

Non-governmental organisation accreditation and participation in IWC Annual Meetings: a recommended approach

(Submitted by Australia, Austria, Monaco, the Netherlands, New Zealand, and the United States)

The Finance and Administration Committee established a small working group to further investigate the accreditation and participation of non-governmental organisations in IWC Annual Meetings, with the aim of providing a recommendation to the Commission. The group used a paper submitted to the Finance and Administration Committee by the Secretary, in consultation with the Advisory Committee, as a basis for discussion (IWC/58/F&A 3).

The group addressed the following issues:

- Whether non-governmental organisations should have to demonstrate interest/ competency/ experience in the work of the IWC;
- Whether national, as well as international organisations, should be eligible for accreditation;
- The number of individual observers each non-governmental organisation is allowed in the meeting room; and
- The registration fees to be charged for non-governmental organisations.

Whether non-governmental organisations should have to demonstrate interest/ competency/ experience in the work of the IWC

The group agreed that any non-governmental organisation which is qualified in matters covered by the Convention may be accredited as an observer to the IWC. To this end the group agreed that the Secretariat would write to all formally accredited non-governmental organisations, six months in advance of the next annual meeting after a decision is made by the IWC, to remind them of the need to seek re-accreditation. It further agreed that requests for accreditation must be submitted in writing to the Commission 60 days prior to the start of the meeting and must be accompanied by a standard application form provided by the Secretariat to ensure consistency of the information submitted. The required information would have to be established at a future time by the Commission but, such application forms could contain information such as, inter alia: name of organisation, place and date of registration, contact details, and copy of its charter, as appropriate. Such application forms would be archived by the Secretariat and may be available to any Contracting Government upon request.

By seeking written submissions from all non-governmental organisations for accreditation, the group sought to provide a “clean slate” and dispatch of the “flag of convenience” non-governmental organisations which currently exist.

This issue is dealt with in the draft revised rules of procedure attached to this paper.

Whether national, as well as international organisations, should be eligible for accreditation

The group agreed that any non-governmental organisation which is qualified in matters covered by the Convention should be entitled to accreditation, regardless of whether they are a national or international organisation.

This issue is dealt with in the draft revised rules of procedure attached to this paper, in that the rules are silent on whether the organisation shall be national or international.

The number of individual observers each non-governmental organisation is allowed in the meeting room

The group agreed that the number of individuals from each non-governmental organisation should not be limited so as to further seek to avoid “flag of convenience” non-governmental organisations. That said, the group also recognised that in some cases the number of individual observers given access to the meeting room may need to be limited due to the number of observers and/or the size of the meeting room.

This issue is dealt with in the draft revised rules of procedure attached to this paper.

The registration fees to be charged for non-governmental organisations

The group agreed that a fee per individual observer should apply and that this fee is income neutral to the IWC. The most significant advantage of a fee per individual observer is that it is most beneficial to small non-governmental organisations and to non-governmental organisations from developing nations. A lower cost per individual observer could attract the same income as a cost per organisation (the cost for which would be high), and then a cost per additional observer. It would be up to the Commission to set the fees for non-governmental organisation observers.

RECOMMENDATION TO THE COMMISSION

It is recommended that the Commission:

- endorse the draft revised rules of procedure as they relate to non-governmental organisation observers (C.1.b) with a view to amending the rules of procedure at IWC 59; and
- agree that a fee per individual observer should apply to non-governmental organisations, and that this fee is income neutral to the IWC.

Draft revised rules of procedure relating to observers

C. Observers

1. (a) Any Government not a party to the Convention or any intergovernmental organisation may be represented at meetings of the Commission by an observer or observers, if such non-party government or Intergovernmental Organisation has previously attended any meeting of the Commission, or if it submits its request in writing to the Commission 60 days prior to the start of the meeting, or if the Commission issues an invitation to attend.

(b) Any non-governmental organisation which is qualified in matters covered by the Convention, may be accredited as an observer. Requests for accreditation must be submitted in writing to the Commission 60 days prior to the start of the meeting and the Commission issues an invitation with respect to such request. Such submissions shall include the standard application form for non-governmental organisations which will be provided by the Secretariat. These applications shall remain available for review by Contracting Governments.

Once a non-governmental organisation has been accredited through the application process above, it will remain accredited until the Commission decides otherwise.

Observers from each non-governmental organisation will be allowed seating in the meeting. However, seating limitations may require that the number of observers from each non-governmental organisation be limited. The Secretariat will notify accredited non-governmental organisations of any seating limitations in advance of the meeting.

(c) The Commission shall levy a registration fee and determine rules of conduct, and may define other conditions for the attendance of observers accredited in accordance with Rule C.1.(a) and (b). The registration fee will be treated as an annual fee covering attendance at the Annual Meeting to which it relates and any other meeting of the Commission or its subsidiary groups as provided in Rule C.2 in the interval before the next Annual Meeting.

2. Observers accredited in accordance with Rule 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.