Annex P

Process for the Review of Special Permit Proposals and Research Results from Existing and Completed Permits

1. SUBMISSION OF PROPOSALS

New proposals should be submitted to the Chair of the Scientific Committee at least six months prior to the Annual Meeting at which they are to be discussed, following a *pro forma* supplied by the Secretariat. Proposers may request that the proposal remains confidential. The proposal shall be structured in the manner given below.

(1) Objectives of the study:

The objectives should:

(a) be quantified to the extent possible;

(b) be arranged into two or three categories, if appropriate: 'Primary', 'Secondary' and 'Ancillary';

(c) include a statement for each primary proposal as to whether it requires lethal sampling, non-lethal methods or a combination of both;

(d) include a brief statement of the value of at least each primary objective in the context of the three following broad categories objectives -

- (i) improve the conservation and management of whale stocks,
- (ii) improve the conservation and management of other living marine resources or the ecosystem of which the whale stocks are an integral part and/or,
- (iii) test hypotheses not directly related to the management of living marine resources;

(e) include, in particular for d(i) and d(ii), at least for each primary objective, the contribution it makes to *inter alia* -

- (i) past recommendations of the Scientific Committee,
- (ii) completion of the Comprehensive Assessment or in-depth assessments in progress or expected to occur in the future,
- (iii) the carrying out of *Implementations* or *Implementation Reviews* of the RMP or AWMP,
- (iv) improved understanding of other priority issues as identified in the Scientific Committee Rules of Procedure (IWC, 2006b, p.180),
- (v) recommendations of other intergovernmental organisations.

(2) Methods[i] to address objectives:

(a) field methods, including:

- (i) species, number (and see (c) below), time-frame, area;
- (ii) sampling protocol for lethal aspects of the proposal; and
- iii) an assessment of why non-lethal methods, methods associated with any ongoing commercial whaling, or analyses of past data have been considered to be insufficient;

(b) laboratory methods;

(c) analytical methods, including estimates of statistical power where appropriate;

(d) time frame with intermediary targets.

(3) Assessment of potential effects of catches on the stocks involved:

(a) a summary of what is known concerning stock structure in the area concerned;

(b) the estimated abundance of the species or species, including methods used and an assessment of uncertainty, with a note as to whether the estimates have previously been considered by the Scientific Committee;

(c) provision of the results of a simulation study on the effects of the permit takes on the stock that takes into account uncertainty and projects (1) for the expected life of the permit (i.e. *n* years); (2) for situations where the proposal is assumed to continue for (a) a further *n* years, (b) a further 2*n* years; and (c) some longer period of years since the start of the proposal.

(4) A note on the provisions for co-operative research:

(a) Field studies;

(b) analytical studies.

(5) A list of the scientists they propose to send to the intersessional review workshop.

2. THE REVIEW PROCESS

Intersessional specialist workshop

The initial review of a new proposal, or interim and final reviews, shall take place at a small specialist workshop with a limited but adequate number of invited experts (who may or may not be present members of the Scientific Committee). A limited number of scientists associated with the proposal should attend the workshop in an advisory role, primarily to present the proposal and answer points of clarification. It is important that the composition of the specialist group is considered balanced and fair. The choice of experts shall be made by the Chair, Vice-Chair and Head of Science in conjunction with a Standing Steering Group (SSG) established by the Chair at an Annual Meeting, with special emphasis on the field and analytical methods provided in the proposal and estimation of the effect of catches on the stocks(s). The SSG shall be selected by the Chair, Vice-Chair and Head of Science, such that it represents an appropriate range of experience and expertise within the Scientific Committee. The selection process for the specialist group shall occur in the manner described below. A schedule of events for the review process is shown in Table 1.

Procedure for review of new proposals

The Chair shall circulate the proposal to the Vice-Chair, Head of Science and SSG, normally within 1 week of receipt.

(1) The SSG shall examine the proposal and in particular the field and analytical methods and, normally within 2 weeks, suggest names for consideration for the specialist group (if these experts are not members of the Committee they shall include a rationale for their choice) and the suggestions will be available to all SSG members.

(2) The Chair, Vice-Chair and Head of Science will develop a proposed final list (with reserves) for consideration by the SSG within 2 weeks and begin the process of establishing the time and venue of the Workshop taking into account the availability of the proposed experts and the scientists associated with the proposal.

(3) The SSG will send final comments within 1 week.

(4) The Chair, Vice-Chair and Head of Science will agree a final list (with reserves); the proposal (with a note concerning any restrictions) will be sent to the selected experts and reserves - the process thus far will have taken about 6 weeks since the proposal has been received.

The Workshop will take place at least 100 days before the Annual Meeting. In addition to the selected experts it will include at least one of the Chair, Vice-Chair and Head of Science, one of whom shall chair the workshop.

Terms of reference of the specialist workshop for review of new proposals

The primary objective of the specialist workshop will be to review the proposal in the light of the stated objectives following the guidelines in the *pro forma* provided by the Secretariat. In particular, the Workshop shall:

(1) comment briefly on the perceived importance of the stated primary objectives from a scientific perspective and for the purposes of conservation and management, noting particularly its relevance to the work of the Scientific Committee;

(2) provide advice and suggestions on components of the programme that might be achieved using non-lethal methods, including, where appropriate, power analyses and time-frames;

(3) determine whether the proposed field and analytical methods are likely to achieve the stated quantified objectives within the proposed time-frame, where appropriate, commenting on sample size and time-frame considerations;

(4) provide advice on the likely effects of the catches on the stock or stocks involved under various scenarios of length of the programme – this will include *inter alia* examination of abundance estimates provided and may involve a different analysis to that provided in the original proposal, including assumptions that short permit proposals may be projected further into the future;

(5) review the proposed intermediary targets and suggest when an intermediate review or reviews should take place.

Procedure for periodic and final reviews

For ongoing research without a defined final year, a periodic review shall take place in accordance with either the advice provided under Item (5) of the workshop to review new proposals or on the advice of a periodical review workshop[1] and taking into account the availability of the proponents. The final review shall take place no later than three years after the final take under Special Permits. The periodic and final reviews shall be based on documents provided by the proposers and other members of the Scientific Committee six months before the Annual Meeting at which the Workshop report is to be presented. Information on the analytical methods likely to be used in documents presented to the Worksop that might assist with the selection of appropriate experts shall be circulated nine months before the Annual Meeting.

The Chair shall circulate the information on the analytical methods to the Vice-Chair, Head of Science and SSG, normally within 1 week of receipt.

(1) The SSG shall examine the information available on the field and analytical methods and, normally within 2 weeks, suggest names for consideration for the Specialist Workshop (if these experts are not members of the Committee they shall include a rationale for their choice) and the suggestions will be available to all SSG members.

(2) The Chair, Vice-Chair and Head of Science will develop a proposed final list (with reserves) for consideration by the SSG within 2 weeks and begin the process of establishing the time and venue of the Workshop taking into account the availability of the proposed experts and experts associated with the proposal.

(3) The SSG will send final comments within 1 week.

(4) The Chair, Vice-Chair and Head of Science will agree a final list (with reserves); the proposal (with a note concerning any restrictions) will be sent to the selected experts and reserves - the process thus far will have taken about 6 weeks since the information on analytical methods has been received.

(5) The full documents shall be circulated no later than 6 months before the Annual Meeting.

(6) Responses to those documents shall be submitted no later than 1 month before the Workshop.

The Workshop will take place at least 100 days before the Annual Meeting. In addition to the selected experts it will include at least one of the Chair, Vice-Chair and Head of Science, one of whom shall chair the workshop.

Availability of data relevant to the periodic or final review

Applications for the access to data for the purpose of periodic or final review, should follow the recommended approach of Procedure B of the IWC SC Data Availability Agreement (*J. Cetacean Res. Manage 6*, Suppl. pp 406-08). For data provided under the DAA, the conditions for data recipients are outlined in the agreement. Applications made by members of the Scientific Committee and other participants at the Specialist Workshop should be considered promptly and normally accepted within two weeks of the application.

Terms of reference of the Specialist Workshop for periodic and final reviews

The primary objective of the specialist workshop will be to review the scientific aspects of the research under Special Permits in the light of the stated objectives following the guidelines in the *pro forma* provided by the Secretariat. In particular, the Specialist Workshop shall evaluate:

(1) how well the initial, or revised, objectives of the research have been met;

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[1] There are two existing ongoing permits. For JARPN II the review will take place in 2009. JARPA II started in 2005/06 and the first six-year period will be finished in2011/12. The periodic review will take place shortly after, for example within 1-2 years.

(2) other contributions to important research needs;
(3) the relationship of the research to relevant IWC resolutions and discussions, including those dealing with the respective marine ecosystem, environmental changes and their impact on cetaceans and Committee reviews of special permit research;
(4) the utility of the lethal techniques used by the Special Permit Programme compared to non-lethal techniques; and
(5) in case of periodic review, provide advice on:

(i) practical and analytical methods, including non lethal methods, that can improve research relative to stated objectives;
(ii) appropriate sample sizes to meet the stated objectives, especially if new methods are suggested under item (i);
(iii) effects on stocks in light of new knowledge on status of stocks;
(iv) when, in the case of ongoing programmes, a further review should occur.

Reports of Workshops (applies to new proposals, periodic reviews and final reviews)

The Chair is responsible for the level and nature of participation of the scientists involved in the proposal, which should be limited to (1) providing information to the invited experts in addition to that contained in the proposal or research results and (2) answering questions posed by the invited experts. The specialist group should attempt to reach consensus on the individual issues referred to above, but where this is not possible, the rationale behind the disagreement should be clearly stated in the Workshop report. The final report of the Workshop shall be completed at least 80 days prior to the Annual Meeting and will be made available to the proponents.

Circulation to the Scientific Committee

The original special permit proposal, *or* the original result documents from ongoing or completed special permit research, the report of the specialist workshop, and any revised permit proposal (following the agreed protocol), *or* any revised results, from the Contracting Government shall be submitted to Scientific Committee members no later than 40 days before the Annual Meeting. The revised proposal, *or* revised results, will also be submitted to the members of the specialist group and they will be invited to submit joint or individual comments on that revision to the Annual Meeting.

Discussion at the Scientific Committee

The report of the specialist workshop will be discussed but not amended by the Scientific Committee. The comments of the Scientific Committee will be included in the Scientific Committee report. The original proposal and any revised proposal, the specialist workshop report (and subsequent comments on any revised proposal), and the Scientific Committee report will then be submitted to the Commission and become publicly available at the opening of the IWC Annual Meeting.

REFERENCES

Donovan, G. 2001. Report of the Scientific Committee. Annex Y. Guidelines for the Review of Scientific Permit Proposals. *J. Cetacean Res. Manage.* (Suppl.) 3:371-72.
International Whaling Commission. 2007. Report of the Scientific Committee. *J. Cetacean Res. Manage.* (Suppl.) 9: 350-352 (Annex P).
International Whaling Commission. 2006a. Report of the Scientific Committee. *J. Cetacean Res. Manage.* (Suppl.) 8:1-65.
International Whaling Commission. 2006b. Rules of Procedure of the Scientific Committee. *Ann. Rep. Int. Whaling Comm.* 2005:180-83.

Table 1. Schematic schedule of events in the Scientific Committees process of (a) reviewing Special Permit proposals and (b) periodic reviews of results from ongoing Special Permit research and final results from completed Special Permit research. The dates shown in the tables are for illustrative purposes only assuming an Annual Meeting beginning on 1 June.

(a) Review of Special Permit proposals	**Schedule of events**
Receipt of Special Permit proposal	**>6 months prior to Annual Meeting (1 Dec)**
Distribute proposal to Vice Chair, HoS and SSG	1 week
SSG suggest names for the Specialist Workshop	2 weeks
Chair, Vice Chair & HoS develop list of Specialists and reserves	2 weeks
Final comments from SSG	1 week
Invitation and documents to Specialists	1 week
Hold Workshop	**>100 days prior to Annual Meeting (23 Feb)**
Final Workshop Report made available to Proponents	> 80 days prior to Annual Meeting
Distribution of the Proposal, Workshop Report and comments from Proponents to the Committee	> 40 days prior to Annual Meeting
Discussion and submission of documents to the Commission	**Annual Meeting (1 June)**
(b) Periodic and final reviews	**Schedule of events**
Information on likely analytical methods to be used in the documents to the Workshop	**9 months prior to Annual Meeting (1 Sept)**
Distribute documents to Vice Chair, HoS and SSG	1 week
SSG suggest names for the Specialist Workshop	2 weeks
Chair, Vice Chair & HoS develop list of Specialists and reserves	2 weeks
Final comments from SSG	1 week
Invitation and documents to Specialists	1 week
Receipt and circulation of results/review documents from Special Permit research	**>6 months prior to Annual Meeting (1 Dec)**
Hold Workshop	**>100 days prior to Annual Meeting (23 Feb)**
Final Workshop Report made available to Proponents	> 80 days prior to Annual Meeting
Distribution of result documents, Workshop Report and comments from Proponents to the Scientific Committee	> 40 days prior to Annual Meeting
Discussion and submission of documents to the Commission	**Annual Meeting (1 June)**

[i] Where novel or non-standard methods are proposed, sufficient information must be given to allow these to be properly examined.