

ANNOTATED PROVISIONAL AGENDA

**58th Annual Meeting of the International Whaling Commission
16 – 20 June 2006, St Kitts and Nevis**

NOTE:

Provisions adopted under agenda items 7, 8, 9 and 10 may require amendment of the Schedule.

1. INTRODUCTORY ITEMS

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|---|-----------|
| 1.1 Welcome Address | |
| 1.2 Opening Statements | IWC/58/OS |
| 1.3 Secretary's Report on Credentials and Voting Rights | |
| 1.4 Meeting Arrangements | |
| 1.5 Review of Documents | IWC/58/1 |

(Note that the draft list of participants will be IWC/58/3)

2. ADOPTION OF THE AGENDA..... IWC/58/2

3. INTERFERENCE WITH WHALE RESEARCH

- 3.1 Introduction by Japan
- 3.2 Commission discussions and action arising

4. SECRET BALLOTS

[Chair's Report of the 57th Annual Meeting, Section 3]

- 4.1 Proposal to amend Rule of Procedure E.3 (d)
- 4.2 Commission discussions and action arising

5. WHALE STOCKS

[Chair's Report of the 57th Annual Meeting, Section 4]

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| 5.1 Antarctic minke whales | |
| 5.1.1 Report of the Scientific Committee | IWC/58/Rep 1 |
| 5.1.2 Commission discussions and action arising | |
| 5.2 In-depth assessment of western North Pacific common minke whales | |
| 5.2.1 Report of the Scientific Committee | IWC/58/Rep 1 |
| 5.2.2 Commission discussions and action arising | |
| 5.3 In-depth assessment of Southern Hemisphere humpback whales | |
| 5.3.1 Report of the Scientific Committee | IWC/58/Rep 1 |
| 5.3.2 Commission discussion and action arising | |
| 5.4 In-depth assessment of blue whales | |
| 5.4.1 Report of the Scientific Committee | IWC/58/Rep 1 |
| 5.4.2 Commission discussion and action arising | |
| 5.5 Other small stocks – bowhead, right and gray whales | |
| 5.5.1 Report of the Scientific Committee | IWC/58/Rep 1 |
| 5.5.2 Commission discussion and action arising | |
| 5.6 Other | |

6.	WHALE KILLING METHODS AND ASSOCIATED WELFARE ISSUES <i>[Chair's Report of the 57th Annual Meeting, Section 7]</i>	
6.1	Report from the Workshop on Whale Killing Methods and Associated Welfare Issues	IWC/58/Rep 7
6.2	Commission discussions and action arising	
7.	ABORIGINAL SUBSISTENCE WHALING <i>[Chair's Report of the 57th Annual Meeting, Section 5]</i>	
7.1	Aboriginal Subsistence Whaling Management Procedure	
7.1.1	Report of the Aboriginal Subsistence Whaling Sub-committee	IWC/58/Rep 3
7.1.2	Commission discussions and action arising	
7.2	Aboriginal Whaling Scheme	
7.2.1	Report of the Aboriginal Subsistence Whaling Sub-committee	IWC/58/Rep 3
7.2.2	Commission discussions and action arising	
7.3	Aboriginal subsistence whaling catch limits	
7.3.1	Report of the Aboriginal Subsistence Whaling Sub-committee	IWC/58/Rep 3
7.3.2	Commission discussions and action arising	
7.4	Other	
8.	REVISED MANAGEMENT SCHEME (RMS) <i>[Chair's Report of the 57th Annual Meeting, Section 6]</i>	
8.1	Revised Management Procedure (RMP)	
8.1.1	Report of the Scientific Committee	IWC/58/Rep 1
	<ul style="list-style-type: none"> • general issues • preparations for implementation (Western North Pacific Bryde's whales, North Atlantic fin whales) • bycatch 	
8.1.2	Commission discussions and action arising	
8.2	Revised Management Scheme	
8.2.1	Report of the RMS Working Group	IWC/58/Rep 6
8.2.2	Commission discussions and action arising	
8.3	Other	
9.	SANCTUARIES <i>[Chair's Report of the 57th Annual Meeting, Section 8]</i>	
9.1	Issues raised in the Scientific Committee	
9.1.1	Report of the Scientific Committee	IWC/58/Rep 1
9.1.2	Commission discussions and action arising	
9.2	Proposal to amend the Schedule to establish a South Atlantic Whale Sanctuary	
9.2.1	Introduction of the proposal	IWC/57/4
9.2.2	Report from the Conservation Committee	IWC/58/Rep 5
9.2.3	Commission discussions and action arising	
9.3	Proposal to amend Schedule paragraph 7 (b) regarding the Southern Ocean Sanctuary	
9.3.1	Introduction of the proposal	
9.3.2	Commission discussion and action arising	
9.4	Other	

10. SOCIO-ECONOMIC IMPLICATIONS AND SMALL-TYPE WHALING

[Chair's Report of the 57th Annual Meeting, Section 9]

- 10.1 Proposal to amend the Schedule
- 10.2 Commission discussions and action arising

11. SCIENTIFIC PERMITS

[Chair's Report of the 57th Annual Meeting, Section 10]

- 11.1 Report of the Scientific Committee..... IWC/58/Rep 1
 - 11.1.1 Improving procedures for reviewing scientific permit proposals
 - 11.1.2 Review of results from existing permits
 - 11.1.3 Review of new or continuing proposals
 - 11.1.4 Other
- 11.2 Commission discussions and action arising

12. ENVIRONMENTAL AND HEALTH ISSUES

[Chair's Report of the 57th Annual Meeting, Section 11]

- 12.1 Seismic surveys and cetaceans
 - 12.1.1 Report of the Scientific Committee IWC/58/Rep 1
 - 12.1.2 Commission discussions and action arising
- 12.2 Ecosystem modelling
 - 12.2.1 Report of the Scientific Committee IWC/58/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/58/Rep 1
 - POLLUTION 2000+
 - Southern Ocean collaboration
 - State of the Cetacean Environment (SOCER)
 - Sea ice: Arctic and Antarctic
 - Diseases
 - Potential value to the Committee from information on handling and release of entangled cetaceans.
 - 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 57th Annual Meeting, Section 12]

- 13.1 Report of the Scientific Committee..... IWC/58/Rep 1
- 13.2 Commission discussions and action arising

14. CO-OPERATION WITH OTHER ORGANISATIONS

IWC/58/4

[Chair's Report of the 57th Annual Meeting, Section 13]

- 14.1 Report of the Scientific Committee..... IWC/58/Rep 1
- 14.2 Other reports
- 14.3 Commission discussions and action arising

15. OTHER SCIENTIFIC COMMITTEE ACTIVITIES, ITS FUTURE WORK PLAN AND ADOPTION OF THE SCIENTIFIC COMMITTEE REPORT <i>[Chair's Report of the 57th Annual Meeting, Section 14]</i>		
15.1	Small cetaceans	
15.1.1	Report of the Scientific Committee	IWC/58/Rep 1
15.1.2	Commission discussions and action arising	
15.2	Other activities	
15.2.1	Report of the Scientific Committee	IWC/58/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/58/Rep 1
15.3.2	Commission discussions and action arising	
15.4	Adoption of the Report	
16. CONSERVATION COMMITTEE <i>[Chair's Report of the 57th Annual Meeting, Section 15]</i>		
16.1	Report of the Conservation Committee.....	IWC/58/Rep 5
16.2	Commission discussions and action arising	
17. CATCHES BY NON-MEMBER NATIONS <i>[Chair's Report of the 57th Annual Meeting, Section 16]</i>		
17.1	Commission discussions and action arising	
18. INFRACTIONS, 2005 SEASON <i>[Chair's Report of the 57th Annual Meeting, Section 17]</i>		
18.1	Report of the Infractions Sub-committee	IWC/58/Rep 4
18.2	Commission discussions and action arising	
19. TOWARDS NORMALISATION OF THE IWC		
19.1	Introduction	
19.2	Commission discussions and action arising	
20. ADMINISTRATIVE MATTERS <i>[Chair's Report of the 57th Annual Meeting, Section 18]</i>		
20.1	Annual Meeting arrangements and procedures	
20.1.1	Report of the Finance and Administration Committee.....	IWC/58/Rep 2
	• Need for a Technical Committee	
	• Use of languages other than English	
	• Frequency of meetings	
20.1.2	Commission discussions and action arising	
20.2	Legal advice in relation to the IWC	
20.2.1	Report of the Finance and Administration Committee.....	IWC/58/Rep 2
20.2.2	Commission discussions and action arising	
20.3	Amendments to the Rules of Procedure, Financial Regulations and Rules of Debate	
20.3.1	Report of the Finance and Administration Committee.....	IWC/58/Rep 2
20.3.2	Commission discussions and action arising	

21. FORMULA FOR CALCULATING CONTRIBUTIONS

[Chair's Report of the 57th Annual Meeting, Section 19]

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| 21.1 | Report of the Finance and Administration Committee..... | IWC/58/Rep 2 |
| 21.2 | Commission discussions and action arising | |

22. FINANCIAL STATEMENTS AND BUDGETS

[Chair's Report of the 57th Annual Meeting, Section 20]

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| 22.1 | Review of the provisional financial statement, 2005/2006 | IWC/58/5 |
| 22.1.1 | Report of the Finance and Administration Committee..... | IWC/58/Rep 2 |
| 22.1.2 | Commission discussions and action arising | |
| 22.2 | Consideration of a possible one-off amnesty to relieve the debt of
developing countries | |
| 22.2.1 | Report of the Finance and Administration Committee..... | IWC/58/Rep 2 |
| 22.2.2 | Commission discussions and action arising | |
| 22.3 | Review of the budget provision for Annual Meetings | |
| 22.3.1 | Report of the Finance and Administration Committee..... | IWC/58/Rep 2 |
| 22.3.2 | Commission discussions and action arising | |
| 22.4 | Secretariat offices | |
| 22.4.1 | Report of the Finance and Administration Committee..... | IWC/58/Rep 2 |
| 22.4.2 | Commission discussions and action arising | |
| 22.5 | Consideration of estimated budgets, 2006/2007 and 2007/2008..... | IWC/58/5 |
| 22.5.1 | Report of the Finance and Administration Committee..... | IWC/58/Rep 2 |
| 22.5.2 | Commission discussions and action arising | |
| 22.6 | Other | |
| 22.6.1 | Report of the Finance and Administration Committee..... | IWC/58/Rep 2 |
| 22.6.2 | Commission discussions and action arising | |

23. NGO PARTICIPATION IN IWC

[Chair's Report of the 57th Annual Meeting, Section 21]

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| 23.1 | Code of Conduct | |
| 23.1.1 | Report of the Finance and Administration Committee..... | IWC/58/Rep 2 |
| 23.1.2 | Commission discussions and action arising | |
| 23.2 | Participation in Annual Meetings | |
| 23.2.1 | Report of the Finance and Administration Committee..... | IWC/58/Rep 2 |
| 23.2.2 | Commission discussions and action arising | |

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

25. DATE AND PLACE OF ANNUAL AND INTERSESSIONAL MEETINGS

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|------|---|----------|
| 25.1 | 59 th Annual Meeting, 2007 | IWC/58/6 |
| 25.2 | 60 th Annual Meeting, 2008 | |
| 25.3 | Other | |

26. ELECTION OF THE CHAIR AND VICE CHAIR

27. ADVISORY COMMITTEE

28. SUMMARY OF DECISIONS AND REQUIRED ACTIONS

29. OTHER MATTERS

ANNOTATIONS TO THE PROVISIONAL AGENDA

1. INTRODUCTORY ITEMS

1.1 Welcome Address

The 58th Annual Meeting will open formally at 10.00 on Friday 16 June 2006. A welcome address will be given by The Honourable Prime Minister, Dr Denzil Douglas. This will be preceded by a few remarks from Honourable Minister Cedric Liburd, Commissioner to IWC for St. Kitts and Nevis.

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/58/1.

2. ADOPTION OF THE AGENDA

The Secretary dispatched the Draft Agenda to all Contracting Governments and Commissioners on 8 March 2006 with a request for comments and additions together with annotations they might wish to propose. The Annotated Provisional Agenda was made available on 13 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 commenting on the Draft Agenda, Japan indicated that it would like the Commission to focus on its core responsibilities consistent with the Convention and would therefore be pleased if certain items were deleted from the agenda, i.e.: item 6 on Whale Killing Methods and Associated Welfare Issues; item 9.2 on a proposal for a new sanctuary; item 12.5 on Health Issues; item 13 on Whalewatching; item 15.1 on Small Cetaceans and item 16 on the Conservation Committee. However, Japan further indicated that while it maintains this position, its intention at IWC/58 is to only seek the deletion of item 15.1.2, i.e. Commission discussion and action arising in relation to Small Cetaceans. It is prepared to receive the Scientific Committee's report concerning Small Cetaceans (item 15.1.1), but it believes that since the Convention does not give a mandate to the Commission in respect of small cetaceans, it is inappropriate that there is an agenda item titled 'Commission discussions and action arising'. In addition to the legal issue, Japan believes that there are also practical matters that make it inappropriate for the Commission to involve itself in the management of small cetaceans, including the regional nature of their distribution, habitat situations and human activities including fisheries. Japan stressed that since the IWC is unable to manage whaling for those species for which it has a clearly defined mandate, it could not and should not attempt to 'manage' small cetaceans.

3. INTERFERENCE WITH WHALE RESEARCH

In commenting on the Draft Agenda, Japan asked that this new item be added. Under this item, Japan intends to draw the attention of the Commission to what it considers to be the very dangerous nature of the recent protest activities against Japan's whale research vessels in the Antarctic. It will seek the adoption of a Resolution or recommendation from the Commission that discourages such activities.

4. SECRET BALLOTS

Japan intends to propose an amendment to Rules of Procedure E.3 (d). The text of Japan's proposed amendment to replace the existing text is as follows:

'Votes can be taken by show of hands, or by roll call, as in the opinion of the Chair appears most suitable, or by secret ballot if requested by a Commissioner and seconded by at least five other Commissioners except that on any matter related to aboriginal subsistence whaling, voting by secret ballot shall only be used when all the Commissioners representing the Contracting Parties where the aboriginal subsistence takes will occur request the use of secret ballot and where such requests are seconded by at least five other Commissioners.'

The current text of Rule of Procedure E.3 (d) is: 'Votes shall be taken by show of hands, or by roll call, as in the opinion of the Chair, appears to be most suitable. The election of the Chair, Vice-Chair, the appointment of the Secretary of the Commission, and the selection of IWC Annual Meeting venues shall, upon request by a Commissioner, all proceed by secret ballot.'

5. 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/58/Rep 1), i.e., Southern Hemisphere minke whales, western North Pacific common minke whales, Southern Hemisphere humpback whales, blue whales and other stocks (bowhead, right and gray whales).

6. WHALE KILLING METHODS AND ASSOCIATED WELFARE ISSUES

A Workshop on Whale Killing Methods and Associated Welfare Issues will be held in St. Kitts from 11 to 13 June. The report will be distributed as IWC/58/Rep 7.

The Terms of Reference for the workshop adopted by the Commission at IWC/57 were:

'The Workshop shall build on advances from previous years to consider the following issues and make recommendations as appropriate:

- 1. Practical criteria for determining the onset of irreversible insensibility and death;*
- 2. Means of improving the efficiency of whale killing methods;*
- 3. Reducing times to death and other associated welfare issues;*
- 4. Means for reducing struck and lost rates in whaling operations;*
- 5. The welfare implications of methods used to kill whales caught in nets where they are not released alive; and*
- 6. Practicable methods of reviewing and collecting data from aboriginal hunts.*

Safety issues for the crew members of whaling vessels shall be taken into account in all proposals regarding improvements to existing and new methods, and gear, e.g. killing methods for whales caught in nets. Cost issues for aboriginal subsistence hunters shall also be taken into account.

In considering these issues the Workshop shall have regard, inter alia, to data furnished to the Working Group on Whale Killing Methods and Associated Welfare Issues and also to relevant comparative data from the killing of other large mammals.'

7. ABORIGINAL SUBSISTENCE WHALING

The Aboriginal Subsistence Whaling Sub-committee will meet in St. Kitts during the afternoon of Sunday 11 June. The report will be distributed as Document IWC/58/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/58/Rep 1) to present to the plenary.

7.1 Aboriginal Subsistence Whaling Management Procedure

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

- progress with the Greenlandic Research Programme;
- planning for the *Implementation Review* for bowhead whales.

7.2 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.

7.3 Aboriginal subsistence whaling catch limits

The Sub-committee will review the catch limits set for the following stocks, based on advice from the Scientific Committee:

- 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 catch limits for these stocks are set until 2007, but their status is reviewed annually by the Scientific Committee. The Schedule makes specific provision for the annual review of the catch limits by the Commission in the light of Scientific Committee advice for the Bering-Chukchi-Beaufort stock of bowheads and the North Pacific Eastern stock of gray whales.

8. REVISED MANAGEMENT SCHEME (RMS)

8.1 Revised Management Procedure (RMP)

The Scientific Committee will report on progress with its work in this area (see Document IWC/58/Rep 1), including progress with: (1) preparations for implementation (Western North Pacific Bryde's whales and North Atlantic fin whales); and (2) work on bycatch.

8.2 Revised Management Scheme

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.

The RMS intersessional meeting was held in Cambridge from 28 February to 2 March 2006. The Working Group will meet again in St. Kitts during the afternoon of Saturday 10 June and the morning of Sunday 11 June to review the outcome of any further intersessional work. The report of that meeting will be available as Document IWC/58/Rep 6.

9. SANCTUARIES

9.1 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.

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

Brazil and Argentina intend to propose an amendment to the Schedule to create a South Atlantic Whale Sanctuary through the inclusion of a new sub-paragraph in Chapter III of the Schedule 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."

This proposal is supported by Document IWC/57/4 submitted last year. The proposal will also have been discussed by the Conservation Committee.

9.3 Proposal to amend Schedule paragraph 7 (b) regarding the Southern Ocean Sanctuary

Japan intends to propose amendments to paragraph 7(b) of the Schedule to the effect that the paragraph becomes consistent with Article V(2) of the Convention.

10. SOCIO-ECONOMIC IMPLICATIONS AND SMALL-TYPE WHALING

Japan intends to propose an amendment to paragraph 10 of the Schedule to alleviate the economic, social and cultural hardship of its coastal whaling communities. The proposed amendment will provide quotas despite the moratorium, the continued existence of which Japan believes to be against the objectives of the Convention. The proposal will also include the implementation of observation and enforcement measures. Japan may submit documents to support this proposal. The mayor of Taiji, one of the coastal communities, will make a PowerPoint presentation.

11. SCIENTIFIC PERMITS

Since IWC/57, 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.

11.1 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/58/Rep 1.

11.2 Commission discussions and action arising

Japan has indicated that it intends to make two PowerPoint presentations under this item on the results of its JARPA II and JARPN II programmes. It has also indicated that a Resolution expressing support for its whale research programmes may be submitted under this item.

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 Seismic surveys and 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, SOCER, sea ice (Arctic and Antarctic), diseases, potential value to the Committee from information on handling and release of entangled cetaceans;
- 12.4 Reports from Contracting Governments.

The Scientific Committee will report on its work on environmental issues in Document IWC/58/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 (which was further emphasized by some Contracting Governments at IWC/57 last year). 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 included 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/58/Rep 1).

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/58/4. The Scientific Committee will include its discussions and comments on co-operation with the other organisations in its report (Document IWC/58/Rep 1).

The Secretary will report on the outcome of any further contact with the Global Environment Facility as requested by the Commission last year (following on from Resolution 2004-5).

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 St. Kitts from 26 May to 6 June, under its Chair, Dr Arne Bjørge (Norway). There will be pre-meetings on seismic surveys and cetaceans and 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/58/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 small cetaceans of the Caribbean and western tropical Atlantic.

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.

16. CONSERVATION COMMITTEE

The Conservation Committee will meet on Friday 9 June. Its report will be available as IWC/58/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, 2005 SEASON

The Infractions Sub-committee will meet in St. Kitts during the afternoon of Friday 9 June. Its report will be circulated as Document IWC/58/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. TOWARDS NORMALISATION OF THE IWC

Japan has proposed the inclusion of this new agenda item. When making its proposal, it recalled that at the intersessional meeting of the RMS Working Group in Cambridge from 28 February to 2 March, a number of Contracting Governments tabled a document titled 'Toward normalisation of the International Whaling Commission' (see Annex H of Document IWC/58/RMS 3). In this document these Governments: (1) expressed regret that the Working Group had again failed to make progress toward the completion of an RMS; (2) noted their view that it is time to start more productive discussions; and (3) indicated that IWC members that support the sustainable use of whale resources would present a clear statement of conditions and factors for the normalisation of the functions of the IWC by implementing the Convention in a responsible manner consistent with international law. Japan explained that this new agenda item will facilitate discussion of this matter. Contracting Governments supporting the sustainable use of whale resources will submit a supporting document.

In commenting on the Draft Agenda, St. Kitts and Nevis also requested that a new agenda item be added under which it wishes to make a 'St. Kitts and Nevis Declaration'. A proposed Declaration will be circulated prior to the start of the Annual Meeting. The Secretariat understands that the nature of the issue is similar to that raised by Japan and therefore at this stage has grouped these proposals together under a single item.

20. ADMINISTRATIVE MATTERS

Most administrative matters will first have been discussed by the Finance and Administration Committee. The F&A Committee will meet in St. Kitts on Tuesday 13 June. The Committee's report will be distributed as Document IWC/58/Rep 2.

21. FORMULA FOR CALCULATING CONTRIBUTIONS

The Contributions Task Force is scheduled to meet in St. Kitts during the morning of Saturday 10 June. Its report will be considered by the F&A Committee who will make any recommendations to the Commission as appropriate (see Document IWC/58/Rep 2).

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/58/Rep 2.

Financial matters arising under agenda items 22.1 (Review of the provisional financial statement, 2005/2006) and 22.5 (Consideration of estimated budgets, 2006/2007 and 2007/2008) are dealt with in Document IWC/58/5 (Financial Statements).

The outcome of discussions under item 22.2 regarding the consideration of a possible one-off amnesty to relieve the debt of developing countries, item 22.3 regarding budget provisions for Annual Meetings and item 22.4 regarding Secretariat offices, may have implications for the 2006/2007 budget. Discussions on item 22.2 may also have implications for the Rules of Procedure/Financial Regulations.

23. NGO PARTICIPATION IN IWC

This item will first have been discussed by the F&A Committee. The F&A Committee will address two issues: (1) development of a Code of Conduct relating to the participation of NGOs at IWC meetings; and (2) NGO participation in Annual Meetings relating to possible changes in (a) requirements for accreditation, (b) number of observers allowed, and (c) fee structure. The discussions and recommendations of the F&A Committee will be reported in Document IWC/58/Rep 2.

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

25. DATE AND PLACE OF ANNUAL AND INTERSESSIONAL MEETINGS

25.1 59th Annual Meeting, 2007

This meeting will be hosted by the Government of the USA. It will be held at the Captain Cook Hotel, Anchorage, Alaska. The expected period is between 4 May and 1 June 2007. The USA 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/59 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/58/6.

25.2 60th Annual Meeting, 2008

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 2007 Annual Meeting, it has not yet (as of 21 April) 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/57 last year, the Commission noted the offer from the Government of Chile to host the Annual Meeting in 2008. Chile indicated that it would give formal notice of this offer at IWC/58 in St. Kitts. It has requested to make a brief presentation to plenary.

26. ELECTION OF THE CHAIR AND VICE CHAIR

Henrik Fischer completes his three-year term as Chair at the end of IWC/58. Horst Kleinschmidt resigned as Vice-Chair in February 2006. A new Chair and Vice Chair should therefore be elected (Rules of Procedure F.1 and G.1.).

When commenting on the Draft Agenda, Japan noted that since the Commission is currently without a Vice Chair, it may be prudent to elect a Vice Chair and Chair at the start of the meeting in case, for any reason, the Chair is unable to carry out his duties for any part of the meeting. Henrik Fischer intends to discuss this suggestion with Commissioners during their meeting in private on Thursday 15 June.

27. ADVISORY COMMITTEE

At IWC/58, Dominica will have come to the end of its two-year term on the Advisory Committee and a replacement will need to be elected (Rules of Procedure M.9).

28. SUMMARY OF DECISIONS AND REQUIRED ACTIONS

The Chair or Secretary will summarise briefly the decisions taken during the 58th 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.

29. 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.