

Greenpeace Demands at the 63rd Meeting of the International Whaling Commission

11 - 15 July 2011
Jersey, UK

The IWC was founded in 1946 due to recognition that uncontrolled whaling threatened both the survival of whale populations and the commercial longevity of the industry. Member nations signed the International Convention for the Regulation of Whaling which was to "provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry".

Six decades later, the world is a different place and whaling is seen as a thing of the past. The oceans have also changed - whales now face a multitude of threats from chemical pollution, overfishing, plastic debris, climate change, ship strikes amongst others. Greenpeace is calling on the IWC to transform itself from a body concerned **with catching whales** to a body concerned **with the conservation and recovery of whales populations**.

This document lays out the specific Greenpeace positions on each agenda item at IWC 63, in the same order as the annotated provisional agenda, found at:

<http://www.iwcoffice.org/documents/commission/IWC63docs/63-2.pdf>

4. The IWC in the Future

It is clear that the Chair's proposal (IWC62/4):

<http://www.iwcoffice.org/documents/commission/IWC62docs/62-31.pdf>

which was tabled at last year's meeting is no longer up for debate at the IWC and Greenpeace opposes any further discussion on its proposal to trade quotas on whales in one area for quotas in another- it would simply have perpetuated commercial whaling. The IWC needs to transform itself to a conservation organization, not move backward to the legitimization of whaling.

This year a resolution on the future of the IWC was proposed and can be found at:

<http://www.iwcoffice.org/documents/commission/IWC63docs/63-7.pdf>

Greenpeace urges the Like Minded governments to move beyond a 'future' vision that seeks only to balance the desires of the tiny whaling minority with those of the anti-whaling majority and instead work towards transitioning the IWC to a conservation body, focused on the protection of whales, and that this be the focus of any further reflection, should a further period be agreed.

If the draft resolution goes ahead there are some points in it, which should be corrected:

- In preambular paragraph 1, the words 'in the past' should be deleted.
- In preambular paragraph 2, the words 'recovery' should be replaced by 'increases', because these populations are not fully recovered.
- The document sometimes refers to whale 'populations', sometimes to 'stocks'. It should refer to 'populations' throughout.

- The proposed establishment of an ad hoc working group on aboriginal subsistence whaling may be unwise [1]
- The final words 'and the management of whaling', should be deleted.

5.1 [Southern Hemisphere minke]

The Scientific Committee has again failed to agree a population estimate for Southern Hemisphere minke whales, and has instead listed two different estimates, showing how little we actually know about the Antarctic minke whales, despite decades of intensive study. Both methods suggest that the minke population declined by about 40% between the 2nd circumpolar survey (from 1984/85 to 1990/91) and the 3rd circumpolar survey (from 1991/92 to 2003/04). The Scientific Committee has agreed that these declines do indeed reflect genuine changes in abundance in the open-water areas surveyed, and that these declines need to be explained.

The method of population estimation method used by Japanese scientists estimated 1,062,000 for the second circumpolar survey and 612,000 for the third. A second method used by scientists with no connection to the whaling industry estimated 612,000 and 421,000 for the two surveys.

The Like-Minded governments should take this opportunity to point out to the supporters of whaling the lack of available knowledge about Antarctic minke and call for an immediate end to the 'scientific' hunt for these whales.

8. RMS

There is a continuing attempt by the whaling nations, through the Scientific Committee, to weaken the Revised Management Procedure (RMP) so that it would grant them much higher quotas. Efforts this year focusing on the range of MSYR values [upper and lower values of reproductive rate] were inconclusive but are expected to continue.

The last written specification of the RMP was published in 1999. There have since been a number of amendments, and last year the Scientific Committee made the following recommendation in its report which was approved by the Commission.

"Several amendments to the RMP specifications and annotations had been adopted since the most recent published version (IWC, 1999e). These are listed in Appendix 5. The Committee agrees that the consolidated revised version be published in full in the next supplement to JCRM." [The IWC's own publication, The Journal of Cetacean Research and Management]

However, the RMP has not appeared in the latest supplement that has just been published and distributed. The recommendation to publish this specification is important to restoring the credibility of the IWC and it is essential to ensure that the IWC Secretariat implements the decisions of the Commission

The Like-Minded governments should raise this matter, expressing concern that the RMP has not been published and ask that it be published.

9. Sanctuaries The Like-Minded governments should advocate for the establishment of the South Atlantic Whale Sanctuary and vote for its creation. If

there is a shift in the voting blocs it is possible that the sanctuary could be adopted.

10. Socio-economic implications and small type whaling It is possible that Japan may ask for a coastal quota to relieve the distress caused by the earthquake and tsunami. This should be refused and it might be noted that Kushiro (to which Japan has transferred Ayukawa's Small Type Whaling (STW) hunt) is not one of the four STW towns for which Japan has traditionally sought the IWC's support for an exception to the moratorium on commercial whaling. Japan's request for a coastal quota is already met by a 'scientific' quota of 120 minke whales per year, which is taken by small type whaling ships operating from coastal towns in Japan. We note that the IWC does not recognise a category called 'small type whaling', that these quotas are self-allocated and that these catches will include some whales from the endangered J-stock population of minke whales.

11. Scientific Permits Japan is currently conducting an internal review of its Antarctic whaling program, which may recommend reductions in quota and catch. The Like-Minded governments should resist any efforts that attempt to link a reduction in Antarctic catch with agreements on catch limits elsewhere. No resolution on Special Permit whaling has been placed on the agenda for this meeting and a new rule which requires that the text of resolutions be tabled 60 days in advance of the meeting forbids introducing one now. However, the like minded governments should make a strong statement opposing Special Permit whaling programs and instead call for an immediate end to them.

12. Safety Issues at Sea. The IWC is not a maritime court and has no competence in matters relating to incidents in international waters, which are the responsibility of the flag states involved. The Commission should refuse to accept any presentation that involves alleged actions of vessels on the high seas.

13. Environment and Health Issues:

13.4 The Scientific Committee has discussed the impacts of oil and dispersants on cetaceans. Oil is a danger to cetaceans and oil dispersants, particularly in ice-filled waters, are of little help and may be harmful. We urge the Like-Minded countries to make strong statements about this emerging threat to whales, particularly in Arctic waters, in plenary.

13.6 The proposed workshop on anthropogenic, or man-made, impacts on cetaceans in the Arctic region should be supported and the Like-Minded governments should send suitably qualified experts.

14. Conservation management plans. We strongly believe that Conservation Management Plans are an important step toward transforming the IWC from a whaling management body to a whale conservation body. We urge the Like-Minded governments to support the formation of the proposed Standing Working Group on Conservation Management Plans.

15. Whale Watching. Like conservation management plans, whale watching represents a great hope for the transforming of the IWC. Whale watching is a sustainable use of whales with a much larger financial value than whaling and a much broader base - it is practiced in well over 100 countries, compared with the three nations who carry out commercial whaling

17. Scientific Committee

17.4 Work Plan The Like-Minded governments should scrutinise the Scientific Committee work plan and remove funding from one item that is concerned only with setting commercial quotas on whales and transfer it to an item concerned with conservation of whales as a symbolic demonstration of the move toward conservation. This decision would only require a simple majority, which will certainly be available at IWC63. There is precedent for voting on line items of the SC budget.

18. Conservation Committee

The expanding and deepening work of the Conservation Committee should be congratulated and supported. We note that marine debris has been added to the Conservation Committee agenda and that the IWC is uniquely well-placed to support the already extensive work, coordinated by UNEP, to both study and mitigate the growing threat to marine life from persistent debris.

20. Infractions

In January 2011, the South Korean Agriculture Ministry announced that the government would tighten domestic rules on whaling but what they have done amounts to a de facto legalisation of whaling. Legislation was enacted which establishes a framework to legalise trade in whale meat, providing certain requirements are met. The legislation allows for scientific whaling, establishes that cetaceans can be legally acquired and provides for legal trade in both legally and illegally acquired cetaceans, although proceeds from illegally acquired animals revert to the national treasury. Fishermen who catch whales in their nets are required to report incidents to police immediately and to process and sell the carcasses only at state-designated facilities.

South Korea reports a much higher bycatch of whales than any other IWC member apart from Japan. A bycatch of 72 whales was reported in 2010, none of which were released alive. Greenpeace is asking that the Like Minded governments urge South Korea to take steps to reduce bycatch and step up enforcement of the ban on whale hunting, rather than seeking simply to control the existing situation.

21. Finance and Admin

Greenpeace very strongly supports the UK government's proposal which we see as the best chance in decades to reform the way the IWC operates and would increase transparency. It is essential that this proposal succeed given the allegations of vote-buying within the IWC.

The UK document proposes a range of reforms and provides draft text for all. A document provided by the Secretariat identifies a more limited range of weaker reforms as well as offering two pieces of draft text.

Greenpeace strongly supports the UK approach to these key reforms and details of how they compare to the *Secretariat* proposal are below:

- Payments from member governments to the IWC must be by bank transfer from an account belonging to the government and cash, cheques, money orders and credit cards will not be accepted. *The Secretariat proposal would only eliminate*

cash payments and would not require that the payment originate from the member government involved.

- To enhance transparency, circular communications to member governments should be in the public domain except in special places and the Finance and Administration committee should be open to observers unless private matters, such as staff issues, are being discussed. *The Secretariat has suggested that observer access to the F&A committee be considered.*

- Decisions can only be adopted [whether by vote or by consensus] if the text of the decision has been distributed in writing to all Commissioners. The text of all adopted decisions must be placed on the IWC's website, in all 3 official languages, within 14 days of the conclusion of the meeting. *The secretariat proposal is for text to be projected on screens in the meeting room.*

- Observers should be given increased participation including enhanced speaking rights. *The Secretariat has suggested that this be considered.*

- That all scientific advice to the Commission be received only via the Scientific Committee and that the Scientific Committee report be posted on the IWC website within 14 days of the end of the Scientific Committee meeting. *The Secretariat has suggested that the report become public as soon as it has been circulated to Contracting Governments.*

21.6 The IWC will seek to 'strike a balance between funding for conservation and funding for management'. Given that 'management' in this context means setting quotas on whales, this should be watched closely. Greenpeace wants to see the Commission phase out funding for items that support commercial whaling and redirect that funding into conservation work.

Notes:

1. Greenpeace opposes commercial whaling and does not address aboriginal subsistence whaling. However, we are concerned that the forum proposed - an ad hoc working group to "address key subsistence whaling issues" proposed by the US (and Chile and New Zealand) - may be intended to be a small 'hand-picked' group, closed to observers like the 'Small Working Group' in 2008/9 and the 'Support Group' in 2009/10. We urge the UK to argue for the group to be transparent and inclusive and, if it is to meet intercessionally, not to limit attendance. It would be better to extend the terms of reference of the ASW sub-committee than to create an ad hoc group.