

## Report of the Intersessional Correspondence Group on Scientific Committee Issues

### BACKGROUND

At the March 2008 Intersessional Meeting on the Future of IWC a large part of the meeting focused on ways to improve approaches to discussions and negotiations within the organisation (see IWC/607). The role of science was one of seven broad areas addressed<sup>1</sup>.

There was agreement that the provision of sound scientific advice is essential to the functioning of the IWC and that one of the more positive features of the organisation is its strong scientific element. It was noted that the work of the IWC Scientific Committee is internationally recognised as providing the best available knowledge on conservation and management for cetaceans and that the Committee has a good record in achieving consensus on nearly all of its recommendations to the Commission. Nevertheless, comments were made by some participants that the current workload of the Scientific Committee is too high, difficult to prioritise and, mainly because of its timing in conjunction with the Commission, not adequately integrated into the policy work of the Commission. The need to review the composition and function of the Scientific Committee was also suggested (e.g. improving the involvement of scientists from developing countries and the procedures for inviting scientists to the Committee).

In his report to the 60<sup>th</sup> Annual Meeting in Chile last year (i.e. IWC/60/12), Professor Juma<sup>2</sup> also recognised the critical role that the Scientific Committee plays in the functioning of IWC and stressed that the current difficulties facing the Commission do not result from an inability to provide scientific advice. However, he suggested that there are ways in which its effectiveness could be strengthened by (1) separating meetings of the Scientific Committee from those of the Commission so as to allow more time to consider its report; (2) facilitating participation of scientists from developing countries to better-reflect the membership of the Commission; and (3) improving co-ordination and co-operation with other relevant scientific organisations *in addition* to those for which extensive co-operation exists.

The Commission's discussions on the future of IWC at last year's Annual Meeting led to consensus documents on both improved practices and a path towards resolution of substantive issues (see IWC/60/24). With respect to the role of science and the Scientific Committee, the Commission agreed that there are aspects of the Committee's work and functioning that would benefit from careful review. It therefore decided to establish an Intersessional Correspondence Group on Issues Related to the Scientific Committee (ICG) to address the following issues (see Annex A for full Terms of Reference):

- (1) Consideration of the advantages and disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission;
- (2) Consideration of ways to increase participation in the Scientific Committee of scientists from developing countries in the work of the Scientific Committee;
- (3) Consideration of ways in which the Scientific Committee can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy so that they can better contribute to the work of the Scientific Committee and to conservation and management issues within their region;
- (4) Review of the process for inviting participants to the Scientific Committee.

Given that the ICG's output would form part of the overall discussions future of the IWC, its Terms of Reference include that the discussion document to be produced by the ICG was *'to be forwarded to the Small Working Group on the Future of IWC at a time to be determined'*.

### METHOD OF WORKING

At its organisational meeting in Santiago immediately after the close of IWC/60, the Small Working Group (SWG) agreed that the ICG's Terms of Reference should be circulated to all Contracting Governments with a request for comments/suggestions on any or all of the four areas identified in the Terms of Reference to be received by the Secretariat by 15 August 2008 (see Circular Communication IWC.CCG.712 of 16 July 2008). As foreseen when developing the Terms of Reference, the SWG agreed that only those governments responding to the request for comments would continue to be included in subsequent correspondence (and would therefore comprise the intersessional correspondence group). A number of SWG members offered to be on a 'core group' to assist the Chair of

<sup>1</sup> The others were: the role/purpose/future of the organisation and ripeness to discuss; improving practices and procedures; improving the negotiation process; improving participation; the role of the media; and improving relationships with other intergovernmental organisations.

<sup>2</sup> Professor Calestous Juma, Belfer Center for Science and International Affairs, Harvard Kennedy School, was engaged by the Commission as a Special Advisor to facilitate discussions on the future of the IWC.

the Scientific Committee and the IWC's Head of Science compile an initial draft of the discussion document. Those offering to be on the 'core group' were Argentina, Australia, Brazil, Italy, Korea, Mexico, Netherlands, New Zealand, Norway, Mexico and the USA.

It had been hoped that a draft discussion document could have been circulated to Contracting Governments and SWG and ICG members in advance of the SWG meeting in Florida from 15-18 September 2008. This had not been possible, although a progress report was submitted to the SWG that included the comments submitted. A draft discussion document was submitted by the Intersessional Core Group to the December 2008 meeting of the SWG in Cambridge, UK.

#### **THIS DOCUMENT**

This discussion document collates the responses of 16 countries who replied to the Secretariat's call for comments circulated on 15 August 2008 (i.e. Argentina, Australia, Brazil, Denmark, France, Germany, Italy, Ireland, Japan, Mexico, The Netherlands, New Zealand, Peru, Spain, UK, and USA). It follows the structure of the Terms of Reference. For each of the four issues listed above, a summary of the responses is provided. The full responses of each country are given in Annexes B and C. The last section of the document provides options for a way to take this work forward for consideration by the Commission at its March 2008 intersessional meeting.

## SUMMARY OF RESPONSES

### Term of Reference:

(1) *Consideration of the advantages and disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission; this will include inter alia:*

- (a) *logistical and financial aspects;*
- (b) *scientific aspects;*
- (c) *communication with the Commission;*
- (d) *confidentiality aspects;*
- (e) *consideration of the applicability of other 'models' such as that of the IPCC.*

### Overall Summary

All of the responses received recognised that there were some positive aspects about separating the annual meeting of the Scientific Committee from that of the Commission – several also commented on the need to link discussions of this to the question of biennial meetings of the Commission. Even with biennial Commission meetings however, most countries that commented stated their preference for annual meetings of the Scientific Committee given its workload and the iterative nature of its work.

#### (a) Logistical and financial aspects

##### Timing

In terms of the timing of any separation, only two countries made suggestions for timing. (Australia) suggested a period of 2-3 months prior to the Commission meeting (and linked this with timing of field seasons assuming that the SC meeting could be in March and the Commission meeting in June/July). The (USA) suggested that if full consultation was required for actions (e.g. Schedule amendments, Resolutions) as discussed *inter alia* in Santiago, then a period of up to 5 months might be required – this includes a period of 2 months for Commissioners to consult after circulation of the Scientific Committee report and allowing for 60 days in advance circulation of proposed decisions; if Commission meetings were held in June/July this would imply that the Scientific Committee meeting would be held in December/January.

It is clear that further consideration needs to be given to the question of the appropriate timing – for example, the December/January period is the peak field season in the Southern Hemisphere whilst the 2-3 month period might be considered too short to allow full consultation amongst governments over proposed decisions. However, the need for formal resolutions on agreed recommendations from the Scientific Committee is not the only possible approach – for example, the Commission could simply adopt such recommendations (lessening the need for the 60-day period apart from perhaps Schedule amendments). The five-month period could exacerbate the potential problem of 'additional' analyses being submitted directly to the Commission although the UK has suggested that one way to avoid this would be to develop a new rule of procedure to prevent this.

##### Venue

The question of venue was raised by four countries, three of whom linked this to the question of costs (see below). Australia commented on the value of continuing to hold the Scientific Committee meetings in different countries, noting that a major advantage of this approach is to facilitate attendance by local/regional scientists (also relevant to questions 2-4).

##### Costs

This will require a more detailed consideration as discussions within the SWG and the Commission itself progress on a number of issues but it is inevitably somewhat complex. For example, costs can be separated into two categories: (a) costs applicable to the IWC central budget; and (b) costs applicable to individual countries. It is possible that actions to reduce (a) may increase costs in (b) and *vice-versa* and that the same actions will affect different countries in quite different ways (e.g. countries who always send scientists to Commission meetings will face increased costs by separating the two meetings whereas this will not be the case for those countries who do not send scientists to the Commission meeting).

Several countries noted the possibility of offsetting increased costs incurred with separating the two meetings (e.g. increased Secretariat costs) by having biennial meetings of the Commission, making it difficult to discuss the two issues separately. As noted above, three countries suggested that always holding Scientific Committee meetings in Cambridge would reduce Secretariat travel costs (i.e. relevant to category (a) costs). This of course will be dependant on being able to find a suitable regular venue within Cambridge and the cost of that venue. In addition, holding the venue in the same place each year (a) will see losers and winners with respect to travel costs for country scientists and (b) negates the advantage of facilitating different local/regional scientists participation noted by Australia above.

**(b) Scientific aspects**

Many countries noted that the work of the Scientific Committee is important and effectively carried out and that this should continue whatever decision is taken with respect to separation of meetings from the Commission and most (but not all) agreed that the Scientific Committee should continue to meet annually, irrespective of any decision on biennial meetings of the Commission, given its workload and the iterative nature of its work and the need for periodic review of progress by the full Committee.

**(c) Communication with the Commission**

Most delegations commented that the primary advantage of separating the Scientific Committee and Commission meetings would be to allow the Commission longer to review the complex report of the Scientific Committee. As part of that process some also noted that it would (a) allow more time for editorial work to finalise the report and (b) the opportunity could be taken to allow e.g. the Chair of the Committee and the Head of Science to develop an Executive Summary and to explain further the background to discussions as well as the most recent discussions themselves. In addition, reference was made to the initiatives (including the French initiative) already being undertaken by *inter alia* the Committee itself to improve communications between the Scientific Committee and the Commission. It was also suggested that individual countries might consider drafting 'review working papers' on topics of particular interest to themselves, recognising that any final documents would need to be agreed by the full Scientific Committee.

**(d) Confidentiality aspects**

The present Rules of Procedure mean that the Scientific Committee report remains confidential until the opening Plenary session of the Commission, although the Report is made available to Commissioners as soon as it is ready and usually at least 2 days before and relevant extracts are made available to relevant Commission sub-committees and Committees (e.g. the aboriginal/subsistence whaling sub-committee, the conservation committee, the budgetary sub-committee) prior to the Plenary session.

Most commented that the Rule would need changing if there was greater separation (the present rule for intersessional meetings allows for reports to be confidential until circulated to the Commission, and this may be appropriate should confidentiality be desired) and many questioned the need for confidentiality. It appears that this could be a general issue for discussion by the Commission. Reasons in the past have included: the need for Commissioners to receive the report first as they are the responsible body; the need to avoid manipulation or misrepresentation of the Committee's work.

**(e) Consideration of the applicability of the models such as that of the IPCC**

Many commented on the value they placed on the work of the Scientific Committee and its international reputation. It was noted that its objectives are different from that of the IPCC, and that the Scientific Committee is much more proactive, undertakes original work and addresses the specific needs of the Commission. However, New Zealand believed that there may be aspects of the IPCC work that may be relevant to the Scientific Committee and Italy commented that the IPCC model might be more relevant to the Commission's Conservation Committee and Aboriginal/Subsistence Whaling Sub-committee.

**Term of Reference:**

*(2) Consideration of ways to increase participation in the Scientific Committee of scientists from developing countries in the work of the Scientific Committee; this will include inter alia:*

- (a) selection process and preparation for meeting;*
- (b) financial aspects;*
- (c) relationship with the overall invited participant process (see 4 below).*

**Overall Summary**

It is clear that there is general support for increasing the participation of qualified scientists from developing countries in the work of the Scientific Committee. Some suggested that the responsibility for sending at least one scientist to the Scientific Committee lay with each member nations, whilst recognising the financial implications. The role of the Scientific Committee as primarily an advisory body not an educational body was noted and in several cases discussion of this issue was linked to questions (3) and (4) – improving scientific capacity with respect to cetacean conservation throughout the world and examination of the Invited Participant process.

**(a) Selection process and preparation for meeting**

A number of countries stressed that it was important that only suitably qualified scientists who can contribute to the priority work items attend the Scientific Committee. Some commented that the geographical representation should be achieved by national delegations, others that a selection process (and see (c) below) under the auspices of the Scientific Committee could be established that involved consideration of appropriate qualifications and CVs. It was also suggested that any selected scientists could/should attend a Scientific Committee seminar before attending meetings.

**(b) Financial aspects**

All countries recognised that this was a fundamental issue that requires future thought. Opinions ranged over the extent to which this should be IWC-funded.

**(c) Relationships with the overall invited participant process**

Some countries believed that the process should be independent of the current Invited Participant system whereas others believed that the present system was adequate (and see Item 4 below).

**Term of Reference:**

(3) *Consideration of ways in which the Scientific Committee can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy so that they can better contribute to the work of the Scientific Committee and to conservation and management issues within their region; this will include inter alia:*

- (a) possibility of regional training workshops (consider collaboration with other organisations, e.g. FAO, UNEP, IUCN);*
- (b) provision of materials (e.g. documents);*
- (c) financial aspects.*

**Overall summary**

Although some countries reiterated their view that the primary responsibility of the Scientific Committee was to provide advice to the Commission not training, most respondents commented that there was value in the IWC assisting in the improvement of the scientific capability of cetacean researchers around the world, particularly in co-operation with other international bodies, where possible.

**Regional training workshops**

There was considerable support for the idea of members of the Scientific Committee holding short workshops on conservation science and a number of possible collaborative intergovernmental organisations were suggested (including, FAO, UNEP, CBD, CMS) and professional bodies such as Society for Marine Mammalogy and the European Cetacean Society. Primary topics suggested included those pioneered and/or extensively used by the Scientific Committee including abundance/trend estimation (e.g. line-transect surveys, mark-recapture), population simulation modelling to assess conservation/management actions (e.g. RMP/AWMP, bycatch, ship strikes). One country suggested that the IWC should seek to provide input into existing training workshops held by FAO as a more cost-effective approach than separate IWC workshops.

**Provision of materials (e.g. documents)**

Countries noted that the IWC already has a number of materials that could be valuable in training workshops (and in general) including meeting documents, publications (*Journal of Cetacean Research and Management*), PowerPoint presentations etc. The IWC website would be a valuable portal in this regard and the possibility of making all historical meeting documents electronically available was suggested. Other ideas suggested included the provision of summary documents such as that suggested by France at the Santiago meeting.

**Financial aspects**

A number of views were expressed under this item ranging from the inclusion of a separate budget line, obtaining outside funds from aid agencies and NGOs to collaboration with other IGOs.

**Term of Reference:**

*(4) Review of the process for inviting participants to the Scientific Committee; this will include inter alia:*

- (a) objectives for inviting participants;*
- (b) reasons for non-inclusion of IWC-funded participants on national delegations of developed countries;*
- (c) selection process and advice;*
- (d) financial aspects.*

**Overall summary**

In general, countries agreed that the primary purpose of invited participants was to assist the Scientific Committee in providing advice to the Commission on key issues and that such scientists should be able to contribute to the priority work of the Committee. There were some comments that the Commission's review process for the Scientific Committee's work plan items could be modified. With respect to the process to invite participants, there was general agreement that the current process (decision taken by the Chair with advice from the convenors) was a good basis for any review and there were some suggestions as to how this might be improved.

**Objectives for inviting participants**

As noted in the responses to several questions, there is general agreement that the primary purpose of invited participants was to assist the Scientific Committee in providing advice to the Commission on key issues, particularly where there is expected to be a shortfall in expertise from scientists on member delegations. Several countries stressed the need for co-ordination to occur within the Scientific Committee.

**Reasons for non-inclusion of IWC-funded participants on national delegations of developed countries**

This matter had been noted by the Chair of the Scientific Committee who noted that there are scientists from developed countries who make a valuable contribution to the work of the Committee but who are not funded by/included on their national delegations. Some commented that the reasons may be varied and include the right of countries to choose their own delegations and the right of scientists who are not government employees not to be bound by any conditions set by a particular government.

**Selection process and advice**

There was general agreement that the current process provided a good basis for any review of the Invited Participants but that a mechanism to improve the participation of scientists from developing countries should be developed as discussed earlier in this document. One country commented on the need to separate out self invited (self funded) participants.

**Financial aspects**

This has been discussed extensively under other questions.

## A WAY FORWARD

This document summarises the comments provided on those issues identified as being of relevance to the Intersessional Correspondence Group.

There was general agreement that in general, the Scientific Committee worked effectively and that its processes were sound but that ways should be investigated to:

- (a) further identify the advantages and disadvantages of separating the annual meeting of the Scientific Committee and make recommendations;
- (b) further identify ways to improve communication between the Scientific Committee and the Commission and make recommendations;
- (c) facilitate the participation of suitably qualified scientists from developing countries in the priority work of the Scientific Committee and to ensure that the priority work included issues relevant to a broad range of countries and make recommendations;
- (d) facilitate capacity building for scientists in developing countries with respect to cetacean conservation and science and make recommendations.

The primary components of this work are scientific and financial. Possible ways forward to further address these issues and consolidate the work of the ISG include:

- (1) asking the Scientific Committee and the Finance and Administration Committee to work on their relative aspects of issues (a) – (d) taking into account the ideas expressed in this ISG document;
- (2) forming a small working group comprising members of the Scientific Committee and the Commission to develop a draft proposal for consideration by the Commission.

With respect to (1) it should be noted that: the Scientific Committee is already working on some aspects of these issues including that of communication with the Commission; the F&A Committee is already looking at the issue of biennial meetings which is of particular relevance to (a) above. If option (1) was chosen this would require the Commission to:

- (a) instruct the Scientific Committee, in the light of this document, to examine the scientific and procedural matters related to (a) - (d) above and make recommendations to the F&A Committee and the Commission; and
- (b) instruct the Finance and Administration Committee to consider the financial aspects of this issue taking into account any recommendations made by the Scientific Committee and make recommendations to the Commission.

If option (2) was chosen, the topics and instructions would be the same but the Commission would need to determine the membership of the group.



## Annex A

### Terms of Reference for the Intersessional Correspondence Group on Issues Related to the Scientific Committee

(from IWC/60/24, Annex C)

The objective of the correspondence group is to develop a discussion document (and if it deems appropriate, recommendations) on the issues listed below, recognising the inter-relationship of a number of aspects of the issues. The discussion document produced will be forwarded to the small working group on the future of the IWC at a time to be determined.

(1) Consideration of the advantages and disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission; this will include *inter alia*:

- (a) logistical and financial aspects;
- (b) scientific aspects;
- (c) communication with the Commission<sup>3</sup>;
- (d) confidentiality aspects;
- (e) consideration of the applicability of other 'models' such as that of the IPCC.

(2) Consideration of ways to increase participation in the Scientific Committee of scientists from developing countries in the work of the Scientific Committee; this will include *inter alia*:

- (a) selection process and preparation for meeting;
- (b) financial aspects;
- (c) relationship with the overall invited participant process (see 4 below).

(3) Consideration of ways in which the Scientific Committee can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy so that they can better contribute to the work of the Scientific Committee and to conservation and management issues within their region; this will include *inter alia*:

- (a) possibility of regional training workshops (consider collaboration with other organisations, e.g. FAO, UNEP, IUCN);
- (b) provision of materials (e.g. documents);
- (c) financial aspects

(4) Review of the process for inviting participants to the Scientific Committee; this will include *inter alia*:

- (a) objectives for inviting participants;
- (b) reasons for non-inclusion of IWC-funded participants on national delegations of developed countries;
- (c) selection process and advice;
- (d) financial aspects.

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<sup>3</sup> Note that other initiatives to improve the communication with the Commission and others with respect to clarity/content of the plenary report etc are being undertaken by the Scientific Committee itself and the initiative of France.

## Annex B

### Responses from each country by item (in alphabetical order)

<p><b>(1) CONSIDERATION OF THE ADVANTAGES AND DISADVANTAGES OF SEPARATING THE ANNUAL MEETING OF THE SCIENTIFIC COMMITTEE FROM THAT OF THE COMMISSION; THIS WILL INCLUDE INTER ALIA:</b></p>
<p><b>ARGENTINA</b></p> <p>There have been some discussions as to whether the IWC should move from a cycle of annual meetings to biennial meetings. Argentina prefers the last option as we consider that this will help to analyze the results of the Scientific Committee by the Commissioners before Plenary meetings, improving the works of the IWC.</p>
<p><b>AUSTRALIA</b></p> <p>Australia is in support of the proposal to separate the Scientific Committee meeting from the Commission meeting and would suggest that a 2-3 month separation is an optimal time period. Holding the Scientific Committee meeting in March would allow for it to limit its coincidence with peak cetacean research periods in the southern or the northern hemisphere and, assuming Commission meetings are held in either June or July, would allow sufficient time for consideration of the reports and outcomes of the Scientific Committee.</p> <p>Australia would support the Scientific Committee meeting being held in such place as the Commission may determine, to ensure retention of the benefits of hosting annual meetings in varying locations, facilitating attendance by local and regional scientists.</p>
<p><b>BRAZIL</b></p> <p>Brazil considers that the separation of these meetings in time would be beneficial to all member states and to the scientific community at large, which could evaluate and react to the Scientific Committee proceedings before an Annual Plenary Meeting. This is of particular importance for developing countries as SC results could be shared domestically with the national scientific community and feedback received by the respective governments in time for the discussions and action at Plenary Sessions. Any disadvantages, logistical or financial, of separating the meetings would thus be offset by this key benefit of making the SC results known, digested and discussed well before the Commissioners meet for deliberations. Also, governments will have much to gain in their capacity to implement scientific recommendations in a timely manner if the meetings are separated.</p>
<p><b>DENMARK</b></p> <p>Denmark is of the conviction that it might be of benefit to separate the meeting of the scientific committee and the meetings of the Commission. This is normal practice in organizations managing living resources and it would leave national decision makers with a more sound and timely basis on which to take decisions.</p>
<p><b>GERMANY</b></p> <p>Germany supports changing the Commission's current meeting schedule (IWC Resolution 2004/7) to biannual meetings while keeping the meetings of the Scientific Committee and other Committees on an annual basis as long as the Scientific Committee, for instance, works on urgent matters, such as the comprehensive assessment of whale stocks and the development of an RMP on a stock-by-stock basis for Aboriginal Subsistence Whaling as progress on these issues has to be reviewed each year. Moreover, changing the Scientific Committee's meetings to a two year schedule would be likely to slow down progress. It would require closer collaboration between the Commission and the Scientific Committee and possibly other adjustments as well if the Commission were to meet every other year.</p> <p>Germany agrees to a separation of the Scientific Committee and the Commission. It would take a lot of pressure off the Scientific Committee but also off the Secretariat. However, budgetary implications and the considerable additional workload for the Secretariat when organising two meetings need to be considered.</p>
<p><b>IRELAND</b></p> <p>Good science, and decision making based on science, are fundamental aims and foundations of IWC. The operation of the Scientific Committee, the content, nature and format of its output, and the use of that output are thus central to how we in IWC operate.</p> <p>The size of Ireland's delegation at IWC meetings (two in 2007, one in 2008) is small in comparison with some other participating members. This is not because of lack of interest but because of our size and resource issues. There is a vast amount of documentation produced not just before, but also during, IWC meetings, which needs to be read, digested and considered by member countries to effectively participate in meetings. This is particularly difficult to contend with for smaller nations with limited numbers in their delegations.</p> <p>One of the most important documents emerging during IWC meetings is the report of the Scientific Committee. However, given the crowded and busy timetable at IWC meetings, there is very little time afforded to participating countries to consider the output from the Scientific Committee in advance of plenary discussions. This detracts from the ability of members to participate in a fully informed and considered way. I imagine that, in general, IWC commissioners would wish to be in a position to brief themselves and to fully consider the output of the Scientific Committee - perhaps further with their own experts/scientists - before participating</p>

in, or making decisions during, plenary. Many countries do not have the luxury of bringing all their experts with them so this is not possible in current circumstances. While this can be a difficulty generally, it is a particular difficulty for countries like ourselves with smaller delegations/lesser resources.

It is considered that separating the Scientific Committee from the plenary IWC meeting by at least 6 weeks would allow participants at IWC meetings to be better informed and briefed on relevant issues and thus contribute better to the decision making process based on best scientific knowledge. This could have some adverse logistical and financial implications for the Secretariat and for some countries but it may well have positive implications for others (e.g. countries may not need to include a significant number of experts on their delegation if they are afforded the opportunity to consider issues at home in advance of IWC meetings). Either which way, it is important to ensure that decisions at IWC are made on solid scientific grounds and only by allowing commissioners the time to properly familiarise themselves in advance with the output of the scientific meeting can this be assured.

#### ITALY

Italy believe that the current ToR of the “*Intersessional Correspondence Group on Issues Related to the Scientific Committee (ICG)*” are appropriate and that the work of the Scientific Committee is generally excellent and that its processes do not need major refinements.

We believe that separating the SC annual meeting from the meeting of the Commission would be beneficial, especially if the Commission decides to meet biennially; this would certainly help a more efficient transfer of information to the Commissioners and a consequently allow better preparation for delegations at the Commission meetings.

#### NETHERLANDS

The work load of the SC is quite high. During the 12 days of meeting (not considering the pre-meetings) there are several groups convening in parallel sessions. Additional sessions are scheduled every evening and it seems improbable that this could be reduced with the current set up.

Solutions could be to change the requests for advice from the commission. Also, I believe that some of the issues could be addressed in alternate years, as there are no dramatic new developments within a year. E.g. the whale-watching subcommittee will not be expected to have new results within a year that would dramatically impact the IWC. Other issues require a yearly attention, e.g. changes in abundances indicating dramatic impacts on populations. If there are epidemics or unexpected events this needs to be considered to allow the IWC to react if needed (e.g. if this would be affecting a population of hunted whales).

The SC needs to meet annually. If it would be considered to do an annual SC meeting and a biannual Commission meeting than some of the advice from the SC needs to be adapted. E.g. the aboriginal hunting quota would need to be done for 4 or 6 years. Otherwise the 5-year quota block has then to be set/agreed one year ahead of the xpiring past 5-years block.

A standing commission might be helpful in the IWC process. A smaller group might make discussions more productive and actually help with the deadlock with the IWC even if they do not have a mandate to decide on major items.

The information the commission would get every 2 years from the SC would not be much more than now or more difficult to handle. The type of information is very similar between years (as can be seen from the annual reports) and would be updated with the most recent data.

There are two different views on separating the meeting: 1) one would prefer to have a SC committee meeting and then the commission meeting separate. A 4 week meeting (even with a 1 week break) is very tiring. And most people do not attend both meetings anyway. The two meetings are very different and are easily separated without losing any information. This might take some of the political pressure present at the SC off. It might also allow some time to integrate results from the SC to Commission work of the same year; 2) the other view is not so much in favour of separating the SCtee and Commission meeting, in the years that both meet. First of all the Commission should benefit from the advice of the SCtee as soon as it is available, secondly if the Commission is uncertain or not really satisfied with what the SCtee has provided they can get clarification from the SCtee chair directly or (s)he will inform the Commission how to tackle that and can do that right away by involving SCtee members. Organising extra requests from the Commission in an already full workplan for the SCtee subcommittees is complex and disturbing; several scientists stay also for the Commission meeting and do not need to undertake another travel and stay.

#### SPAIN

I think there would be more advantages than disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission, because:

- With the current system, the report of the SC is only available a few days before the annual meeting of the Commission, what makes difficult for the commissioners to consult and consider it adequately.
- It reinforces the arguments in favor of having biannual (instead of annual) meetings, what has been supported by most countries at 60<sup>th</sup> Annual Meeting, with the subsequent financial savings.

#### UK

We remain open to the possibility of the meeting of the Commission switching to a bi-annual basis or even every three years. However, there are probably a number of reasons why the Scientific Committee should continue to meet every year. In particular there is always going to be an ongoing programme of work which will need to be assessed at regular intervals.

We would welcome suggestions, from both the secretariat and the working group as to how to best approach this problem.

**USA**

The timing of the Scientific Committee (SC) meetings in relation to the Commission meeting has long been discussed for many years. The Convention specifies that Commission meetings need only be convened "as the Commission may determine." Therefore, the Commission needs to determine what timing of the SC meetings best fits its needs. Based on the current workload of the SC, the United States believes it is best to continue with annual SC meetings regardless of Commission decisions about its own meeting frequency. However, it is time to review the timing of the SC meetings and how the work of the SC can best serve the Commission.

In the past the Commission mainly needed the SC to provide advice on catch limits but this has not been the case since the time of the commercial whaling moratorium in the 1980s. The main issues facing the Commission in recent years relate to scientific whaling, aboriginal whaling and conservation issues. In many of these cases, the Commission requires more time to develop and consult on action issues resulting from recommendations of the SC. Also, at IWC 60 in Santiago, the Commission agreed to a rule change that generally requires the full draft text of any proposed decisions (including resolutions, Schedule amendments and other items) to be circulated to Commissioners at least 60 days in advance of the Commission meeting. To meet this new condition the following table summarizes the time required for a new process to take the above issues under consideration:

Scientific Committee meeting	2 weeks
Time for Chairman and Secretariat to finalise and circulate SC report	2 weeks
Time for Commissioners to develop responses to SC recommendations	2 months
Deadline for submission of proposals to Secretariat (60 days)	2 months
Total	5 months

While there are merits to separating the annual meeting of the SC from that of the Commission, there are also cost and other implications of this action as suggested by the terms of reference for the ICG. The United States would support an evaluation of these implications prior to any Commission decision on whether to convene separate SC meetings.

**a) Logistical and financial aspects****FRANCE**

From our point of view, in the perspective of a meeting of the Commission every two years, an annual meeting of the SC separated from the one of the Commission (three months for instance) would meet our agreement. The money saved by having a Commission meeting every two years would offset the extra costs of separating the SC and Commission meetings. In order to save money from the budget, one could imagine that the meeting of SC during the year without a Commission meeting, could be held in Cambridge (no travel cost for the secretariat). The year where the Commission meeting takes place would cost more.

**ITALY**

We strongly believe that annual meetings of the SC are required. Overall costs may not necessarily increase, e.g. hotels with conference centres for about 250 scientists would probably cost less than those usually booked now for the full Commission, meetings could be usually held in UK where flights costs are often relative cheap.

**JAPAN**

Separating meetings of the SC and the Commission will involve an increase in costs and logistical work. Unless offset by reductions elsewhere in the IWC budget, this will increase membership contributions. Governments sending scientists to both the SC and the Commission will incur increased travel costs.

**MEXICO**

This would represent a higher economic cost to the Commission, would increase the work load of the SC and would cut its great working "rhythm". It could also increase the report of the SC since it would have to include two years of intersessional work, workshops, etc.

**NEW ZEALAND**

New Zealand favours separation of the Annual Meetings of the Scientific Committee and the Commission. It is acknowledged that this would result in an additional financial cost for those delegations which retain one or more delegates from Scientific Committee to attend the Annual Meeting of the Commission. In New Zealand's view, however, this is more than compensated for by the opportunity for all delegations to the Commission, whether or not they were represented at Scientific Committee, to carefully read and assimilate the contents of the Scientific Committee report, and to seek clarification where necessary from attendees of the Scientific Committee or the Committee's Chair.

In order to minimize the logistics, should the Commission agree to a separation between these meetings, New Zealand suggests that consideration might be given to locating the Scientific Committee meeting in Cambridge, which would reduce relocation costs and disruption for the Secretariat and provide certainty for the dates of the Scientific Committee meeting.

<p><b>PERU</b></p> <p>From the logistical point of view, it will be more convenient to get both meetings separated but the disadvantages will be that the cost of the meetings will be increased. In that sense, it would be advisable that meetings of the Scientific Committee should be held every year.</p>
<p><b>UK</b></p> <p>Disadvantages (as set out in the IWC/60/18):</p> <ul style="list-style-type: none"> <li>- Individuals who do not like the Committee's conclusions could reanalyse the data in the period between the end of the SC meeting and the Commission meeting and present technical arguments, not seen by the full Scientific Committee, at the Commission meeting itself.</li> </ul> <p><i>Comment: This issue could be resolved by adding a new rule that would prohibit the presentation of new results at the Commission meeting.</i></p> <ul style="list-style-type: none"> <li>- There would be cost implications associated with <i>inter alia</i> arranging two separate large meetings, possibly at two different venues.</li> </ul> <p><i>True, but savings could be made by making Commission meetings biennial.</i></p> <ul style="list-style-type: none"> <li>- Increased travel and subsistence costs for those individuals from both the Secretariat and Contracting Governments who attend both the Scientific Committee and Commission meetings.</li> </ul> <p><i>Comment: Certainly true for Secretariat, but experience suggests that only a handful of people who attend the SC meeting participate in the Commission meeting. Some scientists stay for an extra day or two to brief their Commissioners and then leave. Such briefing could presumably take place at home, in the period between the two meetings.</i></p> <ul style="list-style-type: none"> <li>- It is possible that such additional costs could be offset by the Commission meeting on a less frequent basis than annually – an issue that the Commission is already considering (but thus far without agreement).</li> </ul> <p><i>True, as noted above. Perhaps it would be easier to agree a change to the frequency of Commission meetings once the issues which regularly divide us have been resolved.</i></p>
<p><b>b) Scientific aspects</b></p>
<p><b>FRANCE</b></p> <p>Separating the meetings would bring about less “political” pressure on the SC before the Commission and more time for the Commission to take into account the advice of SC (a better use of its work)</p> <p>In the case of a Commission meeting every two years, more time would be given to the SC for its work. E.g the SC could work on a biannual basis.</p>
<p><b>JAPAN</b></p> <p>The Scientific Committee meeting will be carried out without the pressure of finalizing the report of the meeting just after completed the meeting. There will be time for the chair and convenors to check whether the report reflect adequately the discussions and recommendations of the meeting. In summary more time will mean that an editorially better Scientific Committee report can be obtained.</p>
<p><b>MEXICO</b></p> <p>Moving from annual to biannual meetings and separating the Scientific Committee to biennial meetings. The nature and intensity of the work by the Scientific Committee requires this committee to meet annually because:</p> <ul style="list-style-type: none"> <li>a) Heavy workload addressing all of the work Commission sets</li> <li>b) Scientific work is necessarily of an iterative nature and even when carried out at workshops requires regular review by full Scientific Committee to endorse or modify plans for future work</li> <li>c) Work on management of whales stocks is useful for whatever the management goal is (e.g. whaling, whalewatching, etc).</li> </ul> <p>Again we are afraid that it would increase the work load of the SC and would cut its great working “rhythm”. These could compromise its “performance”.</p>
<p><b>NEW ZEALAND</b></p> <p>With regard to scientific aspects, New Zealand sees no serious impediment to separation of the meetings of Scientific Committee and the Commission. The current situation is plainly unsatisfactory, and does not provide for a thorough consideration by many delegations of the complex issues discussed by Scientific Committee.</p> <p>Furthermore, a significant part of the Scientific Committee's work is now conducted by e-mail correspondence groups, which is not constrained to the timing and location of the Committee's meeting (other than each correspondence group needing to agree to a</p>

timeline to fit with the date of the meeting).

New Zealand also sees no serious impediment to biennial meetings of the Scientific Committee, as well as the Commission (provided, of course, that both Scientific Committee and the Commission meet during the same year).

#### **PERU**

The main advantage would be that scientific aspects would be considered in a more independent way from the rest of subjects that should be treated in the Annual Meeting of the Commission.

#### **UK**

We do not foresee any important changes in the nature of the work done by the SC as a result of any changes made as regards the timing of its meetings or those of the Commission. The real and important advantage will be that Contracting Governments will have more time to consider and absorb the results of the SC's work and that should make for more productive discussion at the Commission meeting.

*c) **Communication with the Commission** [Note that other initiatives to improve the communication with the Commission and others with respect to clarity/content of the plenary report etc are being undertaken by the Scientific Committee itself and the initiative of France]*

#### **FRANCE**

We would like to recall our initiative presented this year which is not focused on separating SC from the Commission but which is directly linked to the communication between these two bodies : easier access to scientific knowledge and the work of the SC for the delegations attending the commission meeting is one of our concern, specially for delegations who don't have any scientists attending the SC. Delegations would benefit from synthesis of the SC's work (see the example produced this year by France in the document IWC/60/22). Separating SC from Commission would give more time to initiate those synthesis, summaries (in the different working languages) and thus would increase communication between the two bodies.

#### **ITALY**

We believe that the preparation of a “digested” short document (compare with the current complete annual report of the SC), rigorously based on the agreed annual report of the SC and, whenever needed, referring back to previously agreed annual reports to help place issues in the right historical context, would be beneficial. Such a document should be prepared by members of the Scientific Committee only (i.e. with no direct Commission input) and agreed by the Committee before its transmission to the Commissioners. If biennial meetings of the Commission were held, this task should be easily achievable.

We also believe that national delegations could be more proactive in suggesting and drafting “review working papers” on specific issues of particular interest for their countries (see the France initiative on population estimates presented in Chile), but any final documents would need to be agreed by the entire SC.

#### **JAPAN**

Separating the meetings of the Scientific Committee and the Commission would allow sufficient time for more in-depth consideration of the Scientific Committee's work by member Governments.

The additional time between meetings would allow the Chair of the Scientific Committee and Head of Science to prepare an executive summary report of scientific matters related to key issues in the Commission's meeting agenda. This will facilitate the understanding of technical matters by the Commissioners.

#### **MEXICO**

An interesting suggestion that should be explored is that of the chair of the Scientific Committee: analyze the possibility of a change the format or structure and in a more accessible language of the SC Report. This could improve it, particularly with respect to including sufficient background to understand the current work in the light of past work, especially for ongoing iterative processes such as RMP and AWMP. The French initiative would complement nicely this idea.

This will save time and resources in having to organize two large meetings with no need to change to a biennial scheme.

#### **NEW ZEALAND**

New Zealand welcomes attempts to improve the communication between the Scientific Committee and the Commission, such as the initiative by France to bring together all the available published information on humpback whales. The report of Scientific Committee averages around one hundred pages each year, plus the Annexes, and it is plainly unreasonable to expect Commissioners and delegates who are not science specialists to understand the range of complex issues. In that regard, having a gap of two or three months between the meeting of Scientific Committee and the Commission will allow delegations who are represented at Scientific Committee to be fully briefed on the outcomes of the Committee's deliberations.

An interlude between the meeting of Scientific Committee and the Commission would also provide an opportunity for the Secretariat to advise Member Governments of the key decisions and recommendations of Scientific Committee. This could take the form of a Chairman's Summary of the Committee's deliberations, prepared by the Chair of Scientific Committee.

Many delegations are not represented at Scientific Committee. Provision of a Chair's Summary to accompany the Scientific Committee report, accompanied perhaps by a one to two-hour briefing by the Chair for interested delegations immediately prior to

the Commission meeting, could help to close this information gap.
<i>d) Confidentiality aspects</i>
<p><b>FRANCE</b></p> <p>In so far as France is not in favour of the confidentiality of the work of SC, except during the holding of its meeting, we don't see any problem in separating the two meetings.</p>
<p><b>ITALY</b></p> <p>We do not believe that confidentiality of the results of the work of the Scientific Committee is beneficial for Member Countries. Confidentiality, which often does not occur in practice, often makes the public suspicious, creating a disturbing atmosphere. However, in order to prevent any attempt to manipulate or misinterpret the SC results and recommendations, information should ONLY be made available once there is an agreed and a consolidated document is ready - generally this happens one week after the annual meeting of the SC.</p>
<p><b>JAPAN</b></p> <p>Increasing the time period between meetings of the Scientific Committee and the Commission will increase the likelihood that the contents or part of the contents of the Scientific Committee report become public before the start of the Commission meeting. This might be avoided by establishing more strict rules and penalties for those scientists releasing information of the Scientific Committee report before the open day of the Commission meeting however, enforcement of such rules could be difficult. If the confidentiality is really important, the separation of meetings is not advantageous.</p>
<p><b>MEXICO</b></p> <p>This should be seriously considered. Historically there might have been a reason for this. Do these reasons still hold?. Another reason that might have had some weight for confidentiality was (or is) that some work in progress might be misinterpreted by none-specialist and this could obstruct the proper development of the research. This probably could be solved with specific clauses, footnotes or sections.</p> <p>If the language and format is changed, the confidentiality might not be needed, since a clear language will be used to avoid any misinterpretations.</p>
<p><b>NEW ZEALAND</b></p> <p>New Zealand believes that the existing rule of procedure regarding the confidentiality of the Scientific Committee report until the opening day of the meeting is out-dated and does little to promote a transparent scientific process. Separating the meetings of the Scientific Committee from the Commission would require a change of rule to make the Scientific Committee report freely available shortly after the completion of the meeting.</p>
<p><b>PERU</b></p> <p>Confidentiality aspects would be more protected if there are meetings apart from the Commission ones. Besides that, it would be taken in consideration that there would be closed meetings if necessary.</p>
<p><b>UK</b></p> <p>As the Secretariat knows, we question whether the current rules on confidentiality of the SC's report and associated workings are strictly necessary. If the meetings were separate, then the report would be in the public domain before the Commission meeting and could be properly discussed with interested parties by Contracting Governments. Currently, the participants of the SC meeting are expected to brief their commissioners on the results of the work of the SC prior to the Commissions meeting. However, according to the rules of procedure that apply to the work of the SC;</p> <p>"the report of the Annual Meeting of the Scientific Committee shall be distributed to the Commission no later than the beginning of the opening plenary of the Annual Commission Meeting and <u>is confidential</u> until this time" ('confidential' means that reporting of discussions, conclusions and recommendations is prohibited).</p> <p>Clearly, there are inconsistencies between the aforementioned rule of procedure and its application in reality. So, revision of this rule would in our view be beneficial, particularly if the meetings are separated in time but even (to a more limited extent) if they are not. See also comments under (3).</p>

<i>e) Consideration of the applicability of the models such as that IPCC</i>
<p><b>ITALY</b></p> <p>We believe that reports of the IPCC, despite the initial intent, are quite political and therefore cannot be considered scientific reports and so do not support this model. However, it could be interesting and beneficial to charge the Conservation Committee (provided that we can find a solution to allow the participation of all countries to its work), working in conjunction with the Aboriginal Whaling Subcommittee and any other relevant committee, of the task of producing some similar report, after having carefully considered all relevant aspects to whaling other than the scientific one; for example, socio-economy (aboriginal vs. commercial, cultural values, etc), international legal aspects (including international marine policy).</p>

**JAPAN**

In summary from the financial and logistical point of view separating the meeting of the Scientific Committee and the Commission have disadvantages. The same can be said from the point of view of confidentiality of the Scientific Committee meeting report. There are some few advantages from the point of view of scientific aspects and communication with the Commission.

The main advantage in separating the meetings is that time will be available to allow for more in-depth consideration of the Scientific Committee's work by member governments. However the key issue here is ICRW Article V2(b) and Commissioners willingness to understand and follow the advice of the Scientific Committee. Efforts should be made to encourage this.

(After all, many important IWC decisions such as the commercial whaling moratorium, the southern ocean sanctuary and more recently the denial of Denmark's request for a catch quota of humpback whales for Greenland were made without considering the advice of the Scientific Committee).

**MEXICO**

The SC is the part of the engine of IWC that works very well. Why should we change what works?

In particular IPPCC has a different objective: it does not conduct any research nor does it monitor related data or parameters to their main subject of study (climate). It is a body that basically reviews scientific, technical and socio-economic literature produced worldwide relevant to their field (s) of interest. These are not the needs and goals of the SC. This is a more pro-positive and active body in terms of original scientific work according to the specific needs of the Commission.

**NEW ZEALAND**

The IPCC model has features that could be attractive to a revised modus operandi for Scientific Committee. Most significantly, the IPCC relies on a peer-review process in the development of papers for the consideration of the panel.

**UK**

We are not sufficiently familiar with the workings of the IPCC to make intelligent comment on this.



<p><b>(2) CONSIDERATION OF WAYS TO INCREASE PARTICIPATION IN THE SCIENTIFIC COMMITTEE OF SCIENTISTS FROM DEVELOPING COUNTRIES IN THE WORK OF THE SCIENTIFIC COMMITTEE; THIS WILL INCLUDE INTER ALIA:</b></p>
<p><b>ARGENTINA</b></p> <p>Argentina believes that the Scientific Committee work and expertise is recognized by all other Conventions. However we consider that a broader regional representation is needed. In this regard the IWC should create mechanism that promotes the participation of developing countries scientist for example to create an special funds to support the participation of scientist of developing countries.</p> <p>The SC should address more issues of the conservation agenda which are relevant for some countries (for example the Latin American ones). This will promote more participation from these countries.</p>
<p><b>AUSTRALIA</b></p> <p>Australia supports the development of mechanisms to include an increasing number of scientists from developing countries. Any program to achieve this objective should focus on countries where improved scientific representation would make the greatest contribution to key areas of scientific interest to the Commission.</p>
<p><b>BRAZIL</b></p> <p>Brazil considers that it is essential to reduce the imbalance in national representation in the Scientific Committee, and to incorporate scientific knowledge generated in member states that are currently not able to match the costs for sending delegates (either several or any). Therefore, we consider that a financial mechanism should be established to help fund government-appointed scientists from developing countries to participate in SC meetings. This would be in addition to the traditional IP system and would not prevent it from continuing to exist should the Commission find it appropriate. It is also essential that governments by themselves take interest in the work of the SC and strive to appoint scientists to participate in its proceedings.</p>
<p><b>DENMARK</b></p> <p>Denmark is positive to a greater inclusion of scientist from developing countries in the work of the Scientific Committee. This is, to our mind, only a question of allocating more money to this purpose. However the condition must be that further inclusion of scientist from developing countries shall be on the basis of the person's scientific merits.</p>
<p><b>GERMANY</b></p> <p>Germany supports the idea of facilitating the involvement of scientists from developing countries.</p> <p>Germany supports the ongoing need to invite participants to the Scientific Committee. This refers to the needs of the Small Cetacean Sub-Committee but also to other aspects of the work, such as the Comprehensive Assessment of Whale Stocks.</p> <p>Germany supports coordination and cooperation with other relevant organisations. Germany has, for example, supported closer collaboration between the IWC and CCAMLR and has acted as observer to the meetings of the two organisations in the capacity as an observer both of the IWC and CCAMLR.</p>
<p><b>NETHERLANDS</b></p> <p>There is little participation of developing countries in the SC, less than a third of all member states send delegates to the SC. Making the Commission meetings every 2 years would make the costs less for developing countries (the reason for this is also that the Commission is more important in terms of political voting).</p> <p>In general this is not such a handicap for the SC, since when there is an expert in a developing country whose participation is essential, (s)he will be invited as an I(nvited)P(articipant) by the SC.</p> <p>The 2<sup>nd</sup> and 3<sup>rd</sup> part in the TOR for the ICG is consideration of ways to increase participation in the SC's work by scientists from developing countries and Consideration of ways to improve knowledge and technical capability of scientists from developing countries.</p> <p>Two remarks:</p> <p>a) participation in the SC of an expert from a developing country can be organized through the existing IP system. If there is no such expert another route can be followed.</p> <p>b) to increase knowledge and technical skills of scientists in developing countries, indeed workshops or regional training together with e.g. IUCN/UNEP is a good instrument. During the SC meetings the time is too constraint to train/educate people with less experience. I very much favour training/education of scientists in developing countries, preferably when they belong to an organization irrespective of being a GO, an IGO or a NGO. In that way it will facilitate to implement in situ management/conservation measures in their region.</p> <p>The last item in the TOR was a review of the process of inviting participants.</p> <p>The reason for inviting participants is obvious: if an essential expertise for the functioning of the SC is missing amongst the regularly participating clan of SC-scientists, such a person will be identified by the SC chair and the conveners of the SC sub-committees, and their participation is paid for by the IWC. The reason that IWC-funded participants are not included in national delegations is because the invited persons are expert scientists and represent a scientific discipline. The SC basically consists also of scientists but they in first instance represent their countries and have an input on all activities of the SC, including the more</p>

policy related issues. The IPs usually only stay and participate as long as their input is relevant. Usually not at the second part of the SC meeting where plenary discussions of the subcommittees' sessions are being handled. The "normal" scientists in the delegation have also to adhere to the instructions of the delegation.
<b>SPAIN</b>  There are many scientists in developing countries already working in areas considered of great interest by the SC. That should be taken into account in the selection process.
<b>USA</b>  The SC needs to have high quality scientists and appropriate representation at its meeting to undertake the work required by the Commission. The current circumstances make it difficult to involve scientists from developing countries. The United States believes that it is extremely important that every opportunity is explored to support young scientists from any country to attend meetings of the SC. This can best be done by member governments, INGOs, and individual research groups. However, the bulk of the SC IPs funds should continue to be used to support scientists that are needed for the tasks of the SC work.

<i>a) Selection process and preparation for meeting:</i>
<b>FRANCE</b>  The process should be based on a geographical representativeness principal in addition to the designation already in force : a better representation should be sought (for instance Africa).
<b>ITALY</b>  Concerning the selection processes of the delegates: being a scientific advisory body, we believe that nations should select from the best available scientists in each country, based on the evaluation of their CVs. This is actually our procedure for the appointment of Italian delegates.  Concerning the selection processes of Invited Participants, for the very same reason, we believe they <b>MUST</b> be selected based on their CVs and the annual priorities of the SC Working Programme; moreover we do not see the need for any relationships between their appointment and the geographical representation of IWC member countries, citizenship or in general. They must simply be the best available scientists relevant for the annual priorities of the SC Work Programme. The geographical representation will be ensured by the representation of all national delegations.
<b>JAPAN</b>  In most of developing countries cetacean research is in its infancy. In some countries, there are groups of scientists working with some cetacean species that are accessible for observation and attainment of samples, e.g. small cetaceans and some large whale species such as humpback and right whales. However the level of research and expertise is not high enough to make substantive contributions to the priority work of the Scientific Committee, which deals with highly technical matters, especially in those subcommittees dealing directly with assessment and management of whale populations (IA, SH, NPM, BRG, RMP, AWMP).  Rather than starting discussing about the selection process for participation in Scientific Committee meetings, it is important to have discussions about an educational program for interested scientists from developing countries that take into consideration the work and research priorities of the Scientific Committee (see item 3 below).  Key issue here is to increase the capacity of scientists from developing countries. The chair of the Scientific Committee should motivate discussion on ways to carry out this educational program.  The program should focus on the assessment of whale populations and management of whaling. This program could increase the chance that scientists from developing countries that want to start such works know well what kinds of information are required and what kinds of survey should be done for those purposes.
<b>MEXICO</b>  <b>It has to be very clear to all interested in this aspect that the selection has to be based on academic, research and management backgrounds and not on political reasons.</b> If this is not strictly followed this might hurt and/or delay the SC work.  In this issue we are not considering the scientists that participate in each delegation. This are selected according to each Contracting Government decision. IPs paid by IWC have the choice of participating in their Country's delegation if the Country in question and the scientist wish so.  For other participants, each Country should provide a list of potential scientist that could participate in the SC's meetings. Each Country should be responsible of providing the CVs of each scientist. The Convenors in conjunction with the head of delegation of each country should analyze each case and agree the participation of each scientist.
<b>NEW ZEALAND</b>  Scientists nominated by member governments, of course, are not subject to any selection process by the Scientific Committee. In addition to sponsoring more Invited Participants from developing countries, the Scientific Committee could also request that the Commission support the attendance of scientists from developing countries (which may or may not be members of the IWC), who can materially assist the work of the Committee, on the basis of their experience and their publication record. In preparation for the meeting, a mentoring process could be introduced for such invitees, perhaps involving the member(s) of Scientific Committee who

championed their attendance.
<b>PERU</b> <p>Candidates should be selected in personae; they should be high qualified and prestigious scientists. There should be national contests by assessing their bio-data, their expertise as well as taking an examination under the responsibility of renowned international universities or other scientific institutions related to the IWC subjects and/or producing a research document on IWC scientific subjects. Once they had been selected within their countries, they should be proposed to the jury made up by members of the Scientific Committee. After this process of selection, there would be organized some seminars aimed to allow them to get familiarized with IWC tasks prior the performance of the meetings. Those seminars would be conducted by the members of the Scientific Committee.</p>
<b>b) Financial aspects:</b>
<b>FRANCE</b> <ul style="list-style-type: none"> <li>- It could be up to African Parties to designate scientists to be funded on the budget as invited participants, or</li> <li>- to the Chair of SC to identify scientists from African countries to be funded for participation.</li> </ul>
<b>ITALY</b> <p>We are in favour of seeking ways to increase the participation at the annual meetings of the Scientific Committee of scientists from developing member countries; however this should not increase the IWC general budget or subtract resources to the already scarce funding of the SC. Resources should be seek All countries when adhering to the ICRW demonstrate their interest and commit to the work of all bodies forming the Commission, therefore it is their main interest and their duty to devote some funding for sending at least one representative to all Committees and Sub-committees.</p>
<b>JAPAN</b> <p>Before starting discussion of financial aspects for participation of scientists from developing countries in meetings of the Scientific Committee, it is important to develop and implement an educational program as indicated above.</p>
<b>MEXICO</b> <p>This is a critical issue particularly now that the budget of the Secretariat is very thin and no injection of fresh resources seems possible. This is an issue that should be considered in a creative manner.</p>
<b>NEW ZEALAND</b> <p>Funding to support the attendance of scientists from developing countries should be provided through the Scientific Committee budget or through external sponsorship.</p>
<b>PERU</b> <p>Costs of the abovementioned selection process –like the examinations taken by international centre of studies- as well as seminars should be assumed by IWC or other international organizations that could co-operate in these matters with IWC.</p>
<b>c) Relationship with the overall invited participant process:</b>
<b>JAPAN</b> <p>Given the aspects noted in a) and b) above, the process for participation of scientists from developing countries should be separated from invited participants.</p>
<b>MEXICO</b> <p>As we understand it we are talking here of IPs since their Countries of origin are unable to cost their trip and stay for the SC meetings. So the relation with overall IPs should be the same, except that in some cases the head of delegation would chat with the Chair of the SC and the head of since to analyze CVs of potential candidates.</p>
<b>NEW ZEALAND</b> <p>Although it is likely that many of the scientists from developing countries invited to attend Scientific Committee would be Invited Participants, there should also be opportunities to support attendance as members of a national delegation or as a representative of an inter-governmental organization or a non-governmental organization. Support for developing country participants should be offered to scientists who can materially assist the work of the Committee, on the basis of their experience and their publication record.</p>
<b>PERU</b> <p>In both cases it will enrich the tasks of the Scientific Committee (see answer to Subject 4).</p>

<b>(3) CONSIDERATION OF WAYS IN WHICH THE SCIENTIFIC COMMITTEE CAN ASSIST IN IMPROVING THE KNOWLEDGE AND TECHNICAL CAPABILITY OF SCIENTISTS FROM COUNTRIES WHERE CETACEAN RESEARCH IS IN ITS INFANCY SO THAT THEY CAN BETTER CONTRIBUTE TO THE WORK OF THE SCIENTIFIC COMMITTEE AND TO CONSERVATION AND MANAGEMENT ISSUES WITHIN THEIR REGION; THIS WILL INCLUDE <i>INTER ALIA</i>:</b>
<b>AUSTRALIA</b> <p>Australia supports the development of mechanisms to improve the knowledge and technical capability of scientists from countries where cetacean research is in its infancy. As with Point 2 above, any program to achieve this objective should focus on countries where improved scientific capacity would make the greatest contribution to key areas of scientific interest to the Commission.</p>
<b>BRAZIL</b> <p>The best way in which the SC can contribute to improve science in developing countries is to, in addition to allowing for more participation of scientists from these countries in its meetings, is to devote itself more to broader cetacean conservation/management issues. In this regard, it should be able to support, foster and help fund initiatives such as that of Australia for regional large-scale, long-term non-lethal research, benefiting a broader constituency of nations.</p>
<b>DENMARK</b> <p>Also here it is a question of allocating more money to this purpose. Denmark will be positive to this, but it must be up to the scientific Committee to determine how much capacity and time to allocate to this purpose.</p>
<b>ITALY</b> <p>In accordance with the text of the Convention, we are not completely convinced that the SC of the IWC has a pedagogic nature or objective; however we are in favour of the organisation of specific training course or seminars held by members of the SC, with the coordination of the SC, provided that funding is identified outside the IWC (e.g. UNEP, UNDP, FAO, IUCN, EU international cooperation, UNESCO, etc.).</p>
<b>SPAIN</b> <p>Collaboration with other organizations such as ACCOBAMS, FAO, UNEP, IUCN, etc. to participate in regional training workshops is a possibility that merits to be considered.</p>

<b>a) Possibility of regional training workshops (consider collaboration with other organizations, e.g. FAO, UNEP, IUCN):</b>
<b>ARGENTINA</b> <p>Argentina welcome the cooperation process that in the last years the IWC began with other relevant scientific or not scientific organizations. The most recent case was the joint work agreement signed with IMO, CAMMLR, etc. This kind of coordination and cooperation activities would help the IWC to adopt better solution for the conservation of whales and dolphins.</p>
<b>FRANCE</b> <p>France strongly support the possibility of training workshops.</p>
<b>JAPAN</b> <p>The idea of regional workshop is a good idea for the educational program indicated above. Regional workshops could be held one in each year in each South America, Africa and Asia. If the aim is to educate scientists for contributing to the work of the Scientific Committee, then the topics of the regional workshops should be in line with techniques used by the Committee in assessment of whales and management of whaling as indicated above, e.g. techniques for abundance estimates and abundance trends, RMP, AWMP. Leading specialists from the Scientific Committee could act as trainer scientists.</p> <p>Details on how to carry out this regional workshop should be discussed at the Scientific Committee meetings. Some few scientists participating in the regional workshops could be invited to annual meetings of the IWC Scientific Committee considering their performance at the workshops.</p>
<b>MEXICO</b> <p>The SC has no expertise in training workshops. Though this is an important proposal it would be hard to leave it all the weight on the shoulders of IWC. Therefore it is absolutely necessary to seek collaboration with other organisations. This should include not only multilateral bodies but also scientific organizations: Society for Marine Mammalogy, European Cetacean Society, etc.</p>
<b>NEW ZEALAND</b> <p>In recent years, New Zealand has been engaged in the delivery of regional training workshops for Pacific Island countries, many of whom are not members of the IWC. Our key partners in the region have been the Secretariat for the Pacific Regional Environment Programme (SPREP) and the Convention on Migratory Species (CMS). Several members of the IWC Scientific Committee have participated in such workshops. Additional technical and financial support has been provided by a number of NGO groups and individual scientists.</p> <p>New Zealand strongly supports collaboration between the IWC Scientific Committee and other organizations to support regional</p>

training workshops. Such workshops should be directed towards establishing a core of trained scientists capable of conducting basic research programmes, effectively managing and collecting information from stranded cetaceans, and providing technical support for further investigations.
<b>PERU</b> <p>Peru agrees with this possibility that will allow the increase of the level in the countries of the region as it happens within the Buenos Aires Group by means of regional workshops as well as video conferences through IWC website. Moreover, it would be advisable to include in the Scientific Committee, international organizations e.g. the Convention on Biological Diversity that could provide support to the regional workshops. It would be recommended as well to have co-ordinations with the Convention on International Trade in Endangered Species of Wild Fauna and Flora –CITES–.</p>
<b>UK</b> <p>We would echo the views of IWC60 (in IWC/60/18):</p> <p>[...] ‘the primary function of the Scientific Committee has been to provide the best scientific advice to the Commission – to this extent it is not an ‘educational’ body. However, in the longer term, it is important (for member governments, the Scientific Committee and conservation and management throughout the world) to look at the most efficient way that the expertise within the Committee can be used to ‘capacity build’ within the IWC countries. Paying for scientists to attend the Scientific Committee’s Annual Meetings (where the workload is intense) may not be the only or best way to achieve this. For example, the possibility of experienced members of the Committee holding short workshops on conservation science in member countries warrants further consideration’</p> <p>However, if the Committee were to decide to use workshops as a means to improve the technical capacity of scientists in those countries which are currently under-represented, we should have to consider how the proposed workshops could be constructed so as to provide a balance of the various approaches taken in the SC. There may be merit in the Commission’s investigating a possible tie-up with the FAO, which is already involved in building technical capacity in developing countries. IWC may be able to work with them to identify ways in which material relevant to <i>IWC’s work</i> can be included in any workshops which they organize. This would be a more cost-effective way to build technical capacity than IWC organizing separate workshops.</p>
<b>USA</b> <p>The United States fully supports the ongoing efforts of the SC and the Commission to address these issues and work with other relevant scientific organizations when necessary.</p>

<b>b) Provision of materials (e.g. documents):</b>
<b>FRANCE</b> <p>France reiterates the need to produce summaries of the work of SC and synthetic documents.</p>
<b>JAPAN</b> <p>There are plenty of materials (documents, data, JCRM volumes, PP presentations, PC programs) in the IWC secretariat, which can be used in these regional workshops.</p>
<b>MEXICO</b> <p>The Secretariat has a very well established data base with copies of papers and other scientific documents. This could be available through the web page of IWC using a special link.</p>
<b>NEW ZEALAND</b> <p>Once basic training has been completed, essential materials for cetacean research (cameras, laptops, GPS, etc) may need to be provided to scientists from developing countries, to enable effective research to take place.</p> <p>A mentoring system would also be effective in the provision of materials to support research in developing countries. Mentors could be local, with reasonably easy access, or could provide advice remotely. Establishing links through mentors may also create opportunities for other funding agencies, such as universities and foundations, to provide funding and travel support to meetings and workshops.</p>
<b>PERU</b> <p>Reports, publications as well as all relevant materials should be published at the IWC website. In this way, scientists could be updated.</p>
<b>UK</b> <p>Another way in which IWC can increase the contribution of scientists from different countries to the work of the SC might be to make all the documents that are presented in the SC meeting available in electronic format – for download from the IWC’s website. This should encompass documents from past and future meetings. These documents are a very useful source of information which can help scientists build an understanding of the work that IWC does and develop the technical capability sufficient to allow them to participate in the work of the IWC and also apply the methodologies and approached developed by the SC to address conservation issues in their countries. Currently, only a list of titles of the papers that were presented at previous meetings is available electronically. So, scientists need to order the document they are interested in from the secretariat which will provide hard</p>

copies. This slows down and limits the access to this material. Although producing electronic versions of older documents is a time consuming process other international organizations have already undertaken this exercise successfully. Similarly, making all the documents that will be presented in the next meeting available [60 days?] in advance (including documents presented in workshops and special meetings) would facilitate a more thorough review of those documents which could lead to a greater number of scientists being able to contribute to the work of the SC.

The way that the WGs operates when a specific issue needs to be addressed and only few of the members of the WG have the expertise to contribute to the work required can also be modified to help scientists build their technical capabilities. Currently, the common practice is that a smaller sub-group is formed that is sent off to consider the issue concerned and then report back to the WG. This means that the other members of the group cannot follow the deliberations / discussions that have led to the results that the sub-group will present and therefore, cannot learn from such processes. An alternative approach (which has already been suggested at the IWC60 meeting) would be that the sub-group would not be separated from the rest of the group to carry out its work so, other members of the WG are able to follow the discussions of the sub-group if they want to. Although this is a minor change in the current procedure, it does facilitate wider participation and technical capacity building.

**c) Financial aspects:**

**JAPAN**

Create a separated budget line or funding source (a portion of the normal IPs funding allocation?) for organizing and inviting scientists and trainers to the regional workshops.

**MEXICO**

NGOs could also play a role in providing funds. Also aid agencies of some countries could be of help. Considering the difficulty of this issue, would help if researchers can help with identifying funding sources.

**NEW ZEALAND**

Funding for increased engagement by developing countries in cetacean research need not be seen as the sole responsibility of the IWC. As noted, FAO, UNEP and CMS can all be collaborators in joint endeavours, that could be co-ordinated by the appropriate IGO. Such a collaboration would provide the opportunity for funding streams to conduct research additional to those available from the IWC.

**PERU**

All these actions should be performed mainly under the auspices of Governments and with the contribution of international co-operation. As observed, provision of materials should not represent a meaningful cost for IWC or their members.

<b>(4) REVIEW OF THE PROCESS FOR INVITING PARTICIPANTS TO THE SCIENTIFIC COMMITTEE; THIS WILL INCLUDE INTER ALIA:</b>
<b>ARGENTINA</b> <p>We also believe that a new process of “Invited Participants” should be implemented. For example, we proposed as at the end of each Scientific Committee and once that the next year Scientific Committee meeting agenda is known, each country should provide a list of experts with expertise - in the agreed agenda - in order that the proposed scientist could participate in a more transparent selection process.</p>
<b>AUSTRALIA</b> <p>Australia welcomes the proposal to conduct a review of the system of inviting participants to the Scientific Committee. Such a review should ensure that the expertise and number of invited participants reflect the scientific priorities of the Commission and requires sufficient flexibility to include new initiates. As the work of the Scientific Committee responds to advice from the Commission needs on a relatively <i>ad hoc</i> basis, Australia suggests consideration of a regular formal review of the activities of the Scientific Committee. This could be in the form of a Steering Committee tasked with assessing the appropriateness of the Scientific Committee workplan and its relevance the current work of the Commission.</p>
<b>BRAZIL</b> <p>If a mechanism is found to improve developing country scientists’ participation, then the current IP system does not need to be radically altered. However, it may be useful to develop a more equitable manner of defining IP invitation and expenditure in relation to the different SC priorities/agenda issues. Also, while it is understandable that some IPs have relevant expertise that is needed for a number of years, it may be worth looking into ways of making developed member states sponsor IPs along their nationals that have been repeatedly funded from the IWC budget already. Otherwise, Brazil believes that full IWC funding of IPs should be prioritised when these come from developing countries, and external sponsorship should be exhaustively sought for those coming from developed countries which, in general, already have large and/or long-standing representation with high-quality contributions at several SC sub-committees. Finally, priority should be given to IPs helping to develop broad research initiatives such as that exemplified by the Australian proposal as mentioned in our comment to (3).</p>
<b>DENMARK</b> <p>Denmark has no problems with the present procedure for inviting participants to the Scientific Committee.</p>
<b>FRANCE (see 3 above)</b> <p>In previous years, there were no French Inviting participants attending the SC although French scientists have been identified from time to time. Most of the 5 French scientists who attended the SC meeting this year managed to find funds by themselves. 2 of them are funded by the French government.</p> <p>France supports allocating the budget for Inviting participants as a matter of priority in favour of scientists from developing countries.</p>
<b>ITALY</b> <p>See above section “<i>On item 2a and 2c</i>”.</p>
<b>SPAIN</b> <p>Objectives for inviting participants: to contribute to the better development of the issues considered of high importance by the SC and the Commission.</p> <p>The reasons for non-inclusion of IWC-funded participants on national delegations of developed countries are not very clear to me.</p>

<b>a) Objectives for inviting participants:</b>
<b>ITALY</b> <p>We also do not believe that any formal interference from the Contracting Governments on the selection process would be beneficial or would reduce the polarisation of ideas among scientists. The selection process should be kept under the coordination of the SC and of its Chair. In our opinion the current selection process (made by the Chair in consultation with Convenors of the SC sub-committees and WGs) works well and should represent the basis for any further improvement. Countries’ opinions would always be represented through the voice of the National Heads of Delegations. Perhaps, the SC Chair could explore the possibility to involve National Heads of delegations in this selection process in some way.</p>
<b>JAPAN</b> <p>Once the Scientific Committee has identified the research/work priorities for the next year it should determine whether such research/work can be carried out by scientists of national delegations. If this is not possible it should proceed to invite accredited experts in the different areas that have been identified as priorities. The objective for inviting participants is to cover for those</p>

research areas identified by the Committee as priority, which can not be covered by normal delegate members.
<b>MEXICO</b> <p>The review process should be the same (academic criteria). The only difference should be the CVs sent by each developing country of their scientist. The criteria to attend should be the same and close contact between heads of delegations and the Chair and Head of Science. Probably one or two convenors should participate.</p>
<b>NEW ZEALAND</b> <p>Participants who are invited to attend Scientific Committee should all be capable of contributing in a significant way to the deliberations of the Committee. Generally this will be either because they have a long-established expertise that benefits the functioning of the Committee or because they have a particular knowledge of a species or an area that is of interest to the Committee.</p>
<b>PERU</b> <p>To enrich the agenda / subjects of discussion. Peru considers that this is a feed-back process; simultaneously, IWC can organize workshops for scientists of developing countries to disseminate their knowledge /increase their participation as referred above; besides that, it can be organized lectures or conferences inviting participants from non-member countries that could be senior or junior professionals of different specializations related to the IWC subjects that could provide their contributions to the tasks of the Scientific Committee. As result of their participation, their reports should be published and the tasks of IWC could be grounded on those reports. Moreover, it would be highly recommended to get the participation of some international organizations e.g. the Convention on Biological Diversity –CBD- as an observer due to the fact that during the Meeting of CBD Parties in 2010, the central subject of the agenda will be the Marine-Coastal Biological Diversity Program. These participants will strengthen the tasks of the Scientific Committee.</p>

<i>b) Reasons for non inclusion of IWC-funded participants on national delegations of developed countries:</i>
<b>ITALY</b> <p>It would be interesting to understand why IPs, owning one of the Member Countries citizenship, are not automatically invited by Commissioners to join their national delegations. Since National delegates can also be self-funded (therefore, the economic reasons should not be the cause of this decision), this could happen because of a legitimate right of Governments to exclude them for political reasons. In this case the current mechanism of selecting IPs would prove to actually be very useful in balancing potential polarisation and over-politicisation of the SC.</p>
<b>MEXICO</b> <p>We do not see any. This has been a way forward to help developing countries with their delegations to the SC.</p>
<b>NEW ZEALAND</b> <p>The selection of members of national delegations is, of course, a matter for member governments. There may be several reasons why a scientist whose expertise is considered to be valuable to the functioning of the Scientific Committee may not be acceptable to the government as a member of their national delegation. Equally, some scientists may be reluctant to agree to the conditions set down by individual governments that bind all members of a national delegation, whether or not they are government employees.</p> <p>Accordingly, at most meetings of Scientific Committee, there are a number of Invited Participants (IP) from developed countries, whose attendance is funded by the IWC because it is considered that they can make a significant contribution to the work of the Committee. Although Rule of Procedure A 6 (g) suggests that IPs should not contribute substantively to the debates on procedure and policies, this rule is rarely invoked. There are some examples of funding for invited participants that have continued over many years, and it may be desirable to limit the number of times the Scientific Committee budget is used to sponsor an individual, in order to make greater provision for participation by scientists from developing countries.</p>
<b>PERU</b> <p>To allow the participation of new scientists.</p>

<i>c) Selection process and advice</i>
<b>JAPAN</b> <p>The selection process should consider the work priorities identified by the Scientific Committee and the scientific credentials of the potential invited participants e.g. an appropriate CV that demonstrates that he or she can contribute effectively to the research areas that the Committee has identified as priority, which can not be covered by normal delegate members. The number of participants invited and funded by the Commission should be allocated in a balanced way across the different sub-committees.</p> <p>Self invited (self funded) participants should be kept at a minimal number. Owing to the large number of self invited participants who have own interests respectively, the Scientific Committee cannot often concentrate on its priority items, which can damage the Committee's credibility. Self invited participants should also be in a different category from those invited participants identified and funded by the Scientific Committee because the selection process, mode of funding and role in the meeting are different.</p>



The necessities of all the self-invited participants for the SC should also be checked perhaps by the convenor group to eliminate irrelevant participants from the meeting and keep reasonable size of the SC.
<b>NEW ZEALAND</b> New Zealand is comfortable with the current process for selecting Invited Participants and interested local scientists, as set out in Rules of Procedure 6 and 7, subject to consideration of the points made above.
<b>PERU</b> Participants should be high qualified scientists. There should be assessed their bio-data, their expertise (if any) or their research documents or publications on IWC scientific subjects. They should be proposed by any country-member or international and prestigious universities or other scientific institutions related to the IWC subjects.

<i>d) Financial aspects:</i>
<b>JAPAN</b> The Commission should allocate funding for invited participants identified by the Scientific Committee as key scientists to complete specific tasks considered as priority.
<b>NEW ZEALAND</b> As previously noted, active engagement by the IWC and Scientific Committee with other potential partners (such as UNEP, CMS and various IGOs), may provide the opportunity to use the expertise available in the Scientific Committee for upskilling and capacity-building of scientists from developing countries. While attendance at a Scientific Committee meeting would potentially be of benefit for scientists from developing countries, perhaps of greater benefit would be the opportunities for networking and mentoring that would be presented through active participation with potentially supportive members of the Scientific Committee.
<b>PERU</b> Participants could be invited mainly under the auspices of Governments and/or contribution of international co-operation and/or academic institutions.

## **Annex C**

### **The full responses of each country**

#### **ARGENTINA**

IWC/60/18: Possible improvements to procedural issues identified at the March 2008 Intersessional Meeting on the Future of IWC

#### **2.3 The role of science**

##### **2.3.1 Separating the meeting of the Scientific Committee from the meeting of the Commission**

There have been some discussions as to whether the IWC should move from a cycle of annual meetings to biennial meetings. Argentina prefers the last option as we consider that this will help to analyze the results of the Scientific Committee by the Commissioners before Plenary meetings, improving the works of the IWC.

##### **2.3.2 Facilitating/improving the involvement of scientists from developing countries**

Argentina believes that the Scientific Committee work and expertise is recognized by all other Conventions. However we consider that a broader regional representation is needed. In this regard the IWC should create mechanism that promotes the participation of developing countries scientist for example to create an special funds to support the participation of scientist of developing countries..

The SC should address more issues of the conservation agenda which are relevant for some countries (for example the Latin American ones). This will promote more participation from these countries.

##### **2.3.3 Invited Participants (IPs) to the Scientific Committee**

We also believe that a new process of “Invited Participants” should be implemented. For example, we proposed as at the end of each Scientific Committee and once that the next year Scientific Committee meeting agenda is known, each country should provide a list of experts with expertise - in the agreed agenda - in order that the proposed scientist could participate in a more transparent selection process.

##### **2.3.4 Co-ordination and co-operation with other relevant scientific organisations**

Argentina welcome the cooperation process that in the last years the IWC began with other relevant scientific or not scientific organizations. The most recent case was the joint work agreement signed with IMO, CAMMLR, etc. This kind of coordination and cooperation activities would help the IWC to adopt better solution for the conservation of whales and dolphins.

## AUSTRALIA

### **1. CONSIDERATION OF THE ADVANTAGES AND DISADVANTAGES OF SEPARATING THE ANNUAL MEETING OF THE SCIENTIFIC COMMITTEE FROM THAT OF THE COMMISSION**

Australia is in support of the proposal to separate the Scientific Committee meeting from the Commission meeting and would suggest that a 2-3 month separation is an optimal time period. Holding the Scientific Committee meeting in March would allow for it to limit its coincidence with peak cetacean research periods in the southern or the northern hemisphere and, assuming Commission meetings are held in either June or July, would allow sufficient time for consideration of the reports and outcomes of the Scientific Committee.

Australia would support the Scientific Committee meeting being held in such place as the Commission may determine, to ensure retention of the benefits of hosting annual meetings in varying locations, facilitating attendance by local and regional scientists.

### **2. CONSIDERATION OF WAYS TO INCREASE PARTICIPATION IN THE SCIENTIFIC COMMITTEE OF SCIENTISTS FROM DEVELOPING COUNTRIES IN THE WORK OF THE SCIENTIFIC COMMITTEE**

Australia supports the development of mechanisms to include an increasing number of scientists from developing countries. Any program to achieve this objective should focus on countries where improved scientific representation would make the greatest contribution to key areas of scientific interest to the Commission.

### **3. CONSIDERATION OF WAYS IN WHICH THE SCIENTIFIC COMMITTEE CAN ASSIST IN IMPROVING THE KNOWLEDGE AND TECHNICAL CAPABILITY OF SCIENTISTS FROM COUNTRIES WHERE CETACEAN RESEARCH IS IN ITS INFANCY SO THAT THEY CAN BETTER CONTRIBUTE TO THE WORK OF THE SCIENTIFIC COMMITTEE AND TO CONSERVATION AND MANAGEMENT ISSUES WITHIN THEIR REGION**

Australia supports the development of mechanisms to improve the knowledge and technical capability of scientists from countries where cetacean research is in its infancy. As with Point 2 above, any program to achieve this objective should focus on countries where improved scientific capacity would make the greatest contribution to key areas of scientific interest to the Commission.

### **4. REVIEW OF THE PROCESS FOR INVITING PARTICIPANTS TO THE SCIENTIFIC COMMITTEE**

Australia welcomes the proposal to conduct a review of the system of inviting participants to the Scientific Committee. Such a review should ensure that the expertise and number of invited participants reflect the scientific priorities of the Commission and requires sufficient flexibility to include new initiates. As the work of the Scientific Committee responds to advice from the Commission needs on a relatively *ad hoc* basis, Australia suggests consideration of a regular formal review of the activities of the Scientific Committee. This could be in the form of a Steering Committee tasked with assessing the appropriateness of the Scientific Committee workplan and its relevance the current work of the Commission.

## BRAZIL

### **(1) Consideration of the advantages and disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission.**

Brazil considers that the separation of these meetings in time would be beneficial to all member States and to the scientific community at large, which could evaluate and react to the Scientific Committee proceedings before an Annual Plenary meeting. This is of particular importance for developing countries as SC results could be shared domestically with the national scientific community and feedback received by the respective governments in time for the discussions and action at Plenary Sessions. Any disadvantages, logistical or financial, of separating the meetings would thus be offset by this key benefit of making the SC results known, digested and discussed well before the Commissioners meet for deliberations. Also, governments will have much to gain in their capacity to implement scientific recommendations in a timely manner if the meetings are separated.

### **(2) Consideration of ways to increase participation in the Scientific Committee of scientists from developing countries in the work of the Scientific Committee.**

Brazil considers that it is essential to reduce the imbalance in national representation in the Scientific Committee, and to incorporate scientific knowledge generated in member States that are currently not able to match the costs for sending delegates (either several or any). Therefore, we consider that a financial mechanism should be established to help fund government-appointed scientists from developing countries to participate in SC meetings. This would be in addition to the traditional IP system and would not prevent it from continuing to exist should the Commission find it appropriate. It is also essential that governments by themselves take interest in the work of the SC and strive to appoint scientists to participate in its proceedings.

### **(3) Consideration of ways in which the Scientific Committee can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy so that they can better contribute to the work of the Scientific Committee and to conservation and management issues within their region.**

The best way in which the SC can contribute to improve Science in developing countries is to, in addition to allowing for more participation of scientists from these countries in its meetings, is to devote itself more to broader cetacean conservation/management issues. In this regard, it should be able to support, foster and help fund initiatives such as that of Australia for regional large-scale, long-term non-lethal research, benefitting a broader constituency of nations.

### **(4) Review of the process for inviting participants to the Scientific Committee.**

If a mechanism is found to improve developing country scientists' participation, then the current IP system does not need to be radically altered. However, it may be useful to develop a more equitable manner of defining IP invitation and expenditure in relation to the different SC priorities/agenda issues. Also, while it is understandable that some IPs have relevant expertise that is needed for a number of years, it may be worth looking into ways of making developed member States sponsor IPs among their nationals that have been repeatedly funded from the IWC budget already. Otherwise, Brazil believes that full IWC funding of IPs should be prioritised when these come from developing countries, and external sponsorship should be exhaustively sought for those coming from developed countries which, in general, already have large and/or long-standing representation with high-quality contributions at several SC subcommittees. Finally, priority should be given to IPs helping to develop broad research initiatives such as that exemplified by the Australian proposal as mentioned in our comment to (3).

## DENMARK

<b>(1) CONSIDERATION OF THE ADVANTAGES AND DISADVANTAGES OF SEPARATING THE ANNUAL MEETING OF THE SCIENTIFIC COMMITTEE FROM THAT OF THE COMMISSION;</b>
Denmark is of the conviction that it might be of benefit to separate the meeting of the scientific committee and the meetings of the Commission. This is normal practice in organizations managing living resources and it would leave national decision makers with a more sound and timely basis on which to take decisions.
<b>(2) CONSIDERATION OF WAYS TO INCREASE PARTICIPATION IN THE SCIENTIFIC COMMITTEE OF SCIENTISTS FROM DEVELOPING COUNTRIES IN THE WORK OF THE SCIENTIFIC COMMITTEE</b>
Denmark is positive to a greater inclusion of scientist from developing countries in the work of the Scientific Committee. This is, to our mind, only a question of allocating more money to this purpose. However the condition must be that further inclusion of scientist from developing countries shall be on the basis of the person's scientific merits.
<b>(3) CONSIDERATION OF WAYS IN WHICH THE SCIENTIFIC COMMITTEE CAN ASSIST IN IMPROVING THE KNOWLEDGE AND TECHNICAL CAPABILITY OF SCIENTISTS FROM COUNTRIES WHERE CETACEAN RESEARCH IS IN ITS INFANCY SO THAT THEY CAN BETTER CONTRIBUTE TO THE WORK OF THE SCIENTIFIC COMMITTEE AND TO CONSERVATION AND MANAGEMENT ISSUES WITHIN THEIR REGION</b>
Also here it is a question of allocating more money to this purpose. Denmark will be positive to this, but it must be up to the scientific Committee to determine how much capacity and time to allocate to this purpose.
<b>(4) REVIEW OF THE PROCESS FOR INVITING PARTICIPANTS TO THE SCIENTIFIC COMMITTEE</b>
Denmark has no problems with the present procedure for inviting participants to the Scientific Committee.

## FRANCE

**1) Consideration of the advantages and disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission**a) Logistical and financial aspects

From our point of view, in the perspective of a meeting of the Commission every two years, an annual meeting of the SC separated from the one of the Commission (three months for instance) would meet our agreement. The money saved by having a Commission meeting every two years would offset the extra costs of separating the SC and Commission meetings. In order to save money from the budget, one could imagine that the meeting of SC during the year without a Commission meeting, could be held in Cambridge (no travel cost for the secretariat). The year where the Commission meeting takes place would cost more.

b) scientific aspects

Separating the meetings would bring about less “political” pressure on the SC before the Commission and more time for the Commission to take into account the advice of SC (a better use of its work)

In the case of a Commission meeting every two years, more time would be given to the SC for its work. E.g the SC could work on a biannual basis.

c) Communication with the Commission

We would like to recall our initiative presented this year which is not focused on separating SC from the Commission but which is directly linked to the communication between these two bodies : easier access to scientific knowledge and the work of the SC for the delegations attending the commission meeting is one of our concern, specially for delegations who don't have any scientists attending the SC. Delegations would benefit from synthesis of the SC's work (see the example produced this year by France in the document IWC/60/22). Separating SC from Commission would give more time to initiate those synthesis, summaries (in the different working languages) and thus would increase communication between the two bodies.

d) Confidentiality aspects

In so far as France is not in favour of the confidentiality of the work of SC, except during the holding of its meeting, we don't see any problem in separating the two meetings.

**2) Consideration of ways to increase participation in the Scientific Committee of scientists from developing countries in the work of the Scientific Committee**a) b) selection process and financial aspects

The process should be based on a geographical representativeness principal in addition to the designation already in force : a better representation should be sought (for instance Africa).

- It could be up to African Parties to designate scientists to be funded on the budget as invited participants, or
- to the Chair of SC to identify scientists from African countries to be funded for participation.

3) consideration of ways in which SC can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy....

a) possibility of regional training workshops

France strongly support the possibility of training workshops

b) provision of materials

France reiterates the need to produce summaries of the work of SC and synthetic documents.

**4) Inviting participants : see 3 above.**

In previous years, there were no French Inviting participants attending the SC although French scientists have been identified from time to time. Most of the 5 French scientists who attended the SC meeting this year managed to find funds by themselves. 2 of them are funded by the French government.

France supports allocating the budget for Inviting participants as a matter of priority in favour of scientists from developing countries.

## GERMANY

*Possible options to consider regarding meeting frequency of the Commission and its subsidiary bodies (IWC/59/F&A SS3)*

Germany supports changing the Commission's current meeting schedule to biannual meetings while keeping the meetings of the Scientific Committee and other Committees on an annual basis as long as the Scientific Committee, for instance, works on urgent matters, such as the comprehensive assessment of whale stocks and the development of an RMP on a stock-by-stock basis for Aboriginal Subsistence Whaling as progress on these issues has to be reviewed each year. Moreover, changing the Scientific Committee's meetings to a two year schedule would be likely to slow down progress. It would require closer collaboration between the Commission and the Scientific Committee and possibly other adjustments as well if the Commission were to meet every other year.

*IWC/60/18 The role of science*

Germany largely agrees with the arguments presented in paper IWC/60/18. A brief outline of Germany's position is given below.

2.3.1 Germany agrees to a separation of the Scientific Committee and the Commission. It would take a lot of pressure off the Scientific Committee but also off the Secretariat. However, budgetary implications and the considerable additional workload for the Secretariat when organising two meetings need to be considered.

2.3.2 Germany supports the idea of facilitating the involvement of scientists from developing countries.

2.3.3 Germany supports the ongoing need to invite participants to the Scientific Committee. This refers to the needs of the Small Cetacean Sub-Committee but also to other aspects of the work, such as the Comprehensive Assessment of Whale Stocks.

2.3.4 Germany supports coordination and co-operation with other relevant organisations. Germany has, for example, supported closer collaboration between the IWC and CCAMLR and has acted as observer to the meetings of the two organisations in the capacity as an observer both of the IWC and CCAMLR.

**IRELAND**

Good science, and decision making based on science, are fundamental aims and foundations of IWC. The operation of the Scientific Committee, the content, nature and format of its output, and the use of that output are thus central to how we in IWC operate.

The size of Ireland's delegation at IWC meetings (two in 2007, one in 2008) is small in comparison with some other participating members. This is not because of lack of interest but because of our size and resource issues. There is a vast amount of documentation produced not just before, but also during, IWC meetings, which needs to be read, digested and considered by member countries to effectively participate in meetings. This is particularly difficult to contend with for smaller nations with limited numbers in their delegations.

One of the most important documents emerging during IWC meetings is the report of the Scientific Committee. However, given the crowded and busy timetable at IWC meetings, there is very little time afforded to participating countries to consider the output from the Scientific Committee in advance of plenary discussions. This detracts from the ability of members to participate in a fully informed and considered way. I imagine that, in general, IWC commissioners would wish to be in a position to brief themselves and to fully consider the output of the Scientific Committee - perhaps further with their own experts/scientists - before participating in, or making decisions during, plenary. Many countries do not have the luxury of bringing all their experts with them so this is not possible in current circumstances. While this can be a difficulty generally, it is a particular difficulty for countries like ourselves with smaller delegations/lesser resources.

It is considered that separating the Scientific Committee from the plenary IWC meeting by at least 6 weeks would allow participants at IWC meetings to be better informed and briefed on relevant issues and thus contribute better to the decision making process based on best scientific knowledge. This could have some adverse logistical and financial implications for the Secretariat and for some countries but it may well have positive implications for others (e.g. countries may not need to include a significant number of experts on their delegation if they are afforded the opportunity to consider issues at home in advance of IWC meetings). Either which way, it is important to ensure that decisions at IWC are made on solid scientific grounds and only by allowing commissioners the time to properly familiarise themselves in advance with the output of the scientific meeting can this be assured.



## ITALY

Italy believe that the current ToR of the “*Intersessional Correspondence Group on Issues Related to the Scientific Committee (ICG)*” are appropriate and that the work of the Scientific Committee is generally excellent and that its processes do not need major refinements.

Being a member of this WG, in a preliminary consultation with the Head of the Italian delegation at the Scientific Committee, we formulate some preliminary thoughts on some issues that will be covered more thoroughly by the work of the WG. These are the following.

On item **1 in general** (*Consideration of the advantages and disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission*), we believe that separating the SC annual meeting from the meeting of the Commission would be beneficial, especially if the Commission decides to meet biennially; this would certainly help a more efficient transfer of information to the Commissioners and a consequently allow better preparation for delegations at the Commission meetings.

On item **1a** (“*logistical and financial aspects*”) of Attachment 2 to document IWC.CCG.712:

- We strongly believe that annual meetings of the SC are required. Overall costs may not necessarily increase, e.g. hotels with conference centres for about 250 scientists would probably cost less than those usually booked now for the full Commission, meetings could be usually held in UK where flights costs are often relative cheap.

On item **1c** (“*communication with the Commission*”):

- We believe that the preparation of a “digested” short document (compare with the current complete annual report of the SC), rigorously based on the agreed annual report of the SC and, whenever needed, referring back to previously agreed annual reports to help place issues in the right historical context, would be beneficial. Such a document should be prepared by members of the Scientific Committee only (i.e. with no direct Commission input) and agreed by the Committee before its transmission to the Commissioners. If biennial meetings of the Commission were held, this task should be easily achievable.
- We also believe that national delegations could be more proactive in suggesting and drafting “review working papers” on specific issues of particular interest for their countries (see the France initiative on population estimates presented in Chile), but any final documents would need to be agreed by the entire SC.

On item **1d** (“*confidentiality aspects*”):

- We do not believe that confidentiality of the results of the work of the Scientific Committee is beneficial for Member Countries. Confidentiality, which often does not occur in practice, often makes the public suspicious, creating a disturbing atmosphere. However, in order to prevent any attempt to manipulate or misinterpret the SC results and recommendations, information should ONLY be made available once there is an agreed and a consolidated document is ready - generally this happens one week after the annual meeting of the SC.

On item **1e** (“*consideration of the applicability of other ‘models’ such as that of the IPCC*”):

- We believe that reports of the IPCC, despite the initial intent, are quite political and therefore cannot be considered scientific reports and so do not support this model. However, it could be interesting and beneficial to charge the Conservation Committee (provided that we can find a solution to allow the participation of all countries to its work), working in conjunction with the Aboriginal Whaling Subcommittee and any other relevant committee, of the task of producing some similar report, after having carefully considered all relevant aspects to whaling other than the scientific one; for example, socio-economy (aboriginal vs. commercial, cultural values, etc), international legal aspects (including international marine policy).

On item **2** (“*Consideration of ways to increase participation in the Scientific Committee of scientists from developing countries in the work of the Scientific Committee*”) **point a** (“*selection process and preparation for meeting*”) and **point c** (“*relationship with the overall invited participant process*”):

- Concerning the selection processes of the delegates: being a scientific advisory body, we believe that nations should select from the best available scientists in each country, based on the evaluation of their CVs. This is actually our procedure for the appointment of Italian delegates.
- Concerning the selection processes of Invited Participants, for the very same reason, we believe they MUST be selected based on their CVs and the annual priorities of the SC Working Programme; moreover we do not see the need for any relationships between their appointment and the geographical representation of IWC member countries, citizenship or in general. They must simply be the best available scientists relevant for the annual priorities of the SC Work Programme. The geographical representation will be ensured by the representation of all national delegations.

On item **2b** (“*financial aspects*”):

- We are in favour of seeking ways to increase the participation at the annual meetings of the Scientific Committee of scientists from developing member countries; however this should not increase the IWC general budget or subtract resources to the already scarce funding of the SC. Resources should be seek All countries when adhering to the ICRW demonstrate their interest and commit to the work of all bodies forming the Commission, therefore it is their main interest and their duty to devote some funding for sending at least one representative to all Committees and Sub-committees.

On item **3 in general** (“*Consideration of ways in which the Scientific Committee can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy so that they can better contribute to the work of the Scientific Committee and to conservation and management issues within their region*”), in accordance with the text of the Convention, we are not completely convinced that the SC of the IWC has a pedagogic nature or objective; however we are in favour of the organisation of specific training course or seminars held by members of the SC, with the coordination of the SC, provided that funding is identified outside the IWC (e.g. UNEP, UNDP, FAO, IUCN, EU international cooperation, UNESCO, etc.).

On item **4** (“*Review of the process for inviting participants to the Scientific Committee*”), **point a** (“*possibility of regional training workshops (consider collaboration with other organisations, e.g. FAO, UNEP, IUCN)*”) and **point c** (“*selection process and advice*”):

- See above section “*On item 2a and 2c*”.
- We also do not believe that any formal interference from the Contracting Governments on the selection process would be beneficial or would reduce the polarisation of ideas among scientists. The selection process should be kept under the coordination of the SC and of its Chair. In our opinion the current selection process (made by the Chair in consultation with Convenors of the SC sub-committees and WGs) works well and should represent the basis for any further improvement. Countries’ opinions would always be represented through the voice of the National Heads of Delegations. Perhaps, the SC Chair could explore the possibility to involve National Heads of delegations in this selection process in some way.

On item **4b** (“*reasons for non-inclusion of IWC-funded participants on national delegations of developed countries*”):

- It would be interesting to understand why IPs, owning one of the Member Countries citizenship, are not automatically invited by Commissioners to join their national delegations. Since National delegates can also be self-funded (therefore, the economic reasons should not be the cause of this decision), this could happen because of a legitimate right of Governments to exclude them for political reasons. In this case the current mechanism of selecting IPs would prove to actually be very useful in balancing potential polarisation and over-politicisation of the SC.

## JAPAN

The objective of the correspondence group is to develop a discussion document (and if it deems appropriate, recommendations) on the issues listed below, recognising the inter-relationship of a number of aspects of the issues. The discussion document produced will be forwarded to the small working group on the future of the IWC at a time to be determined.

(1) Consideration of the advantages and disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission; this will include *inter alia*:

(f) logistical and financial aspects;

Separating meetings of the SC and the Commission will involve an increase in costs and logistical work. Unless offset by reductions elsewhere in the IWC budget, this will increase membership contributions. Governments sending scientists to both the SC and the Commission will incur increased travel costs.

(g) scientific aspects;

The Scientific Committee meeting will be carried out without the pressure of finalizing the report of the meeting just after completed the meeting. There will be time for the chair and convenors to check whether the report reflect adequately the discussions and recommendations of the meeting. In summary more time will mean that an editorially better Scientific Committee report can be obtained.

(h) communication with the Commission<sup>4</sup>;

Separating the meetings of the Scientific Committee and the Commission would allow sufficient time for more in-depth consideration of the Scientific Committee's work by member Governments.

The additional time between meetings would allow the Chair of the Scientific Committee and Head of Science to prepare an executive summary report of scientific matters related to key issues in the Commission's meeting agenda. This will facilitate the understanding of technical matters by the Commissioners.

(i) confidentiality aspects;

Increasing the time period between meetings of the Scientific Committee and the Commission will increase the likelihood that the contents or part of the contents of the Scientific Committee report become public before the start of the Commission meeting. This might be avoided by establishing more strict rules and penalties for those scientists releasing information of the Scientific Committee report before the open day of the Commission meeting however, enforcement of such rules could be difficult.

If the confidentiality is really important, the separation of meetings is not advantageous.

(j) consideration of the applicability of other 'models' such as that of the IPCC.

In summary from the financial and logistical point of view separating the meeting of the Scientific Committee and the Commission have disadvantages. The same can be said from the point of view of confidentiality of the Scientific Committee meeting report. There are some few advantages from the point of view of scientific aspects and communication with the Commission.

The main advantage in separating the meetings is that time will be available to allow for more in-depth consideration of the Scientific Committee's work by member governments. However the key issue here is Article V 2. (b) of the ICRW and Commissioners willingness to understand and follow the advice of the Scientific Committee. Efforts should be made to encourage this.

(After all, many important IWC decisions such as the commercial whaling moratorium, the southern ocean sanctuary and more recently the denial of Denmark's request for a catch quota of humpback whales for Greenland were made without considering the advice of the Scientific Committee).

(2) Consideration of ways to increase participation in the Scientific Committee of scientists from developing countries in the work of the Scientific Committee; this will include *inter alia*:

(a) selection process and preparation for meeting;

In most of developing countries cetacean research is in its infancy. In some countries, there are groups of scientists working with some cetacean species that are accessible for observation and attainment of samples, e.g. small cetaceans and some large whale species such as humpback and right whales. However the level of research and expertise is not high enough to make substantive contributions to the priority work of the Scientific Committee, which deals with highly technical matters, especially in those sub-committees dealing directly with assessment and management of whale populations (IA, SH, NPM, BRG, RMP, AWMP).

Rather than starting discussing about the selection process for participation in Scientific Committee meetings, it is important to have discussions about an educational program for interested scientists from developing countries that take into consideration the work and research priorities of the Scientific Committee (see item 3 below).

Key issue here is to increase the capacity of scientists from developing countries. The chair of the Scientific Committee should motivate discussion on ways to carry out this educational program.

The program should focus on the assessment of whale populations and management of whaling. This program could increase the chance that scientists from developing countries that want to start such works know well what kinds of information are required and what kinds of survey should be done for those purposes.

<sup>4</sup> Note that other initiatives to improve the communication with the Commission and others with respect to clarity/content of the plenary report etc are being undertaken by the Scientific Committee itself and the initiative of France.

## (b) financial aspects;

Before starting discussion of financial aspects for participation of scientists from developing countries in meetings of the Scientific Committee, it is important to develop and implement an educational program as indicated above.

## (c) relationship with the overall invited participant process (see 4 below).

Given the aspects noted in a) and b) above, the process for participation of scientists from developing countries should be separated from invited participants.

(3) Consideration of ways in which the Scientific Committee can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy so that they can better contribute to the work of the Scientific Committee and to conservation and management issues within their region; this will include *inter alia*:

## (a) possibility of regional training workshops (consider collaboration with other organisations, e.g. FAO, UNEP, IUCN);

The idea of regional workshop is a good idea for the educational program indicated above. Regional workshops could be held one in each year in each South America, Africa and Asia. If the aim is to educate scientists for contributing to the work of the Scientific Committee, then the topics of the regional workshops should be in line with techniques used by the Committee in assessment of whales and management of whaling as indicated above, e.g. techniques for abundance estimates and abundance trends, RMP, AWMP. Leading specialists from the Scientific Committee could act as trainer scientists.

Details on how to carry out this regional workshop should be discussed at the Scientific Committee meetings. Some few scientists participating in the regional workshops could be invited to annual meetings of the IWC Scientific Committee considering their performance at the workshops.

## (b) provision of materials (e.g. documents);

There are plenty of materials (documents, data, JCRM volumes, PP presentations, PC programs) in the IWC secretariat, which can be used in these regional workshops.

## (c) financial aspects

Create a separated budget line or funding source (a portion of the normal IPs funding allocation?) for organizing and inviting scientists and trainers to the regional workshops.

(4) Review of the process for inviting participants to the Scientific Committee; this will include *inter alia*:

## (a) objectives for inviting participants;

Once the Scientific Committee has identified the research/work priorities for the next year it should determine whether such research/work can be carried out by scientists of national delegations. If this is not possible it should proceed to invite accredited experts in the different areas that have been identified as priorities. The objective for inviting participants is to cover for those research areas identified by the Committee as priority, which can not be covered by normal delegate members.

## (b) reasons for non-inclusion of IWC-funded participants on national delegations of developed countries;

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## (c) selection process and advice;

The selection process should consider the work priorities identified by the Scientific Committee and the scientific credentials of the potential invited participants e.g. an appropriate CV that demonstrates that he or she can contribute effectively to the research areas that the Committee has identified as priority, which can not be covered by normal delegate members. The number of participants invited and funded by the Commission should be allocated in a balanced way across the different sub-committees.

Self invited (self funded) participants should be kept at a minimal number. Owing to the large number of self invited participants who have own interests respectively, the Scientific Committee cannot often concentrate on its priority items, which can damage the Committee's credibility. Self invited participants should also be in a different category from those invited participants identified and funded by the Scientific Committee because the selection process, mode of funding and role in the meeting are different.

The necessities of all the self-invited participants for the SC should also be checked perhaps by the convenor group to eliminate irrelevant participants from the meeting and keep reasonable size of the SC.

## (d) financial aspects.

The Commission should allocate funding for invited participants identified by the Scientific Committee as key scientists to complete specific tasks considered as priority.

## MEXICO

(1) Consideration of the advantages and disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission; this will include *inter alia*:

(a) logistical and financial aspects;

*This would represent a higher economic cost to the Commission, would increase the work load of the SC and would cut its great working “rhythm”. It could also increase the report of the SC since it would have to include two years of intersessional work, workshops, etc.*

(b) scientific aspects

*Moving from annual to biannual meetings and separating the Scientific Committee to biennial meetings. The nature and intensity of the work by the Scientific Committee requires this committee to meet annually because:*

*a) Heavy workload addressing all of the work Commission sets*

*b) Scientific work is necessarily of an iterative nature and even when carried out at workshops requires regular review by full Scientific Committee to endorse or modify plans for future work*

*c) Work on management of whales stocks is useful for whatever the management goal is (e.g. whaling, whalewatching, etc).*

*Again we are afraid that it would increase the work load of the SC and would cut its great working “rhythm”. These could compromise its “performance”.*

(c) communication with the Commission<sup>5</sup>;

*An interesting suggestion that should be explored is that of the chair of the Scientific Committee: analyze the possibility of a change the format or structure and in a more accessible language of the SC Report. This could improve it, particularly with respect to including sufficient background to understand the current work in the light of past work, especially for ongoing iterative processes such as RMP and AWMP. The French initiative would complement nicely this idea.*

*This will save time and resources in having to organize two large meetings with no need to change to a biennial scheme*

(d) confidentiality aspects;

*This should be seriously considered. Historically there might have been a reason for this. Do these reasons still hold?. Another reason that might have had some weight for confidentiality was (or is) that some work in progress might be misinterpreted by none-specialist and this could obstruct the proper development of the research. This probably could be solved with specific clauses, footnotes or sections.*

*If the language and format is changed, the confidentiality might not be needed, since a clear language will be used to avoid any misinterpretations.*

(e) Consideration of the applicability of other ‘models’ such as that of the IPCC.

*The SC is the part of the engine of IWC that works very well. Why should we change what works?.*

*In particular IPPCC has a different objective: it does not conduct any research nor does it monitor related data or parameters to their main subject of study (climate). It is a body that basically reviews scientific, technical and socio-economic literature produced worldwide relevant to their field (s) of interest. These are not the needs and goals of the SC. This is a more pro-positive and active body in terms of original scientific work according to the specific needs of the Commission.*

(2) Consideration of ways to increase participation in the Scientific Committee of scientists from developing countries in the work of the Scientific Committee; this will include *inter alia*:

(a) selection process and preparation for meeting;

***It has to be very clear to all interested in this aspect that the selection has to be based on academic, research and management backgrounds and not on political reasons. If this is not strictly followed there is a chance to hurt and/or delay the SC work.***

*In this issue we are not considering the scientists that participate in each delegation. This are selected according to each Contracting Government decision. IPs paid by IWC have the choice of participating in their Country’s delegation if the Country in question and the scientist wish so.*

*For other participants, each Country should provide a list of potential scientist that could participate in the SC’s meetings. Each Country should be responsible of providing the CVs of each scientist. The Convenors in conjunction with the head of delegation of each country should analyze each case and agree the participation of each scientist.*

<sup>5</sup> Note that other initiatives to improve the communication with the Commission and others with respect to clarity/content of the plenary report etc are being undertaken by the Scientific Committee itself and the initiative of France.

- (b) financial aspects;

*This is a critical issue particularly now that the budget of the Secretariat is very thin and no injection of fresh resources seems possible. This is an issue that should be considered in a creative manner.*

- (c) relationship with the overall invited participant process (see 4 below).

*As we understand it we are talking here of IPs since their Countries of origin are unable to cost their trip and stay for the SC meetings. So the relation with overall IPs should be the same, except that in some cases the head of delegation would chat with the Chair of the SC and the head of since to analyze CVs of potential candidates.*

- (3) Consideration of ways in which the Scientific Committee can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy so that they can better contribute to the work of the Scientific Committee and to conservation and management issues within their region; this will include *inter alia*:

- (a) possibility of regional training workshops (consider collaboration with other organisations, e.g. FAO, UNEP, IUCN);

*The SC has no expertise in training workshops. Though this is an important proposal it would be hard to leave it all the weight on the shoulders of IWC. Therefore it is absolutely necessary to seek collaboration with other organisations. This should include not only multilateral bodies but also scientific organizations: Society for Marine Mammalogy, European Cetacean Society, etc.*

- (b) provision of materials (e.g. documents);

*The Secretariat has a very well established data base with copies of papers and other scientific documents. This could be available through the web page of IWC using a special link.*

- (c) financial aspects

*NGOs could also play a role in providing funds. Also aid agencies of some countries could be of help. Considering the difficulty of this issue, would help if researchers can help with identifying funding sources.*

- (4) Review of the process for inviting participants to the Scientific Committee; this will include *inter alia*:

- (a) objectives for inviting participants;

*The review process should be the same (academic criteria). The only difference should be the CVs sent by each developing country of their scientist. The criteria to attend should be the same and close contact between heads of delegations and the Chair and Head of Science. Probably one or two convenors should participate.*

- (b) reasons for non-inclusion of IWC-funded participants on national delegations of developed countries;

*We do not see any. This has been a way forward to help developing countries with their delegations to the SC.*

- (c) selection process and advice;

*See above*

- (d) financial aspects.

*See above*

## THE NETHERLANDS

### MEETING FREQUENCY

The work load of the SC is quite high. During the 12 days of meeting (not considering the pre-meetings) there are several groups convening in parallel sessions. Additional sessions are scheduled every evening and it seems improbable that this could be reduced with the current set up. Solutions could be to change the requests for advice from the commission. Also, I believe that some of the issues could be addressed in alternate years, as there are no dramatic new developments within a year. E.g. the whale-watching subcommittee will not be expected to have new results within a year that would dramatically impact the IWC. Other issues require a yearly attention, e.g. changes in abundances indicating dramatic impacts on populations. If there are epidemics or unexpected events this needs to be considered to allow the IWC to react if needed (e.g. if this would be affecting a population of hunted whales).

The SC needs to meet annually. If it would be considered to do an annual SC meeting and a biannual Commission meeting than some of the advice from the SC needs to be adapted. E.g. the aboriginal hunting quota would need to be done for 4 or 6 years. Otherwise the 5-year quota block has then to be set/agreed one year ahead of the expiring past 5-years block.

### IMPROVEMENT PROCEDURAL ISSUES

A standing commission might be helpful in the IWC process. A smaller group might make discussions more productive and actually help with the deadlock with the IWC even if they do not have a mandate to decide on major items.

The information the commission would get every 2 years from the SC would not be much more than now or more difficult to handle. The type of information is very similar between years (as can be seen from the annual reports) and would be updated with the most recent data.

### SEPARATING THE MEETING

There are two different views on separating the meeting: 1) one would prefer to have a SC committee meeting and then the commission meeting separate. A 4 week meeting (even with a 1 week break) is very tiring. And most people do not attend both meetings anyway. The two meetings are very different and are easily separated without losing any information. This might take some of the political pressure present at the SC off. It might also allow some time to integrate results from the SC to Commission work of the same year; 2) the other view is not so much in favour of separating the SC and Commission meeting, in the years that both meet. First of all the Commission should benefit from the advice of the SC as soon as it is available, secondly if the Commission is uncertain or not really satisfied with what the SC has provided they can get clarification from the SC chair directly or (s)he will inform the Commission how to tackle that and can do that right away by involving SC members. Organising extra requests from the Commission in an already full workplan for the SC subcommittees is complex and disturbing; several scientists stay also for the Commission meeting and do not need to undertake another travel and stay.

### IMPROVING INVOLVEMENT OF SCIENTISTS FROM DEVELOPING COUNTRIES

There is little participation of developing countries in the SC, less than a third of all member states send delegates to the SC. Making the Commission meetings every 2 years would make the costs less for developing countries (the reason for this is also that the Commission is more important in terms of political voting).

In general this is not such a handicap for the SC, since when there is an expert in a developing country whose participation is essential, (s)he will be invited as an I(nvited)P(articipant) by the Ctee.

The 2<sup>nd</sup> and 3<sup>rd</sup> part in the TOR for the ICG is consideration of ways to increase participation in the SC's work by scientists from developing countries and

### CONSIDERATION OF WAYS TO IMPROVE KNOWLEDGE AND TECHNICAL CAPABILITY OF SCIENTISTS FROM DEVELOPING COUNTRIES.

\9a) participation in the SC of an expert from a developing country can be organized through the existing IP system. If there is no such expert another route can be followed.

\9b) to increase knowledge and technical skills of scientists in developing countries, indeed workshops or regional training together with e.g. IUCN/UNEP is a good instrument. During the SC meetings the time is too constraint to train/educate people with less experience. I very much favour training/education of scientists in developing countries, preferably when they belong to an organization irrespective of being a GO, an IGO or a NGO. In that way it will facilitate to implement in situ management/conservation measures in their region.

### INVITED PARTICIPANTS

The reason for inviting participants is obvious: if an essential expertise for the functioning of the SC is missing amongst the regularly participating clan of SC-scientists, such a person will be identified by the SC chair and the conveners of the SC sub-committees, and their participation is paid for by the IWC.

The reason that IWC-funded participants are not included in national delegations is because the invited persons are expert scientists and represent a scientific discipline. The SC basically consists also of scientists but they in first instance represent their countries and have an input on all activities of the SC, including the more policy related issues. The IPs usually only stay and participate as long as their input is relevant. Usually not at the second part of the SC meeting where plenary discussions of the subcommittees' sessions are being handled. The "normal" scientists in the delegation have also to adhere to the instructions of the delegation.

## NEW ZEALAND

### Background

This submission responds to the issues raised in Annex C of paper IWC/60/24 (Chair's summary of outcome of discussions on the future of the IWC), and represents New Zealand's views on the issues related to the future work plan and activities of the Scientific Committee.

### Advantages and disadvantages of separating the Annual Meetings of the Scientific Committee and the Commission

#### (a) Logistic and financial aspects

New Zealand favours separation of the Annual Meetings of the Scientific Committee and the Commission. It is acknowledged that this would result in an additional financial cost for those delegations which retain one or more delegates from Scientific Committee to attend the Annual Meeting of the Commission. In New Zealand's view, however, this is more than compensated for by the opportunity for all delegations to the Commission, whether or not they were represented at Scientific Committee, to carefully read and assimilate the contents of the Scientific Committee report, and to seek clarification where necessary from attendees of the Scientific Committee or the Committee's Chair.

In order to minimize the logistics, should the Commission agree to a separation between these meetings, New Zealand suggests that consideration might be given to locating the Scientific Committee meeting in Cambridge, which would reduce relocation costs and disruption for the Secretariat and provide certainty for the dates of the Scientific Committee meeting.

#### (b) Scientific aspects

With regard to scientific aspects, New Zealand sees no serious impediment to separation of the meetings of Scientific Committee and the Commission. The current situation is plainly unsatisfactory, and does not provide for a thorough consideration by many delegations of the complex issues discussed by Scientific Committee.

Furthermore, a significant part of the Scientific Committee's work is now conducted by e-mail correspondence groups, which is not constrained to the timing and location of the Committee's meeting (other than each correspondence group needing to agree to a timeline to fit with the date of the meeting).

New Zealand also sees no serious impediment to biennial meetings of the Scientific Committee, as well as the Commission (provided, of course, that both Scientific Committee and the Commission meet during the same year).

#### (c) Communication with the Commission

New Zealand welcomes attempts to improve the communication between the Scientific Committee and the Commission, such as the initiative by France to bring together all the available published information on humpback whales. The report of Scientific Committee averages around one hundred pages each year, plus the Annexes, and it is plainly unreasonable to expect Commissioners and delegates who are not science specialists to understand the range of complex issues. In that regard, having a gap of two or three months between the meeting of Scientific Committee and the Commission will allow delegations who are represented at Scientific Committee to be fully briefed on the outcomes of the Committee's deliberations.

An interlude between the meeting of Scientific Committee and the Commission would also provide an opportunity for the Secretariat to advise Member Governments of the key decisions and recommendations of Scientific Committee. This could take the form of a Chairman's Summary of the Committee's deliberations, prepared by the Chair of Scientific Committee.

Many delegations are not represented at Scientific Committee. Provision of a Chair's Summary to accompany the Scientific Committee report, accompanied perhaps by a one to two-hour briefing by the Chair for interested delegations immediately prior to the Commission meeting, could help to close this information gap.

#### (d) Confidentiality aspects

New Zealand believes that the existing rule of procedure regarding the confidentiality of the Scientific Committee report until the opening day of the meeting is out-dated and does little to promote a transparent scientific process. Separating the meetings of the Scientific Committee from the Commission would require a change of rule to make the Scientific Committee report freely available shortly after the completion of the meeting.

#### (e) Applicability of IPCC model

The IPCC model has features that could be attractive to a revised modus operandi for Scientific Committee. Most significantly, the IPCC relies on a peer-review process in the development of papers for the consideration of the panel.

### Improving participation in Scientific Committee by scientists from developing countries

#### (a) Selection process and preparation for meeting

Scientists nominated by member governments, of course, are not subject to any selection process by the Scientific Committee.

In addition to sponsoring more Invited Participants from developing countries, the Scientific Committee could also request that the Commission support the attendance of scientists from developing countries (which may or may not be members of the IWC), who can materially assist the work of the Committee, on the basis of their experience and their publication record. In preparation for the meeting, a mentoring process could be introduced for such invitees, perhaps involving the member(s) of Scientific Committee who championed their attendance.



(b) Financial aspects

Funding to support the attendance of scientists from developing countries should be provided through the Scientific Committee budget or through external sponsorship.

(c) Relationship with Invited Participant process

Although it is likely that many of the scientists from developing countries invited to attend Scientific Committee would be Invited Participants, there should also be opportunities to support attendance as members of a national delegation or as a representative of an inter-governmental organization or a non-governmental organization. Support for developing country participants should be offered to scientists who can materially assist the work of the Committee, on the basis of their experience and their publication record.

**Ways in which the Scientific Committee can build capacity in countries where cetacean research is in its infancy**(a) Regional training workshops

In recent years, New Zealand has been engaged in the delivery of regional training workshops for Pacific Island countries, many of whom are not members of the IWC. Our key partners in the region have been the Secretariat for the Pacific Regional Environment Programme (SPREP) and the Convention on Migratory Species (CMS). Several members of the IWC Scientific Committee have participated in such workshops. Additional technical and financial support has been provided by a number of NGO groups and individual scientists.

New Zealand strongly supports collaboration between the IWC Scientific Committee and other organizations to support regional training workshops. Such workshops should be directed towards establishing a core of trained scientists capable of conducting basic research programmes, effectively managing and collecting information from stranded cetaceans, and providing technical support for further investigations.

(b) Provision of materials

Once basic training has been completed, essential materials for cetacean research (cameras, laptops, GPS, etc) may need to be provided to scientists from developing countries, to enable effective research to take place.

A mentoring system would also be effective in the provision of materials to support research in developing countries. Mentors could be local, with reasonably easy access, or could provide advice remotely. Establishing links through mentors may also create opportunities for other funding agencies, such as universities and foundations, to provide funding and travel support to meetings and workshops.

(c) Financial aspects

Funding for increased engagement by developing countries in cetacean research need not be seen as the sole responsibility of the IWC. As noted, FAO, UNEP and CMS can all be collaborators in joint endeavours, that could be co-ordinated by the appropriate IGO. Such a collaboration would provide the opportunity for funding streams to conduct research additional to those available from the IWC.

**Review of process for Invited Participants to Scientific Committee**(a) Objectives for inviting participants

Participants who are invited to attend Scientific Committee should all be capable of contributing in a significant way to the deliberations of the Committee. Generally this will be either because they have a long-established expertise that benefits the functioning of the Committee or because they have a particular knowledge of a species or an area that is of interest to the Committee.

(b) Reasons for non-inclusion of IWC-funded participants on delegations of developed countries

The selection of members of national delegations is, of course, a matter for member governments. There may be several reasons why a scientist whose expertise is considered to be valuable to the functioning of the Scientific Committee may not be acceptable to the government as a member of their national delegation. Equally, some scientists may be reluctant to agree to the conditions set down by individual governments that bind all members of a national delegation, whether or not they are government employees.

Accordingly, at most meetings of Scientific Committee, there are a number of Invited Participants (IP) from developed countries, whose attendance is funded by the IWC because it is considered that they can make a significant contribution to the work of the Committee. Although Rule of Procedure A 6 (g) suggests that IPs should not contribute substantively to the debates on procedure and policies, this rule is rarely invoked. There are some examples of funding for invited participants that have continued over many years, and it may be desirable to limit the number of times the Scientific Committee budget is used to sponsor an individual, in order to make greater provision for participation by scientists from developing countries.

(c) Selection process and advice

New Zealand is comfortable with the current process for selecting Invited Participants and interested local scientists, as set out in Rules of Procedure 6 and 7, subject to consideration of the points made above.

(d) Financial aspects

As previously noted, active engagement by the IWC and Scientific Committee with other potential partners (such as UNEP, CMS and various IGOs), may provide the opportunity to use the expertise available in the Scientific Committee for upskilling and capacity-building of scientists from developing countries. While attendance at a Scientific Committee meeting would potentially be of benefit for scientists from developing countries, perhaps of greater benefit would be the opportunities for networking and mentoring that would be presented through active participation with potentially supportive members of the Scientific Committee.

## PERU

1) **Considerations of the advantages and disadvantages of separating the Annual Meeting of Scientific Committee from that of the Commission; this will include inter alia:**

a) Logistical and financial aspects.

From the logistical point of view, it will be more convenient to get both meetings separated but the disadvantages will be that the cost of the meetings will be increased. In that sense, it would be advisable that meetings of the Scientific Committee should be held every year.

b) Scientific aspects.

The main advantage would be that scientific aspects would be considered in a more independent way from the rest of subjects that should be treated in the Annual Meeting of the Commission.

c) Communication with the Commission.

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d) Confidentiality aspects.

Confidentiality aspects would be more protected if there are meetings apart from the Commission ones. Besides that, it would be taken in consideration that there would be closed meetings if necessary.

e) Consideration of the applicability of the models such as that IPCC.

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2) **Considerations of ways to increase participation in the Scientific Committee of Scientists from developing countries in the work of the Scientific Committee, this will include inter alia:**

a) Selection process and preparation for meeting.

Candidates should be selected in personae; they should be high qualified and prestigious scientists. There should be national contests by assessing their bio-data, their expertise as well as taking an examination under the responsibility of renowned international universities or other scientific institutions related to the IWC subjects and/or producing a research document on IWC scientific subjects. Once they had been selected within their countries, they should be proposed to the jury made up by members of the Scientific Committee. After this process of selection, there would be organized some seminars aimed to allow them to get familiarized with IWC tasks prior the performance of the meetings. Those seminars would be conducted by the members of the Scientific Committee.

b) Financial aspects.

Costs of the abovementioned selection process –like the examinations taken by international centre of studies- as well as seminars should be assumed by IWC or other international organizations that could co-operate in these matters with IWC.

c) Relationship with the overall invited participant process. In both cases it will enrich the tasks of the Scientific Committee (see answer to Subject 4).

3) **Considerations of ways in which the Scientific Committee can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy so that they can better contribute to the work of the Scientific Committee and to conservation and management issues within their region; this will include inter alia:**

a) Possibility of regional training workshops (consider collaboration with other organizations, e.g. FAO, UNEP, IUCN): Peru agrees with this possibility that will allow the increase of the level in the countries of the region as it happens within the Buenos Aires Group by means of regional workshops as well as video conferences through IWC website. Moreover, it would be advisable to include in the Scientific Committee, international organizations e.g. the Convention on Biological Diversity that could provide support to the regional workshops. It would be recommended as well to have co-ordinations with the Convention on International Trade in Endangered Species of Wild Fauna and Flora –CITES-.

b) Provision of materials (e.g. documents): Reports, publications as well as all relevant materials should be published at the IWC website. In this way, scientists could be updated.

c) Financial aspects.-

All these actions should be performed mainly under the auspices of Governments and with the contribution of international co-operation. As observed, provision of materials should not represent a meaningful cost for IWC or their members.

4) **Review of the process for inviting participants to the Scientific Committee; this will include inter alia:**

- a) Objectives for inviting participants: To enrich the agenda / subjects of discussion. Peru considers that this is a feed-back process; simultaneously, IWC can organize workshops for scientists of developing countries to disseminate their knowledge /increase their participation as referred above; besides that, it can be organized lectures or conferences inviting participants from non-member countries that could be senior or junior professionals of different specializations related to the IWC subjects that could provide their contributions to the tasks of the Scientific Committee. As result of their participation, their reports should be published and the tasks of IWC could be grounded on those reports. Moreover, it would be highly recommended to get the participation of some international organizations e.g. the Convention on Biological Diversity –CBD- as an observer due to the fact that during the Meeting of CBD Parties in 2010, the central subject of the agenda will be the Marine-Coastal Biological Diversity Program. These participants will strengthen the tasks of the Scientific Committee.
- b) Reasons for non inclusion of IWC-funded participants on national delegations of developed countries: To allow the participation of new scientists.
- c) Selection process and advice: Participants should be high qualified scientists. There should be assessed their bio-data, their expertise (if any) or their research documents or publications on IWC scientific subjects. They should be proposed by any country-member or international and prestigious universities or other scientific institutions related to the IWC subjects.
- d) Financial aspects:

Participants could be invited mainly under the auspices of Governments and/or contribution of international co-operation and/or academic institutions.

## SPAIN

In response to Circular Communication 712 please find below my preliminary comments to some of the questions to be dealt with by the Intersessional Correspondence Group (ICG) on Issues Related to the Scientific Committee.

### **Advantages and disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission:**

I think there would be more advantages than disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission, because:

- With the current system, the report of the SC is only available a few days before the annual meeting of the Commission, what makes difficult for the commissioners to consult and consider it adequately.
- It reinforces the arguments in favor of having biannual (instead of annual) meetings, what has been supported by most countries at 60<sup>th</sup> Annual Meeting, with the subsequent financial savings.

### **Ways to increase participation in the Scientific Committee of scientists from developing countries:**

There are many scientists in developing countries already working in areas considered of great interest by the SC. That should be taken into account in the selection process.

### **Ways in which the Scientific Committee can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy:**

Collaboration with other organizations such as ACCOBAMS, FAO, UNEP, IUCN, etc. to participate in regional training workshops is a possibility that merits to be considered.

### **Process for inviting participants to the Scientific Committee:**

Objectives for inviting participants: to contribute to the better development of the issues considered of high importance by the SC and the Commission

The reasons for non-inclusion of IWC-funded participants on national delegations of developed countries are not very clear to me.

## UNITED KINGDOM

**Meeting Frequency**

We remain open to the possibility of the meeting of the Commission switching to a bi-annual basis or even every three years. However, there are probably a number of reasons why the Scientific Committee should continue to meet every year. In particular there is always going to be an ongoing programme of work which will need to be assessed at regular intervals.

We would welcome suggestions, from both the secretariat and the working group as to how to best approach this problem.

**Issue 1. Consideration of the advantages and disadvantages of separating the annual meeting of the Scientific Committee from that of the Commission****a. Logistical and financial aspects**

Disadvantages (as set out in the IWC/60/18):

- Individuals who do not like the Committee's conclusions could reanalyse the data in the period between the end of the SC meeting and the Commission meeting and present technical arguments, not seen by the full Scientific Committee, at the Commission meeting itself.

*Comment: This issue could be resolved by adding a new rule that would prohibit the presentation of new results at the Commission meeting.*

- There would be cost implications associated with *inter alia* arranging two separate large meetings, possibly at two different venues.

*True, but savings could be made by making Commission meetings biennial.*

- Increased travel and subsistence costs for those individuals from both the Secretariat and Contracting Governments who attend both the Scientific Committee and Commission meetings.

*Comment: Certainly true for Secretariat, but experience suggests that only a handful of people who attend the SC meeting participate in the Commission meeting. Some scientists stay for an extra day or two to brief their Commissioners and then leave. Such briefing could presumably take place at home, in the period between the two meetings.*

- It is possible that such additional costs could be offset by the Commission meeting on a less frequent basis than annually – an issue that the Commission is already considering (but thus far without agreement).

*True, as noted above. Perhaps it would be easier to agree a change to the frequency of Commission meetings once the issues which regularly divide us have been resolved.*

**b. Scientific aspects**

*Comments: We do not foresee any important changes in the nature of the work done by the SC as a result of any changes made as regards the timing of its meetings or those of the Commission. The real and important advantage will be that Contracting Governments will have more time to consider and absorb the results of the SC's work and that should make for more productive discussion at the Commission meeting.*

**c. Communication with the Commission**

*As above*

**d. Confidentiality aspects**

*Comment: As the Secretariat knows, we question whether the current rules on confidentiality of the SC's report and associated workings are strictly necessary. If the meetings were separate, then the report would be in the public domain before the Commission meeting and could be properly discussed with interested parties by Contracting Governments. Currently, the participants of the SC meeting are expected to brief their commissioners on the results of the work of the SC prior to the Commissions meeting. However, according to the rules of procedure that apply to the work of the SC;*

*"the report of the Annual Meeting of the Scientific Committee shall be distributed to the Commission no later than the beginning of the opening plenary of the Annual Commission Meeting and is confidential until this time" ('confidential' means that reporting of discussions, conclusions and recommendations is prohibited).*

*Clearly, there are inconsistencies between the aforementioned rule of procedure and its application in reality. So, revision of this rule would in our view be beneficial, particularly if the meetings are separated in time but even (to a more limited extent) if they are not. See also comments under (3).*

**e. Consideration of the applicability of other ‘models’ such as that of the IPCC**

Comment: We are not sufficiently familiar with the workings of the IPCC to make intelligent comment on this.

**Issue 3.** Consideration of ways in which the Scientific Committee can assist in improving the knowledge and technical capability of scientists from countries where cetacean research is in its infancy so that they can better contribute to the work of the Scientific Committee and to conservation and management issues within their region.

a. Possibility of regional training workshops.

Comment: We would echo the views of IWC60 (in IWC/60/18):

[...] ‘the primary function of the Scientific Committee has been to provide the best scientific advice to the Commission – to this extent it is not an ‘educational’ body. However, in the longer term, it is important (for member governments, the Scientific Committee and conservation and management throughout the world) to look at the most efficient way that the expertise within the Committee can be used to ‘capacity build’ within the IWC countries. Paying for scientists to attend the Scientific Committee’s Annual Meetings (where the workload is intense) may not be the only or best way to achieve this. For example, the possibility of experienced members of the Committee holding short workshops on conservation science in member countries warrants further consideration’

However, if the Committee were to decide to use workshops as a means to improve the technical capacity of scientists in those countries which are currently under-represented, we should have to consider how the proposed workshops could be constructed so as to provide a balance of the various approaches taken in the SC. There may be merit in the Commission’s investigating a possible tie-up with the FAO, which is already involved in building technical capacity in developing countries. IWC may be able to work with them to identify ways in which material relevant to *IWC’s work* can be included in any workshops which they organize. This would be a more cost-effective way to build technical capacity than IWC organizing separate workshops.

**Provision of material.**

Comment: Another way in which IWC can increase the contribution of scientists from different countries to the work of the SC might be to make all the documents that are presented in the SC meeting available in electronic format – for download from the IWC’s website. This should encompass documents from past and future meetings. These documents are a very useful source of information which can help scientists build an understanding of the work that IWC does and develop the technical capability sufficient to allow them to participate in the work of the IWC and also apply the methodologies and approaches developed by the SC to address conservation issues in their countries. Currently, only a list of titles of the papers that were presented at previous meetings is available electronically. So, scientists need to order the document they are interested in from the secretariat which will provide hard copies. This slows down and limits the access to this material. Although producing electronic versions of older documents is a time consuming process other international organizations have already undertaken this exercise successfully. Similarly, making all the documents that will be presented in the next meeting available [60 days?] in advance (including documents presented in workshops and special meetings) would facilitate a more thorough review of those documents which could lead to a greater number of scientists being able to contribute to the work of the SC.

The way that the WGs operates when a specific issue needs to be addressed and only few of the members of the WG have the expertise to contribute to the work required can also be modified to help scientists build their technical capabilities. Currently, the common practice is that a smaller sub-group is formed that is sent off to consider the issue concerned and then report back to the WG. This means that the other members of the group cannot follow the deliberations / discussions that have led to the results that the sub-group will present and therefore, cannot learn from such processes. An alternative approach (which has already been suggested at the IWC60 meeting) would be that the sub-group would not be separated from the rest of the group to carry out its work so, other members of the WG are able to follow the discussions of the sub-group if they want to. Although this is a minor change in the current procedure, it does facilitate wider participation and technical capacity building.

## USA

Possible improvements to procedural issues identified at the March 2008 Intersessional Meeting on the Future of IWC

### 2.3 The role of science

#### *(2.3.1) Separating the meeting of the Scientific Committee from the meeting of the Commission:*

The timing of the Scientific Committee (SC) meetings in relation to the Commission meeting has long been discussed for many years. The Convention specifies that Commission meetings need only be convened "as the Commission may determine." Therefore, the Commission needs to determine what timing of the SC meetings best fits its needs. Based on the current workload of the SC, the United States believes it is best to continue with annual SC meetings regardless of Commission decisions about its own meeting frequency. However, it is time to review the timing of the SC meetings and how the work of the SC can best serve the Commission.

In the past the Commission mainly needed the SC to provide advice on catch limits but this has not been the case since the time of the commercial whaling moratorium in the 1980s. The main issues facing the Commission in recent years relate to scientific whaling, aboriginal whaling and conservation issues. In many of these cases, the Commission requires more time to develop and consult on action issues resulting from recommendations of the SC. Also, at IWC 60 in Santiago, the Commission agreed to a rule change that generally requires the full draft text of any proposed decisions (including resolutions, Schedule amendments and other items) to be circulated to Commissioners at least 60 days in advance of the Commission meeting. To meet this new condition the following table summarizes the time required for a new process to take the above issues under consideration:

Scientific Committee meeting	2 weeks
Time for Chairman and Secretariat to finalise and circulate SC report	2 weeks
Time for Commissioners to develop responses to SC recommendations	2 months
Deadline for submission of proposals to Secretariat (60 days)	2 months
Total	5 months

While there are merits to separating the annual meeting of the SC from that of the Commission, there are also cost and other implications of this action as suggested by the terms of reference for the ICG. The United States would support an evaluation of these implications prior to any Commission decision on whether to convene separate SC meetings.

#### *(2.3.2) Facilitating/improving the involvement of scientists from developing countries and*

#### *(2.3.3) Invited Participants (IPs) to the Scientific Committee:*

The SC needs to have high quality scientists and appropriate representation at its meeting to undertake the work required by the Commission. The current circumstances make it difficult to involve scientists from developing countries. The United States believes that it is extremely important that every opportunity is explored to support young scientists from any country to attend meetings of the SC. This can best be done by member governments, INGOs, and individual research groups. However, the bulk of the SC IPs funds should continue to be used to support scientists that are needed for the tasks of the SC work.

#### *(2.3.4) Co-ordination and co-operation with other relevant scientific organizations:*

The United States fully supports the ongoing efforts of the SC and the Commission to address these issues and work with other relevant scientific organizations when necessary.