

**WWF OPENING STATEMENT  
INTERNATIONAL WHALING COMMISSION INTERSESSIONAL MEETING  
Rome, Italy, 9-11 March 2009**

WWF's goal is to ensure that viable populations of all cetacean species occupy their historical range, and fulfill their role in maintaining the integrity of ocean ecosystems. WWF acknowledges the widely varied cultural attitudes toward the conservation and management of whales, but continues to oppose commercial whaling—now and until whale stocks have fully recovered, and the governments of the world have brought whaling fully under international control with a precautionary and conservation-based enforceable management and compliance system adhered to by all whaling nations.

WWF looks forward to working cooperatively with all governments and stakeholders with an interest in whales and whaling. WWF supports a resolution to the current impasse in the IWC—to find real solutions for whale conservation that are so urgently needed. We urge governments to find a way forward to ensure a secure and sustainable future for the world's whales. WWF appreciates that the IWC member governments are engaging actively in discussions. We include here comments on several but not all of the issues facing the IWC. We recognize that some of our recommendations may involve a protocol amending the IWC. We believe that many of these issues can only be resolved at the political level. The ICRW, and the IWC, have had many successes in its 60+ year history—but now is the time to take the critical steps needed for the IWC to become a true 21<sup>st</sup> century conservation instrument.

**RECOMMENDATIONS TO THE IWC MEMBERS AT THE ROME INTERSESSIONAL MEETING**

If there is to be a 'package deal', WWF strongly recommends inclusion of the following aspects, in order for a package to be acceptable to all members, and ensure the proper conservation of whales:

- 1. All nations engaged in commercial whaling must be included in the package deal in the first instance, not dealt with in an 'interim period'.**
- 2. All IWC member governments must remove objections and reservations within the IWC.**
- 3. Compliance, monitoring and sanctions are crucial and must be agreed upon at the onset of any schedule amendment.**
- 4. All lethal take of great whales must be halted in established sanctuaries.**
- 5. Article VIII should be eliminated from the Convention text, through an amending protocol.**
- 6. There must be no lethal take of threatened whale species.**
- 7. The Revised Management Procedure (RMP) should be used responsibly, with no alteration of tuning levels, for all whales taken by IWC member governments. The current RMP should be adopted into the schedule.**
- 8. All reservations to the listing of great whale species on Appendix I of CITES must be removed. Governments should agree not to submit proposals to transfer to Appendix II any whale species included in CITES Appendix I.**
- 9. The remit of the IWC should be clarified—as including all cetaceans, both large and small.**

WWF looks forward to discussing with governments all of the elements of the report of the Small Working Group (SWG) on the Future of the IWC. We have some views to share on particular points:

**STAGE 1: ITEMS REQUIRING IMMEDIATE ACTION**

WWF is strongly opposed to the proposals for elements 6 and 23 suggested by the Chairs for the following reasons:

***Element 23: Research under special permit***

We believe that all research under special permit (as specified in Article VIII of the schedule) must be removed entirely from the IWC, as this has no place in a modern natural resource or conservation management system for great whales. The killing of whales for scientific research was included in the Convention 60 years ago when lethal methods were the only research options available. However in six decades, science has advanced immeasurably. Techniques such as acoustic surveys, satellite tracking, biopsy DNA sampling and fecal sampling mean that lethal research on whales in the 21st century is not necessary. Recognizing this scientific progress and that Article VIII was never intended for the killing of thousands of whales, the removal of Article VIII must be a core component of



**WWF** *for a living planet®*

any package approved by the SWG. As both options proposed under element 23 allow Article VIII whaling to continue anywhere in the world other than the Southern Ocean, WWF strongly opposes both options.

Additional reasons for rejecting both options are as follows:

- There should be absolutely no takes of any whales classified as threatened by IUCN. Presently sei, fin and humpback whales are classified as endangered, and sperm whales are classified as vulnerable. Although option 1 prevents takes of fin and humpback whales in the Southern Ocean, it does not address the takes by Japan of sei and sperm whales in the North Pacific. Option 2 even proposes quotas for fin whales in the Southern Ocean, and quotas for sei and sperm whales in the North Pacific.
- The lack of any mention of Japan's special permit whaling program in the North Pacific (JARPN) in option 1 creates a glaring loophole. Even if Japan reduces special permit whaling in the Antarctic, there is nothing to prevent Japan increasing its whaling in the North Pacific by the same degree, ultimately resulting in a zero overall decrease in the number of whales killed.
- Neither of the options refer to the RMP which is imperative to any quota setting for great whales.
- Option 1 suggests a phase-out of special permit whaling, but there is no justification of the need for a phase-out period. With minimal commercial demand for whale meat, and substantial subsidization of current whaling operations in Japan, there is no business imperative for delaying the immediate cessation of whaling under special permit.
- Both options rely on review and advice from the Scientific Committee to ensure removal levels are sustainable, without proposing any mechanism to ensure Scientific Committee recommendations are implemented.

#### ***Element 6: Japanese Small Type Coastal Whaling***

The Revised Management Procedure (RMP), agreed by the IWC in 1994, is the most rigorously tested management procedure for a natural resource developed to date. Yet there is no mention of the RMP in the proposed allocation of a coastal whaling quota to Japan – only advice of the Scientific Committee is referred to – and both must be included in a schedule amendment which would grant such a quota. Any discussion of coastal whaling must be conducted on the basis that all whaling would be fully under the provisions of the RMP. The concept of “advice of the Scientific Committee” is unclear and untested.

The report states that *‘all meat would be locally consumed’*. It is therefore common sense that the Schedule Amendment should include a stipulation that all whaling nations must remove their reservations to the listing of great whale species on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Additionally governments should commit not to submit proposals to transfer to Appendix II any whale species currently included in Appendix I. With a moratorium on commercial whaling, it is counterintuitive for any international trade in whale products to be allowed. International trade would be in contravention of the spirit of the moratorium and the listing of all great whale species on Appendix I of CITES. Any international trade in any whale species creates serious enforcement and compliance concerns, and unacceptable risks to threatened whale species. WWF believes that international commercial trade in whale meat is not necessary in the 21st Century. There is no cultural requirement for whale meat that necessitates international trade.

Annual reporting and verification by the Secretariat of any coastal whaling activities by Japan is welcomed. However it should be explicitly stated that these reports will be publicly available in order to facilitate transparency. Coupled with recommendations to separate the annual meetings of the Scientific Committee from that of the Commission (see final section), this would allow proper consideration and response to the impacts of any coastal whaling on population levels.

#### ***Element 27: Sanctuaries***

WWF supports additional sanctuaries where scientifically mandated and supported by range countries, and therefore supports the proposal that a South Atlantic Sanctuary be established. However there is no need for the sanctuary to be re-approved by a ¾ majority in five years time. This element also failed to address the fact that all lethal take must be halted in already established sanctuaries, such as the Southern Ocean.

#### **STAGE 2: ITEMS REQUIRING ACTION DURING THE FIVE-YEAR INTERIM PERIOD**

WWF welcomes and supports the principle under which the SWG is stated to be working, *‘that nothing is agreed until everything is agreed.’* It is therefore disappointing that this principle is not followed in the proposals put



**WWF** for a living planet®

forward by the SWG Chairs, which divides the decision making into two stages. WWF believes that there are many elements included in stage 2 which must be dealt with in the immediate ‘package’:

***Element 21: Objections and reservations***

All discussions relating to whaling under objection – the main form of whaling operational in two countries - have been postponed to the interim period. Therefore the only government to have been considered in these discussions is Japan. The main purpose of a ‘package’ is to resolve the current impasse in the IWC, and allow it to move forward to deliver the conservation benefits so urgently needed. It is inadequate to consider a “package” deal which only considers one whaling nation and ignores the rest.

***Element 8: Compliance and monitoring***

Compliance and monitoring of whaling is a crucial part of the ‘precautionary and conservation-based enforceable management and compliance system’ mentioned above. WWF believes that sanctions could be an effective tool to ensure compliance to IWC quotas and regulations, along the lines of those used by CITES. A mechanism to allow sanctions in the case of serious infractions should be a fundamental prerequisite to any moves to allow additional quota setting by the Commission.

The SWG Chairs report under this element that ‘monitoring must include a Vessel Monitoring System, a transparent DNA registry and a catch documentation scheme.’ However it is not clear whether all these monitoring elements are formally agreed and will be part of the quota setting proposed in element 6. WWF believes these 3 components should also be a fundamental prerequisite to any package deal.

***Element 31: Small cetaceans***

Although there are several regional agreements for small cetaceans under the Convention on Migratory Species (CMS), and the CMS has competence for many small cetaceans, there is no one international institution responsible for the conservation and management of all small cetaceans globally. As a result, small cetacean directed hunts continue in many areas of the world with no regulation, and in some cases are threatening target populations. If small cetaceans are not central to negotiations on current whaling, it is possible that conservation successes achieved for great whales could simply result in a shift of problems from great whales to small cetaceans. A holistic approach to all cetaceans is fundamental if the IWC is going to start delivering conservation achievements.

***Element 7: Commercial Whaling Moratorium***

WWF acknowledges the widely varied cultural attitudes toward the conservation and management of whales, but continues to oppose commercial whaling, especially in light of the host of threats faced by whales including climate change, ship strikes, toxic pollution of the oceans, underwater noise from sonar and seismic testing, and entanglement in fishing gear. Therefore, WWF supports the recommendation that the moratorium be maintained. However it is not clear in the document what is meant by the statement ‘for the interim period, the moratorium will remain in effect’. This is a critical point, and clarity is necessary on what would be the potential implications for the moratorium once the interim period is over.

**REPORT OF THE INTERSESSIONAL CORRESPONDENCE GROUP ON SCIENTIFIC COMMITTEE ISSUES**

WWF agrees that strong scientific advice is a crucial feature of the IWC. WWF supports:

- (1) Separating the annual meeting of the Scientific Committee (SC) from that of the Commission by several months. This will enable member states to fully digest and react to SC findings, facilitating greater political action on those findings during the Commission meetings. We agree with views that SC meetings should continue to be annual even if Commission meetings are changed to biennial, because of the volume and importance of its work. We agree that SC reports should not be confidential, as this inhibits transparency and opportunities for external input.
- (2) All efforts to increase participation of qualified scientists from developing countries in the work of the SC.
- (3) Efforts to improve the knowledge and technical capability of scientists from countries where cetacean research is in its infancy. We support collaboration with other intergovernmental organizations and professional bodies.
- (4) Revision of the process for inviting participants to the SC so it is much broader and more inclusive particularly when dealing with new, emerging areas of scientific research such as climate change, when the participation of experts outside the purely cetacean realm may be necessary. The process for inviting participants must also ensure where feasible that SC participation is as independent, science based and politically neutral as possible.

**WWF stands ready to engage in discussions with the participants of the intersessional meeting and looks forward to a constructive and positive meeting.**