Minutes of the Joint Conservation Committee and Scientific Committee Working Group

Date and time: 4 June 2015, 2.30pm
Location: Point Loma Room, Level 1 of the South Tower, San Diego Marriott Marquis

Terms of Reference:
IWC Resolution 2014-4 provides terms of reference as follows:
'[The Commission] agrees to establish a working group between the Conservation Committee and the Scientific Committee in order to propose a procedure to facilitate the implementation and follow-up of conservation recommendations'.

Summary of agreed recommendations:

Agenda Item	Subject	Recommendation
2	Sanctuary reviews	That the process proposed by the Scientific Committee through its 2015 report provided opportunity for review material to be presented to the joint Scientific – Conservation Committee working group, and that the process would work in parallel with the Sanctuary steering group established by the Commission at IWC65 in 2014.
3,4 and 7	Intersessional group	The meeting discussed and agreed draft terms of reference to establish an intersessional working group to: (1) facilitate the communication, implementation and follow up of conservation recommendations; and (2) collate and analyse recent conservation recommendations and identify any which have been addressed or where, despite efforts, progress has not been possible.
3 and 7	Next meeting	The meeting agreed to meet again at the end of the 2016 Scientific Committee meeting (SC66b)
5	Contact with other organisations	The Secretariat agreed to establish contact with the Arctic Council, the IMO, the CMS, CBD and other organisations as required to progress recommendations arising through the Scientific Committee, Conservation Committee and associated IWC workshops on a range of topics including inter alia ship strikes, underwater noise and marine debris.

1 Welcome

a. Appointment of Chair

The meeting was chaired jointly by Jorge Maksabedian, Mexico (Chair of the Conservation Committee) and Caterina Fortuna, Italy (Chair of the Scientific Committee).

The list of participants is given at Annex A.

b. Appointment of Rapporteur

The Secretary agreed to act as rapporteur.

c. Review and clarification of Terms of Reference

The Chairs drew attention to the terms of reference for the joint working group contained within IWC Resolution 2014 and referred to the opportunity to bring the work of both Committees further together given their related interests. They noted the opportunity to increase the involvement of different countries in both Committees.

d. Adoption of Agenda

The meeting adopted the agenda with the addition of an additional item to provide an update on progress with the work to review sanctuary proposals. The adopted agenda is given at Annex B.

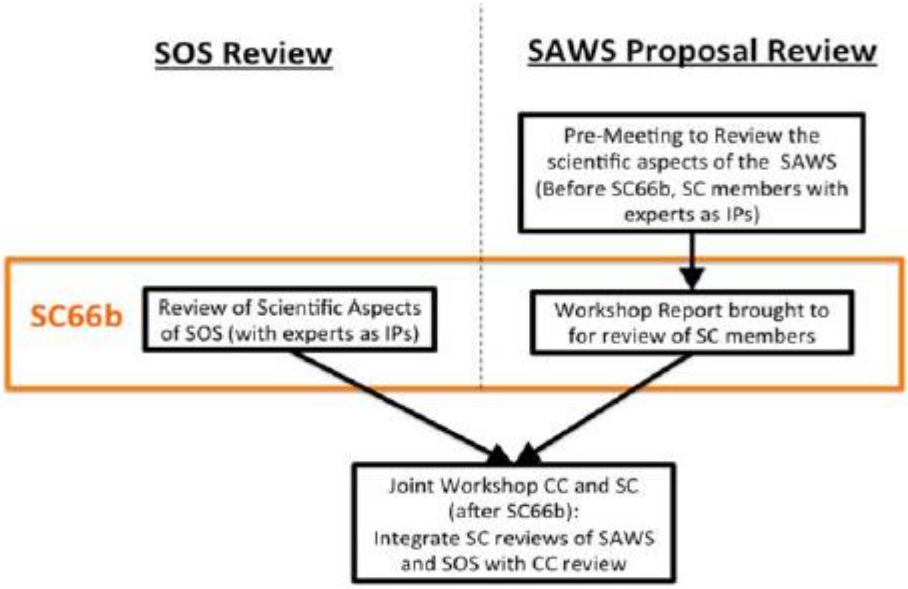
The list of documents available to the meeting is given at Annex C.

2 Update on progress to review sanctuaries

Zerbini (co-chair of the Scientific Committee's working group on Sanctuaries) provided an update on progress achieved at the 2015 Scientific Committee meeting on (1) the second decadal review of the Southern Ocean Sanctuary (SOS) and (2) the review of the proposed South Atlantic Whale Sanctuary (SAWS)[1].

Zerbini drew attention to the Scientific Committee's agreed future process for completing the reviews ahead of the Commission's next meeting in 2016[2]. He explained that the process would require input from members of the joint Conservation and Scientific Committee working group following the 2016 meeting of the Scientific Committee as explained in Figure One.

Figure One: Process for completing the review of the Southern Ocean and South Atlantic Sanctuaries (re-drawn from Annex O of the 2015 Report of the Scientific Committee)



Commenting on the process described in Figure One, South Africa noted that although the role for the Scientific Committee was clearly set out through appendices 4 and 5 of Annex O of the 2015 Scientific Committee report, the role for the joint SC-CC workshop was less clearly defined. Zerbini responded that several of the actions for the review of the SOS and the SAWS proposal (described in appendices 6 and 7 of Annex O) contained actions marked with an asterix which the Scientific Committee considered would be best addressed by the joint SC-CC workshop.

Australia noted that the Conservation Committee had held a planning meeting during the morning of 4 June 2015 and discussed a number of policy issues surrounding sanctuaries. These issues arose because original IWC sanctuary proposals reflected the period of their development and that modern MPA practice had developed substantially in the intervening period. This raised questions which included, for example, how the two existing IWC sanctuaries (and the third proposed SAWS sanctuary) were expected to co-support each other, how modern MPAs related to sanctuaries established under the ICRW, how management plans could be established and how they might support the role of IWC sanctuaries. This included a requirement to understand how IWC sanctuaries related to emerging work on high seas biodiversity and associated marine protected areas.

[1] See Section 18 of the Report of the Scientific Committee, San Diego, 2015 (SC66a)
[2] See Annex O to the Report of the Scientific Committee, San Diego, 2015 (SC66a)

Australia indicated that these discussions would form part of the basis for the Conservation Committee's input to the joint SC-CC review, and the UK recalled that the Conservation Committee planning meeting had agreed to form a small email correspondence group to start progressing the discussions ahead of the 2016 meeting of the Scientific Committee.

In addition, Australia noted that the Commission had agreed to establish its own Steering Group which would support work on the decadal review of the Southern Ocean Sanctuary[3]. It noted that the Secretariat would assist with the structure and organisation of this steering group and that it would be important to look across the Commission's membership to find the necessary expertise in order to support the Conservation Committee's input to the Sanctuary reviews.

After discussion, the meeting **agreed** that the process proposed by the Scientific Committee provided full opportunity for review material to be presented both through the Scientific Committee and the Conservation Committee ahead of IWC66 in 2016 and that it would work in parallel with the Steering Group established by the Commission.

3 Identifying the IWC's conservation recommendations

The Chair drew attention to two papers, the first of which (IWC/J15/2) provided a summary of conservation recommendations from 1990 to 2012 and illustrated trends in the conservation concerns presented to the Commission. The second paper (IWC/J15/3) was a summary of recommendations arising from IWC conservation related meetings in 2014 and illustrated the number of recommendations being produced.

The Head of Science suggested that the extent of the recommendations presented in these papers gave rise to an opportunity to develop an accounting process to ensure that the Commission could keep track of its recommendations and understand the timescales over which they operate. Australia noted that information was also required to understand what action had been taken in respect of each recommendation and that a paper should be prepared for the Commission to report on the main developments, results, any issues and where guidance was required. The UK commented that it was important to understand the Conservation Committees role given many of the recommendations arose through work connected to the Scientific Committee. It suggested that the role for the Conservation Committee included connectivity into other International Organisations.

Noting the **agreement** to this proposal, the Chairs suggested the formation of a working group to facilitate the communication, implementation and follow up of conservation recommendations. The terms of reference for the group and its membership are given at Annex D.

The UK highlighted the need for increasing the joint working between the Conservation Committee and Scientific Committee, and asked how recommendations arising during the Scientific Committee would be communicated to the Conservation Committee. After discussion, the meeting **agreed** that the most cost effective way would be to assemble Conservation Committee members at the close of the scientific committee meeting. Noting that the full report of the Scientific Committee would not yet be available at this stage, Australia suggested that extracts of sub-committee reports would be sufficient, especially if convenors were aware in advance of the need to highlight material relevant to the Conservation Committee.

Accordingly the Chair **recommended** the establishment of a drafting group group, with the same membership as the working group above, in order to collate existing conservation recommendations and analyse / organise them into key areas ahead of the next meeting of the SC/CC working group in 2016. The terms of reference for the group are given at Annex D.

[3] See Chair's Report of the Commission's 65th Meeting, Section 5.2, paragraphs 88 – 92.

4 Progress to date in implementing conservation recommendations

Progress in implementing Conservation Management Plans

SW Atlantic right whales

Argentina updated the meeting on progress under the Conservation Management Plan for South Atlantic right whales[4]. It highlighted the completion of a workshop in August 2014 to examine the causes of mortality of right whales around Peninsula Valdes, the results of which had been presented to the Scientific Committee. Argentina also noted the progress to train a network of specialist personnel to respond to entangled whales, and the establishment of a study deploying satellite tags in order to better understand right whale migration routes and feeding areas. Completion of these actions had allowed the countries who were members of the Conservation Management Plan to work together.

Franciscana

Argentina also highlighted the importance of protection measures for the franciscana dolphin given that it is the most threatened small cetacean species in the SW Atlantic, primarily due to high levels of accidental mortality in fisheries activities. The species range is divided into four 'Franciscana Management Areas' and it is a good potential candidate for a Conservation Management Plan along the lines of the one already implemented for Southern Right Whale in the SW Atlantic. It was noted that this species was also the focus of the first small cetacean 'Task Team' established by the Scientific Committee.

Arabian Sea humpback whales

Jackson (Convenor of the Scientific Committee's sub-committee on Southern Hemisphere whale stocks) updated the meeting on the status of the Arabian Sea humpback population which numbers less than 100 animals and the Committee's discussions on promoting recovery. The Scientific Committee had considered the establishment of a Conservation Management Plan, but noting the difficulties in obtaining support for this approach from range states had instead recommended the establishment of an independent advisory panel. In response to the high scarring rates shown by individuals in the population the Secretariat had established contact with officials in Oman, Pakistan and India in order to provide entanglement response training.

Australia supported the progress on Arabian Sea humpbacks, and noted that funds were available through the IWC's CMP fund to support flexible approaches aimed ultimately at establishing collaboration between range states.

Bowhead and right whales

Walløe (Convenor of the Scientific Committee's sub-committee on Bowhead, Right and Gray whales) highlighted that there were small populations of bowhead whales in the Okhotsk Sea and also in the North Atlantic (i.e. the Spitzbergen stock) which required support to promote their recovery and that these discussions were taking place within the Scientific Committee[5]. In addition, he noted that stocks of right whales in the North Pacific and North Atlantic required conservation assistance, in a similar way to that currently being applied in the South West Atlantic.

Turisops in Bocas del Toro

Urban (Co-convenor of the Scientific Committee's sub-committee on whalewatching) drew attention to the slow progress in implementing the Scientific Committee's recommendations regarding dolphin watching off Bocas Del Toro in Panama. This year, the Committee had expressed its grave concern about harassment in Dolphin Bay and requested that the topic be raised with the Conservation Committee with a view to considering the most effective ways to raise concerns with relevant authorities and agencies in Panama.

Discussion on transmission of conservation recommendations.

Following the discussion on *Turisops* in Boca del Toro the Chairs commented that there are several reasons why recommendations may not be followed and suggested a role for the Conservation Committee in developing advice on how best to frame and transmit recommendations so as to be most effective.

Australia referred to earlier discussions during the planning meeting on the morning of 4th June which had considered that the way advice is couched is likely to be an element of how it is received by a country or

[4] See also discussions under item 10.8.1 of the Report of the Scientific Committee, San Diego, 2015 (SC66a).
[5] See discussions under item 10.11 of the Report of the Scientific Committee, San Diego, 2015 (SC66a).

agency. It had noted that the Conservation Committee was in a position to look at ways of gentle engagement and had discussed the need to identify a key person or institution within the country and that these complimented other approaches including the use of Commission recommendations and support for continued study. Sironi noted the value in drawing attention to any relevant laws which national and local authorities may need to respond to, and also noted that perseverance was a key part of establishing changed practices, as seen for example with vaquita.

The United Kingdom said that it would be helpful to clarify the roles which exist within the different parts of the Commission. A first step would be to map out the different relationships between the Commission in its decision making role, the Scientific Committee in providing advice, the role of regional groupings of Contracting Governments in co-ordinating interests and the role of the Secretariat in co-ordination across the IWC and outreach to other organisations. This would provide a basis for comparison of the IWC's advocacy approach with those of other Inter-governmental organisations, including those operating in different sectors, and would allow the IWC to evaluate the effectiveness of its work and identify opportunities for different approaches including use of social sciences to understand stakeholder dynamics. South Africa highlighted the need for the Conservation Committee to increase its effectiveness in generating its own technical recommendations, and suggested that a schematic diagram showing the ways the different parts of the Commission interact would be valuable.

The Chairs, supported by Australia noted the need to develop a prioritisation in acting upon the range of conservation recommendations and that it was important to present this prioritisation to the Commission. Australia. New Zealand noted the commonality between some of the recommendations in documents IWC/J15/2 and IWC/J15/3 and that it was important to understand where progress had been achieved, and where – despite the best efforts of all involved – progress had not been possible and the nature of any barriers encountered. The Head of Science observed that it would be helpful for Scientific Committee convenors to have a standing agenda item on 'matters to be referred to the Conservation Committee', in order to distinguish between recommendations which were addressed to the Scientific Committee itself.

Following these discussions the Chair requested the Chair and Vice-chair of the Conservation Committee to develop terms of reference for the intersessional working group established under item 3 above to establish an approach for prioritising and reporting on progress with conservation recommendations. These terms of reference were discussed further under Item 7 below.

5 Relationships with other organisations

The Chairs noted that the IWC interacts with an increasing range of other Inter-governmental organisations as described in the annotated agenda (Annex B) and in document IWC/J15/5. For some of these organisations, for example ACCOBAMS, the IWC has an extensive collaboration, especially through the work of the Scientific Committee.

Leaper (Convenor of the Scientific Committee's working group on Human Induced Mortality) noted the extensive number of recommendations for the IWC to engage with the International Maritime Organization and drew attention to document IWC/J15/6 which set out the basis for co-operation. Key areas of mutual interest include: (1) ship strikes, especially related to taking forward actions from the IWC's 2014 workshop held in Panama; (2) underwater noise, in the context of the masking effects arising from commercial shipping; (3) marine debris, and in particular taking forward the recommendations arising from the IWC's 2015 workshop related to shipping. With regard to ship strikes, Leaper noted that there were specific actions for the Secretariat to contact relevant authorities in Greece with regard to collision risk in the area of the Hellenic Trench, and to continue outreach to authorities in Sri Lanka in connection with collision risk to blue whales off its southern coast.

Moore (USA) drew attention to the Scientific Committee's request to increase co-operation with the International Maritime Organization and the Arctic Council in order to propose measures to reduce ship strikes along arctic shipping routes, including the consideration of a proposal to request space for Observers on commercial vessels. Moore, supported by the USA, also drew attention to the work of the Conservation of Arctic Flora and Fauna (CAFF) working group and the Protection of the Arctic Marine Environment (PAME)

working group, both of which operate under the Arctic Council and provide opportunity for IWC collaboration[6].

Australia noted the need to increase co-operation between the IWC and the Convention for Migratory Species and the Convention for Biological Diversity as both organisations covered issues of interest to the Conservation Committee. It noted that co-operation would mean that the IWC's issues would be picked up and acted upon by other organisations and that partnerships would help improve the success of bids to international funding agencies.

Following the above discussions, the meeting **agreed** that the Secretariat would establish contact with the Arctic Council, the IMO, the CMS and the CBD and other organisations as required in order to progress recommendations arising through the Scientific Committee, Conservation Committee and associated IWC workshops. The Secretary noted that the newly recruited Project Development Officer role would contribute to supporting the necessary co-operation.

6 Obtaining financial resources

The Secretary introduced document IWC/J15/ALL/4 which addressed progress to strengthen IWC financing in regards to conservation recommendations. He noted that encouraging progress had been made in implementing the initial series of recommendations arising from the Commission's intersessional correspondence group on strengthening financing. These recommendations were aimed at creating an environment which would encourage external funders to contribute to the work of the Commission. Work to address the second set of recommendations, aimed at identifying sources of financing, was currently underway.

Noting the successful rise in voluntary contributions to the small cetaceans fund, the Chair of the Scientific Committee noted that the original funding had been used to support a set of ten projects and that the completion of these projects had created positive feedback which stimulated further contributions. Australia noted that a key strength of the approach was that the projects were selected on an objective basis and were accounted through a broad steering committee, and Italy observed that the IWC's approach also help minimise bureaucracy and helped funds be targeted where they were most needed.

New Zealand noted that at present the IWC's focus for raising voluntary contributions was primarily towards member governments and non-governmental organisations, and that additional sources could be available through individuals and corporations. In response to a question from the UK, the Secretary indicated that the working group on strengthening IWC financing had developed an 'acceptance of funds' policy in order to guide receipt of contributions from non-governmental sources.

7 Review of Terms of Reference for the Joint Scientific-Conservation Committee Working Group

The meeting discussed and **agreed** draft terms of reference and membership for its intersessional working group. These were subsequently refined by correspondence in the period after the meeting and the finalised version is given at Annex D.

Following the discussion at Items 3 and 7, the joint Scientific Committee – Conservation Committee working **agreed** to work by correspondence in the intersessional period and to meet again immediately after the 2016 meeting of the Scientific Committee (SC66b).

The meeting closed at 17.30 hrs.

[6] See discussion at item 12.6 of the Report of the Scientific Committee, San Diego, 2015 (SC66a)

Annex A
List of Participants

ARGENTINA
Juan Pablo Paniego
Miguel Iñíguez

AUSTRALIA
Chris Schweizer
William de la Mare

AUSTRIA
Michael Stachowitsch

BELGIUM
Fabian Ritter

COSTA RICA
Javier Rodriguez

ITALY
Caterina Fortuna

JAPAN
Joji Morishita
Toshihide Kitakado
Naohito Okazoe

MEXICO
Jorge Maksabedian
Lorenzo Rojas-Bracho

NEW ZEALAND
Rohan Currey
David Lundquist
Erin Morriss

NORWAY
Arne Bjørge
Lars Walløe

SOUTH AFRICA
Herman Oosthuizen
Simon Mduduzi Seakamela

SWITZERLAND
Bruno Mainini

UK
Russell Leaper
Jamie Rendell
Mark Simmonds

USA
Doug DeMaster
Bob Brownell
Melissa Garcia
Debra Palka
Sue Moore
Teri Rowles

Scientific Committee Invited Participants:
Jennifer Jackson
Natalie Kelly
Chris Parsons
Marioni Sironi
Jorge Urban
Alex Zerbini

Observers
Danielle Grabiel (EIA)

IWC Secretariat:
Simon Brockington
Greg Donovan
David Mattila
Kate Wilson

Annex B
Adopted Agenda

1 Welcome

a. Appointment of Chair
b. Appointment of Rapporteur
c. Review and clarification of Terms of Reference

2 Update on progress to review sanctuaries

3 Identifying the IWC's conservation recommendations

Annotation: *At IWC65 in 2014 the Commission adopted around 50 conservation recommendations. Some of these were developed during Committee discussions although most were adopted through the reports of specialist intersessional workshops dealing with topics including ship strikes, entanglement and Arctic affairs.*

A recent document prepared by the Secretariat describes the 2014 recommendations and will be available to the working group. This document also identifies other International Organisations whose involvement is required to implement the recommendations, and discussions under item 4 will cover how to take these recommendations forward with the appropriate organisations.

In addition, the Working Group may wish to consider a historical review (for example, since the 1990s) of IWC conservation recommendations and progress on their implementation. Several topics have a long history and an analysis would provide better understanding of the current state of each topic and a framework to understand how actions can be improved and become more effective.

a. Recommendations arising from the 2014 meeting
b. Historical review of recommendations since 1990

4 Progress to date in implementing conservation recommendations

Annotation: *Many environmental agreements require parties to report certain information to the international organisation designated by the agreement. The reporting allows the international organisation and other parties to assess the extent to which parties are implementing their obligations.*

The IWC receives annual reports on catch data. In addition, many contracting governments submit scientific and voluntary conservation progress reports. These reports provide an important mechanism for tracking the implementation of conservation recommendations at the national level.

In addition, the working group may wish to consider the role of the Secretariat in tracking and implementing conservation recommendations.

a. The role of the Scientific Committee's progress reports
b. The role of the Conservation Committee's voluntary conservation reports[7]
c. Proposal to establish a mechanism for reporting IWC intersessional progress
d. The role of the Secretariat in implementing and following up conservation recommendations

[7] When commenting on the draft agenda, Chile noted the possibility that '*not all the actions taken by governments or other institutions such as NGOs, IGOs, etc. are available at the Conservation Committee voluntary progress report. Therefore it may also be wise to ask the Governments to give information on their administrative mechanism used to implement such recommendations (for example, institutions in charge and contact details, etc), so the group can track or request information on the actions that have been taken*'.

5 Relationships with other organisations

Annotation: IWC *Resolution 2014-2 decided to seek enhanced collaboration in the conservation of migratory cetaceans with other Inter-governmental Organisations. The opportunity to partner with these organisations provides the IWC with different mechanisms to implement the conservation recommendations identified in Item 2 above.*

a. International regulatory organisations
    i. International Maritime Organization

b. International fishery organisations
    i. FAO Committee on Fisheries

c. International organisations
    i. IUCN

d. International Environmental Agreements
    i. Convention for Biological Diversity and Aichi Biodiversity Targets
    ii. Convention for Migratory Species
    iii. Convention on International Trade in Endangered Species
    iv. United Nations Environment Programme
    v. Work of the UN on marine biological diversity beyond areas of national jurisdiction

e. Regional Agreements
    i. ASCOBANS
    ii. ACCOBAMS
    iii. Arctic Council
    iv. NAMMCO
    v. Permanent Commission for the South Pacific (CPPS)
    vi. Secretariat of the Pacific Regional Environment Programme (SPREP)
    vii. Regional Seas Agreements

6 Obtaining financial resources

Annotation: *At IWC 65 the Commission endorsed a series of recommendations on strengthening IWC financing, including the establishment of a voluntary conservation fund.*

This item will provide an opportunity to re-examine the recommendations from the intersessional group on financing in the context of making progress with the Commission's conservation recommendations.

7 Review of Terms of Reference for the Joint Scientific-Conservation Committee Working Group

Annotation: Following the discussion of agenda points listed above, his item provides an opportunity for the group to review and, if necessary, adapt or broaden its Terms of Reference for consideration at the next Commission meeting in 2016.

Annex C
List of Documents

Document Number	Title	Authors
IWC/J15/1	Draft Agenda	IWC Secretariat
IWC/J15/2	Scientific Committee conservation recommendations 1990 to 2012	Galletti (Chile)
IWC/J15/3	Summary of recommendations from IWC Conservation Meetings in 2014	IWC Secretariat
IWC/J15/4	Strengthening IWC financing in regards to conservation recommendations	IWC Secretariat
IWC/J15/5	IWC/66/4 (2015) Co-operation with other organisations	International Whaling Commission
IWC/J15/6	Further collaboration between IWC and IMO	Leaper (UK)

Annex D
Joint Scientific Committee/Conservation Committee (SC/CC)
Working Group Terms of Reference

The Joint CC/SC working group (CC/SC WG) is tasked with facilitating the communication, implementation, and follow-up of conservation recommendations.

The CC/SC WG shall:

- review, collate and prioritise conservation recommendations made by the Scientific and Conservation Committees where further efforts/actions are needed, in the first instance focussing on those from 2010 onwards;
- report, as appropriate, to the Commission on progress in delivering conservation recommendations;
- develop clear procedures/strategies for effectively transmitting and facilitating the implementation of conservation recommendations to and from the SC/CC WG to the appropriate Committees and sub-committees/working groups, including for further technical work;
- provide advice to the Conservation Committee on those priority conservation recommendations it could assist in implementing;
- provide feedback to the Scientific Committee on further advice and/or actions to assist in the implementation of conservation recommendations;
- respond to specific requests for support in facilitating the implementation of conservation recommendations from the Scientific and/or Conservation Committees.

The CC/SC WG will be comprised of nominees from the Scientific Committee, Conservation Committee and Contracting Governments. Additional expertise may be included as appropriate at the discretion of the Scientific Committee and Conservation Committee Chairs.

Terms of reference for an intersessional preparatory drafting group of the SC/CC working group
The intersessional preparatory drafting group shall undertake the following work in time for consideration at the next meeting of the SC/CC WG in 2016:

- using papers IWC/J15/ALL/2[8] and IWC/J15/ALL/3[9], collate and present in a revised document existing and relevant conservation recommendations;
- analyse these conservation recommendations and organise into key issues/areas, highlighting those that feature regularly;
- identify any conservation recommendations that may have been effectively addressed [or have failed to have been addressed, despite efforts] in order to help identify any lessons learnt.

Members:- Simon Brockington, Bill De La Mare, Greg Donovan, Caterina Fortuna, Herman Oosthuizen, Jamie Rendell, Lorenzo Rojas-Bracho, Chris Schweizer, Mark Simmonds, Russell Leaper.

[8] Scientific Committee Conservation Recommendations 1990-2012
[9] Summary of Recommendations from IWC Conservation Meetings in 2014