58th Annual Meeting of the International Whaling Commission

WORKING GROUP ON THE REVISED MANAGEMENT SCHEME

Saturday 10 June (afternoon) and Sunday 11 June (morning)

DRAFT AGENDA
and annotations

1. INTRODUCTORY ITEMS

1.1 Appointment of Chair

Doug DeMaster (USA) is proposed.

1.2 Introductory remarks and objectives of the meeting

The Chair will make some introductory remarks and outline his objectives for the meeting.

1.3 Reporting

The Chair will outline his proposal for handling the report of the meeting, including its format and content.

Nicky Grandy and Greg Donovan (Secretariat) are proposed as rapporteurs.

1.4 Review of documents

The Chair will note briefly the documents prepared and distributed for the meeting.

2. ADOPTION OF THE AGENDA

3. REVIEW OF INTERSESSIONAL WORK

An intersessional meeting of the RMS Working Group was held in Cambridge, UK from 28 February to 2 March 2006. The report was circulated on 31 March as document IWC/58/RMS 3. At the intersessional meeting, the Working Group agreed to further work in two areas: (1) Code of Conduct for whaling under special permit; and (2) compliance.

3.1 Development of a Code of Conduct for whaling under special permit

At the intersessional meeting in Cambridge the Working Group reviewed a paper prepared by Arne Bjørge (Chair of the Scientific Committee), Debbie Palka (Vice Chair of the Scientific Committee), Doug DeMaster (immediate past Scientific Committee Chair) and Greg Donovan (Head of Science at the Secretariat) on *'Further thoughts for a Code of Conduct for Whaling under Special Permit'* (Document IWC/F06/RMSWG 6). The Working Group agreed that the authors of this document should develop it further to include more detail. A revised version will be available at IWC/58.

3.2 Compliance

A Compliance Working Group was established by the Commission at IWC/57 to (1) explore ways to strengthen compliance by analysing the range of possible legal, technical and administrative measures available to the Commission which are consistent with the ICRW; and (2) to explore possible mechanisms to monitor and possibly address non-compliance of Contracting Governments consistent with the ICRW and international law. As no progress had been made prior to the intersessional meeting, the Working Group agreed to the UK's proposal that it work with the Netherlands, Germany, USA, Sweden, Australia, New Zealand and Republic of Korea to develop a document that

identifies the specific responses/measures to non-compliance that have so far been mentioned by some Contracting Governments as being desirable and indicates how each of these may or may not be compatible with the provisions of the existing Convention and with the draft Schedule text for the Compliance Review Committee. A paper will be available for review by the RMS Working Group.

3.3 Other

Contracting Governments may wish to report back on any other RMS-related activities.

7. FUTURE WORK

On the basis of discussions at the intersessional meeting, the Working Group agreed that an impasse in discussions on the RMS had been reached and that further collective work should be postponed for the time-being (with the exception of the two activities on a code of conduct and on compliance) but that individual governments or groups of governments should be free to work together if they so choose. With respect to a high level meeting, it was clear that there was no consensus among the group for such an approach at the present time.

The Working Group may wish to discuss what further work might be done on the RMS and how and develop recommendations as appropriate for consideration by the Commission.

8. ADOPTION OF THE REPORT

Terms of Reference

Via Resolution 2005-4 to 'advance the RMS process', the Commission agreed to: (1) hold an intersessional meeting to advance the work of the RMS Working Group and that of the Small Drafting Group (as established by Resolution 2004-6), with particular emphasis on any outstanding issues and taking as a starting point the Group's report to the Commission (i.e. IWC/57/RMS 3); (2) hold a meeting of the RMS Working Group in connection with IWC/58 to discuss the remaining issues that must be resolved before adoption of the RMS can be considered; and (3) consider, if appropriate, ministerial, diplomatic, or other high-level possibilities to resolve these issues among the Contracting Governments to the Convention.

Admission of observers

Rule of Procedure C.2

Observers accredited in accordance with Rule [of Procedure] C.1.(a) and (b) are admitted to all meetings of the Commission and the Technical Committee, and to any meetings of subsidiary groups of the Commission and the Technical Committee, except the Commissioners-only meetings and the meetings of the Finance and Administration Committee.