S. This prohibition applies irrespective of the conservation status of baleen and toothed whale stocks in the Sanctuary as may from time to time be determined by the Commission. However, this prohibition shall be reviewed fifty years after its initial adoption and at succeeding twenty-year intervals, and could be revised at such times by the Commission. Nothing in this sub-paragraph is intended to prejudice the sovereign rights of coastal States as set out in the United Nations Convention on the Law of the Sea of December 1982."

A document will be available to support this proposed Schedule amendment.

9. SOCIO-ECONOMIC IMPLICATIONS AND SMALL-TYPE WHALING

9.1 Use of cetaceans within the context of responsible use of marine resources and their contribution to sustainable coastal communities, sustainable livelihoods, food security and poverty reduction

When commenting on the Draft Agenda, St. Kitts and Nevis drew attention to Resolution 2006-1 - the 'St. Kitts and Nevis Declaration' – adopted by the Commission last year. It noted that while a number of the issues addressed in Resolution 2006-1 could be discussed under the item 'The IWC in the Future', it requested that an agenda item be included under which the Commission could have discussions on the use of cetaceans within the context of responsible use of marine resources and their contribution to sustainable coastal communities, sustainable livelihoods, food security and poverty reduction.

9.2 Proposal to amend the Schedule

Japan intends to propose an amendment to paragraph 10 of the Schedule to add the following sub-paragraph paragraph (f):

“(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 35N and west of 150E (excluding the 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.”

This proposal would allow Japan's community-based whaling to reinstate traditional and local practices associated with catching, processing, distribution and consumption of whale meat and to revitalise traditional festivals and rituals of the regions. The proposal will be submitted to the Scientific Committee for review.

Japan notes that catches of minke whales under special permit in accordance with Article VIII of the ICRW will be reduced by the same number as the quota so that the total take and its impact on the stock will not be increased by the adoption of this quota.

Japan may submit a document supporting this proposal.

10. SCIENTIFIC PERMITS

Since IWC/58, Japan has issued permits for taking minke and fin whales in the Antarctic (JARPA II) and for taking minke, Bryde's, Sei and sperm whales in the North Pacific (JARPN II), and Iceland has issued permits for the taking of minke whales in Icelandic waters.

10.1 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. With respect to the review of results from existing permits, the Scientific Committee will have reviewed the report of the 'Intersessional Workshop to Review Data and Results from Special Permit Research on Minke Whales in the Antarctic' held in Tokyo from 4-8 December 2006. The workshop report (SC/59/Rep 1) was distributed with Circular Communication IWC.ALL.108 on 16 March 2007.

These matters will be reported in Document IWC/59/Rep 1.

10.2 Commission discussions and action arising

Japan has indicated that it intends to make two PowerPoint presentations under this item, i.e. on the results of its JARPA II and JARPN II programmes. It has also indicated that while it had considered submitting a Resolution expressing support for its whale research programmes, it will refrain from doing so as part of its effort to reduce conflict and the number of decisions taken by vote. Japan may, however, submit a document on the scientific contributions of its research.

* Japan has not yet provided a number of minke whales to be taken.
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11. SAFETY ISSUES AT SEA AND THEIR IMPLICATIONS

In commenting on the Draft Agenda, Japan noted its serious concerns about harassment directed against JARPAII research activities during 2006/2007 and asked that the issue be added to the Commission's agenda. It noted its intention to make a PowerPoint presentation and that it may seek the adoption of a Resolution or Recommendation from the Commission discouraging such activities.

New Zealand, when commenting on the Draft Agenda, indicated that it wished to add an item on 'Search and Rescue and Environmental Concerns in the Antarctic' to the agenda. It noted that under this item it wishes to raise concerns about safety at sea in the Antarctic and the potential for environmental damage resulting from whaling and protest activities. New Zealand intends to prepare a short information paper.

The concerns of Japan and New Zealand are clearly related, and in consultation with the Chair and Vice-Chair of the Commission, it was felt that these concerns could be addressed together in three parts, i.e. (1) safety of vessels and crew, (2) interference with research and (3) environmental concerns.

12. 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:

- 12.1 Diseases of marine mammals and impacts on cetaceans – a 2-day pre-meeting is being held on this topic prior to the start of the Scientific Committee meeting;
- 12.2 Ecosystem modelling;
- 12.3 Other habitat-related issues (i.e. POLLUTION 2000+, Southern Ocean collaboration, handling and release of entangled cetaceans, climate change workshop preparations and SOCER;
- 12.4 Reports from Contracting Governments.

The Scientific Committee will report on its work on environmental issues in Document IWC/59/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 12.5.

13. WHALEWATCHING

The Scientific Committee will report on progress with its work plan on whalewatching which this year includes the following two priority items: (1) assessment of the biological impacts of whalewatching on cetaceans; and (2) identification of the data sources from platforms of opportunity of potential value to the Scientific Committee (see IWC/59/Rep 1).

Australia will submit a 'for information' document '*Pacific Islands Whale Watch Tourism: 2005. A Region Wide Review of Activity*' (IWC/59/9). France has indicated that it intends to submit 2-3 'for information' documents relating to whalewatching.

14. CO-OPERATION WITH OTHER ORGANISATIONS

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

IWC observers' reports of meetings of these and any other intergovernmental organisations will be distributed as Document IWC/59/4. The Scientific Committee will include its discussions and comments on co-operation with the other organisations in its report (Document IWC/59/Rep 1).

The Secretary will report on co-operation with IMO.

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

The Scientific Committee will hold its annual meeting in Anchorage 7 to 18 May, under its Chair, Dr Arne Bjørge (Norway). On 5 and 6 May there will be a workshop on diseases of marine mammals and impacts on cetaceans 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/59/Rep 1.

15.1 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 population structure, systematics and status of killer whales.

15.3 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.

15.4 Adoption of the Report

Japan intends to recommend that important findings of the Scientific Committee, including agreements on stock abundance estimates, be made available to the public through press releases issued by the IWC Secretariat. Japan recognises that some of the information is already available on the IWC website but believes more publicity is needed. Japan notes that this is one of the recommendations from the Conference on Normalizing the IWC hosted under its auspices in February 2007 (see Document IWC/59/7).

16. CONSERVATION COMMITTEE

The Conservation Committee will meet during the morning of 22 May 2007. Its report will be available as IWC/59/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.

17. CATCHES BY NON-MEMBER NATIONS

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

18. INFRACTIONS, 2006 SEASON

The Infractions Sub-committee will meet in Anchorage during the morning of 24 May 2007. Its report will be circulated as Document IWC/59/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.

19. ADMINISTRATIVE MATTERS

Most administrative matters will first have been discussed by the Finance and Administration Committee. The F&A Committee will meet in Anchorage on 23 and 24 May 2007. The Committee's report will be distributed as Document IWC/59/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;
- Use of languages other than English – this may include a proposal to amend Rule of Procedure N.1 Language of the Commission;
- Frequency of meetings.

19.2 NGO accreditation and participation

The F&A Committee will have considered a proposal for revisions to the criteria/conditions for NGO accreditation developed at IWC/58 last year by New Zealand, the USA, Austria, Monaco and The Netherlands (i.e. Document IWC/58/24).

19.3 Legal advice in relation to the IWC

The Netherlands will have reported back to the F&A Committee on progress with intersessional discussions regarding how legal issues arising within IWC could be addressed.

In commenting on the Draft Agenda for the F&A Committee, Japan noted that one or more participants to the conference held under its auspices in February 2007 on normalizing the IWC (see Document IWC/59/7) may, during the F&A Committee meeting, raise issues in relation to: (1) reviewing proposed Schedule amendments to ensure their consistency with Article 5.2 of the Convention; and (2) seeking legal opinion from outside IWC in cases where there is disagreement among IWC members on the interpretation of the ICRW or IWC decisions. See F&A Committee Draft Agenda (IWC/59/F&A 1rev) for further detail.

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

Japan intends to propose an addition to the Rules of Debate as follows:

‘A.5. Slanderous verbal statements and/or slanderous language in Resolutions is prohibited.’

Japan has indicated that it wishes to first discuss this proposal under item 3.4 of the Draft Agenda of the Finance and Administration Committee so as to seek adoption by consensus. Japan notes that the recommendation for this proposal is from the ‘Conference on Normalizing the IWC’ held under its auspices in February 2007 (see Document IWC/59/7).

In commenting on the Draft Agenda, the UK indicated that in the meeting of the Finance and Administration Committee it may propose an amendment to the Commission Rule of Procedure Q.2 as follows:

‘Q.2. Any document submitted to the Commission for distribution to Commissioners, ~~and Contracting Governments or members of the Scientific Committee~~ is considered to be in the public domain unless it is designated by the author or government submitting it to be restricted. Such restriction is automatically lifted when the report of the meeting to which it is submitted becomes publicly available under 1. above. *Documents submitted to the Commission for distribution to members of the Scientific Committee are considered to be in the public domain and may not be designated as restricted.*’

20. SECRETARIAT OFFICES AND POSSIBLE RELOCATION OF SECRETARIAT

At the request of the Commission, a questionnaire prepared by the Secretariat and Advisory Committee was circulated in September 2006 inviting interested governments to identify what they would be prepared to offer to host the Secretariat in their country (e.g. by way of office accommodation, other facilities, financial support, etc). At the same time, the Chair proposed a process for handling any offers should the Commission, at IWC/59, confirm that it wishes to pursue the possibility of relocating the Secretariat. Two expressions of interest have been received, one from Germany and another from Switzerland, and circulated to Contracting Governments (Documents IWC/59/F&A 3 and 4).

This matter will have first been discussed by the Finance and Administration Committee who will make recommendations to the Commission as appropriate.

21. FORMULA FOR CALCULATING CONTRIBUTIONS

This matter will have first been discussed by the Finance and Administration Committee.

Recognising the potential implications for any revised contributions formula of work on the RMS, the work of the Contributions Task Force had been put on hold until these implications could be assessed. The Task Force last met in March 2003. At IWC/57 in Ulsan, the view was expressed by some that work to revise the contributions formula should not be linked to completion of the RMS and should therefore be resumed. It was agreed to hold a Task Force meeting at IWC/58. Given this and the impasse reached on the RMS, at IWC/58 the Commission agreed to the Task Force’s proposal that work on a revised contributions formula be resumed, building on the work to date. Up to two intersessional Task Force meetings were foreseen (the first in October/November 2006, and the second, if necessary, in February/March 2007). It has not been possible to schedule a time convenient for all Task Force members and the F&A Committee will be invited to discuss how to take this work forward and develop recommendations to the Commission as appropriate.

22. 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/59/Rep 2.

Financial matters arising under agenda items 22.1 (Review of the provisional financial statement, 2005/2006) and 22.2 (Consideration of estimated budgets, 2007/2008 and 2008/2009) are dealt with in Document IWC/59/5 (Financial Statements).

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

24. DATE AND PLACE OF ANNUAL AND INTERSESSIONAL MEETINGS

24.1 60th Annual Meeting, 2008

This meeting will be hosted by the Government of Chile. It will be held at the Sheraton Hotel in Santiago in the period 29 May to 27 June 2008. Chile will make a 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/59/6.

24.2 Future Commission meetings

According to Rule of Procedure B.1, meeting venues should be decided 2 years in advance. Although the Secretariat has received expressions of interest from several Contracting Governments in hosting the 2009 Annual Meeting, it has not yet (as of 29 March) received any 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.

At IWC/58 last year, the Commission noted interest expressed by Portugal and Japan in hosting the 61st Annual Meeting in 2009 in Madeira and Yokohama respectively.

25. ADVISORY COMMITTEE

At IWC/59, the Commissioner for the UK will have come to the end of his two-year term on the Advisory Committee and a replacement will need to be elected.

26. SUMMARY OF DECISIONS AND REQUIRED ACTIONS

The Chair or Secretary will summarise briefly the decisions taken during the 59th 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.

27. 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.