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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Outcome of the 68th Meeting of the International Whaling Commission (IWC 68) (Portorož, Slovenia, 13-21 October 2022)
	- Report by the Presidency

Delegations will find in the Annex a report by the Presidency on the main results of the abovementioned meeting.

68th Meeting of the International Whaling Commission (IWC 68)
(Portorož, Slovenia, 13-21 October 2022)

- Report by the Presidency -

The [68th International Whaling Commission \(IWC-68\) meeting](#) took place in **Portorož, Slovenia**. Sub-committees and working groups sessions took place from **13-16 October** and the plenary session followed from **17-21 October** 2022. The IWC meeting was supposed to take place in 2020, but it had to be postponed due to the global Covid-19 pandemic. A [virtual special meeting](#) ¹ took place in 2021, however the meeting in Portorož was the first full Commission meeting in four years.

The first substantive item discussed on the plenary agenda was the **financial impact of Covid-19** on IWC payment schedules, arrears and voting status. The Commission adopted by consensus a change to the Rule of Procedure (RoP) that allowed governments in arrears of 3 or less years due to “exceptional circumstances ²” to have their **voting rights** restored for the duration of the plenary. This decision returned voting rights to seven member countries.

This item was closely interlinked with proposals related to **budgetary** and **governance reform**. Working Group on Operational Effectiveness (WG-OE) undertook extensive outreach efforts during the development of the proposals over the last four years and agreed to continue discussions in an effort to answer the remaining questions and concerns.

¹ All meeting papers, opening statements and summary of main outcomes decisions and required actions available via [IWC archive](#).

² The Chair ruled that the Covid pandemic during the years of 2020, 2021, and 2022 constituted ‘exceptional circumstances’.

From the reform steps proposed by the WG-OE, the Commission agreed to stagger **bureau** membership and to make bureau documents available in advance of meetings. It also agreed to make changes to the **Commission meeting** structures that will increase participation and the effectiveness and efficiency of plenary sessions. Changes to the RoP were made accordingly. The Commission also adopted a **Budget Reform Strategy** and agreed to continue work on **Strategic Principles** and Working Group on Strategic Plan during the intersessional period.

The **budget for 2023-24** was adopted by vote: 49 for, 1 against, 0 abstentions. The agreed budget increases fees only for Capacity to Pay countries 3 & 4 by 5% in 2023, 1% in 2024 and reduces expenditure by 6%. Fee distribution and the level of contributions will need to be revisited at IWC-69.

Despite the support of the EU Member States Party to the ICRW, the required majority for adopting the Schedule Amendment for the creation of the **South Atlantic Whale Sanctuary** ³ submitted by Argentina, Brazil and Uruguay was not reached ⁴. The proposal could not be put for a decision as there was no quorum in the room at that time. There were conflicting interpretations of the Rules of Procedure regarding quorum. The Buenos Aires Group (BAG) announced its intention to continue working towards its adoption at the next meeting of the IWC. As the reflection of the situation and discussion on the quorum, it was decided that a proposal that addresses this issue will be developed and discussed as the first agenda item at IWC-69 meeting, before any other decisions are adopted.

Contracting governments tabled **three Resolutions**:

- The Resolution on **Marine Plastic Pollution** ⁵ was adopted by consensus. It was submitted by the EU Member States Party to the ICRW, co-sponsored by the USA, UK, Republic of Korea, Panama and India. It was broadly recognized as the biggest success and main outcome of the IWC-68.

³ [Proposal of a Schedule Amendment to Create a South Atlantic Whale Sanctuary](#) was submitted by Argentina, Brazil and Uruguay.

⁴ Its adoption requires an amendment to the IWC's legally binding Schedule, which can be achieved either by consensus or a three-quarters majority vote.

⁵ [Draft Resolution on Marine Plastic Pollution](#).

- A decision was not sought on the Resolution on **Food Security** ⁶. The proponents will continue to work on it intersessionally and the proposal will be brought back to IWC-69. The draft resolution was tabled by Gambia, Rep. of Guinea, Antigua and Barbuda. The EU Member States showed willingness to discuss the proposal and that food security is a vital global concern but highlighted the fact that most contracting governments of the IWC have already committed to the goals on defeating hunger and providing food security, as outlined in the resolution, through various other international agreements and declarations, strategies and approaches, including the Sustainable Development Goals under Agenda 2030.
- The Resolution for the **Implementation of a Conservation and Management Program for Whale Stocks aimed towards a lifting of the moratorium and the orderly Development of the Whaling Industry** ⁷, submitted by Antigua and Barbuda and co-sponsored by St. Lucia, was also discussed, but a decision was not sought. The proponents also declared their willingness to continue to work on this proposal intersessionally and the proposal will be then brought back to IWC-69.

The Commission highlighted the importance of international and multi-disciplinary **collaboration** and during the meeting endorsed formal co-operative agreements with several organisations.

Quota renewals for **Aboriginal Subsistence Whaling** will be discussed at the next meeting in 2024 and the Commission noted that these will be renewed automatically unless there are changes to quotas or scientific advice.

Whale Killing Methods and Welfare Issues working group provided data submitted by Governments on whales killed and humaneness of whaling operations. It endorsed wide-ranging proposals including on workshops for strandings and euthanasia of stranded whales, and a new Welfare Assessment Tool.

The **Infraction Sub-committee** provided a report reviewing the summary of catches received by the IWC for 2018-2021 and summarised information on the surveillance of whaling operations in 2018-2021.

⁶ [Draft Resolution on Food Security.](#)

⁷ [Draft Resolution for the Implementation of a Conservation and Management Program for Whale Stocks aimed towards a lifting of the moratorium and the orderly Development of the Whaling Industry.](#)

Scientific committee made a wide-ranging scientific presentation, covering the work of years 2018 – 2022 and focusing on number of topics including cetacean disease, strandings, chemical and plastic pollution. **Conservation Committee** presented its four years of work and covered a wide range of topics, including bycatch, whale watching, conservation management plans, ship strikes, marine debris, anthropogenic underwater noise, climate change, ecosystem functioning, species/populations of urgent or emerging concern, and funding.

Regarding **nominations**, newly elected chair of the Commission Mr **Amadou Diallou** from the Republic of Guinea replaced Mr Andrej Bibić from Slovenia. Mr **Nick Gales** from Australia was elected Vice-chair.

The **IWC-69** meeting will take place in in 2024 in **Lima, Peru**.

The EU **Member States** were very active in plenary discussions as well as in drafting groups, ensuring improvement of the various texts in line with the agreed coordinated position. The Presidency presented the position of the EU Member States Contracting Parties to the Convention, in line with both the Council Decision of 2017 (which established the position to be adopted on behalf of the EU at the IWC meeting) and the subsequent technical positions on most agenda items established in the relevant Council Working Party (WPIEI) and adjusted as necessary through coordination on the spot during the meeting.

There were 21 Member States present ⁸ (Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Italy, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden). The **Commission**, which is an observer in the IWC, was present virtually via hybrid EU coordination meetings and followed the IWC-68 [online](#).

⁸ Not present: Cyprus, Estonia, Romania (Greece, Latvia and Malta are not Members of the IWC).

The Czech Presidency would like to thank all EU Member States present in Slovenia and the Commission for their very kind support of the Presidency team.

As a final remark to this debrief from the IWC-68 meeting, the Presidency would like to inform the delegations that consultations with the Legal Services of the Council and Commission will be held in order to analyse the question whether the Council Decision, on the position to be adopted, on behalf of the European Union, in relation to matters falling within its competence, at the next three meetings of the International Whaling Commission including related inter-sessional meetings (14970/17), remains valid and will also cover the next IWC-69 meeting to be held in 2024.
