

**Intersessional Meeting on the Future of IWC
Renaissance London Heathrow Hotel, 6-8 March 2008**

DRAFT AGENDA
and annotations

1. INTRODUCTORY ITEMS

1.1 Introductory remarks and objectives of the meeting

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

At IWC/59 in Anchorage, the Commission agreed that an intersessional meeting should be held prior to the 2007 Annual Meeting to provide an opportunity for Contracting Governments to discuss the future of the organisation, given *inter alia* the impasse reached on the Revised Management Scheme (RMS) and the number of issues for which polarisation rather than consensus appear to be the norm within the Commission.

Noting that attempts made to date to find a way out of the impasse in which IWC currently finds itself have not worked, the Steering Group established to plan the intersessional meeting agreed that there is an urgent need to explore ways that might be more successful and which can improve levels of trust amongst members and others. To this end, rather than launching into negotiations on substantive issues where major differences among IWC members exist, the Steering Group agreed that, initially, it would be more fruitful to take a process-orientated approach and to seek ways to improve how negotiations within the IWC are conducted. The intersessional meeting will therefore focus on matters of process rather than on matters of substance and Contracting Governments will be encouraged to share their ideas on how to improve the working of the Commission.

1.2 Management of the meeting

The Chair will outline how he intends to manage the meeting. He will briefly introduce Professor Juma and note that *inter alia*, he will be given speaking rights during the meeting in a similar manner to the Chair of the Scientific Committee. He will also note that there will inevitably need to be some flexibility in the structure and timetable of the meeting given that it is the first time such an approach has been attempted within the IWC. He will have a meeting of the Steering Group at the end of each day to plan the activities for the following day.

1.3 Reporting

The Chair will outline his proposals for: (1) handling the report of the meeting, including its format and content; and (2) the preparation of a press release to be made available after the end of the meeting.

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

1.4 Review of documents

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

2. ADOPTION OF THE AGENDA

3. DRAWING ON OUTSIDE EXPERIENCE

The Chair will explain that in developing the draft agenda for the meeting, the Steering Group believed that it would be beneficial to the Commission to hear from, and gain the experiences and perspectives of, a number of individuals from outside the IWC but with experience in handling difficult international issues. In order to facilitate this approach, it was agreed to give a contract to an acknowledged expert in this field and the Steering Group approached Prof. Juma of Harvard University. The Steering Group has worked

closely with Prof. Juma to identify the experts who will give presentations under this item. These presentations will focus on mechanisms used to resolve other difficult international issues. After each presentation, there will be the opportunity for questions or clarifications to each speaker. After the final presentation, there will be the opportunity for a more extensive general discussion of the relevance of the presentations to the IWC situation.

The Chair will then hand over to Prof. Juma who will introduce himself, provide some introductory remarks (e.g. why it is important that IWC not be allowed to fail, what it would take for the Convention to work more effectively and options open to governments), introduce the speakers and provide a concluding presentation that draws out lessons that may be applicable to the IWC.

4. REBUILDING TRUST AND IMPROVING APPROACHES TO DISCUSSIONS AND NEGOTIATIONS WITHIN IWC

Discussions under this item will be devoted to how discussions and negotiations within IWC can be improved and trust rebuilt. They will draw on the presentations and discussions under item 3 and responses from Contracting Governments to the 'call for input' circulated on 11 January 2008. Responses (unattributed) will have been collated into a single document and made available prior to the meeting. While the discussion will include both short- (i.e. up to and including IWC/60) and longer term processes, the primary focus will be on the latter – a more detailed discussion of the former will be discussed under Item 5. Finalising discussions on conclusions and recommendations with respect to the latter will take place at IWC/60.

5. PLANNING FURTHER DISCUSSIONS ON THE FUTURE OF IWC

5.1 Schedule of meetings at IWC/60

In Circular Communication IWC.CCG.653 of 14 December 2007, the Chair of the Commission noted that on the assumption that progress is made at the intersessional meeting, the Steering Group believes it important to maximise the amount of time available at IWC/60 in Chile to build upon that progress. To this end, it suggests that while meetings of the Scientific Committee and the Finance and Administration (and Budgetary Sub-committee) remain essential, the same may not be true for the other meetings planned for the week before Plenary. Where it is essential to deal with particular items at IWC/60 (e.g. catch limit issues related to the Greenland bowhead whale hunt and consideration of infractions), these could be dealt with directly in the Plenary; other meetings i.e. the workshop on welfare issues associated with entangled/entrapped cetaceans and the meeting of the Conservation Committee, whilst of course important, could be postponed for one year with the time made available being allocated to discussions on the future of the IWC.

The meeting will be invited to consider the Steering Group's suggestion in the light of discussions under earlier agenda items and revise, as appropriate, the schedule of meetings for IWC/60.

5.2 Development of a draft agenda for the Commission plenary at IWC/60

Taking into account discussions under Item 4 and Item 5.1, the meeting will be invited to consider a preliminary draft agenda for the Commission Plenary that will be prepared by the Steering Group.

5.3 Activities prior to IWC/60

Recommendations and suggestions for intersessional work to be undertaken prior to IWC/60 will be discussed here.

6. CONCLUSIONS AND PRESS RELEASE

In addition to some concluding remarks from the Chair, Prof. Juma will also offer his observations on the outcome of the meeting and future plans.

A draft press release will have been developed by the Secretariat in consultation with the Steering Group for review by the meeting.