

## WWF POSITION STATEMENT

### 63<sup>rd</sup> INTERNATIONAL WHALING COMMISSION (IWC) MEETING

Jersey, 11-14<sup>th</sup> July 2011

WWF's goal is to ensure that viable populations of all cetacean species occupy their historic 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 recognises the human need for subsistence whaling and supports the take where it is carried out by aboriginal, indigenous, or native peoples with long-standing, traditional, strong social or cultural ties to whaling; where products are for native consumption only; and with a precautionary management scheme in place to ensure such activities are sustainable and do not threaten whale populations.

#### FUTURE OF THE IWC

WWF supports a resolution to the current impasse in the IWC - to find real solutions for whale conservation that are so urgently needed. WWF welcomes the resolution of New Zealand and the United States "to maintain progress on the future of the IWC" and urges all IWC Contracting Governments to contribute to a future of the IWC which is focused on the conservation of whales and their habitats.

Today, populations of nearly all the great whales are at depressed levels, a legacy of unsustainable commercial whaling during the last two centuries. As long-lived mammals with slow reproductive cycles, whales inevitably take several decades or more to recover from population depletion. Some, such as the Western North Atlantic right whale, survive as a few hundred individuals at the brink of extinction, having failed to rebound from past commercial exploitation. However whilst commercial whaling remains a concern, in the 21<sup>st</sup> century other threats may ultimately be exacting a greater toll on the world's whales.

The marine environment has never before been under such heavy cumulative pressures. Bycatch, pollution, habitat destruction, unsustainable fishing, oil and gas exploration and development, shipping, aquaculture, marine debris and climate change are all taking their toll on cetaceans and their habitats, and in turn, are threatening the local communities which depend on coastal environments for their livelihoods and survival. In order for the IWC to fulfill its purpose "to provide for the proper conservation of whale stocks", it must tackle these growing pressures to whales and their habitats. This will be a challenge, but also presents an opportunity for the IWC to become a world leading body in marine conservation. Continued resistance within the IWC to deal with conservation issues, when almost all Multilateral Environmental Agreements (MEAs) are moving in the opposite direction, will further erode the IWC's relevance and ability to achieve its mandate.

The IWC has already made considerable progress on cetacean conservation, through its Scientific Committee, Conservation Committee and through numerous Commission resolutions. **WWF strongly urges all IWC Contracting Governments – whatever their views on whaling - to strengthen the IWC's conservation agenda. Specifically, WWF urges Contracting Governments to provide increased funding for the conservation work of the IWC Scientific Committee, the Conservation Committee and its programmes of work. WWF also urges all Contracting Governments to address as a priority the threats to cetaceans both in their waters and on the high seas.**

#### EFFECTIVENESS OF THE IWC

WWF welcomes the UK resolution and document (IWC/63/F&A 4)<sup>1</sup> on improving the effectiveness of operations within the IWC. The UK resolution and document address a number of important issues and suggests changes that are crucial to bring the IWC in line with other international agreements. WWF works within the context of many MEAs which operate more effectively than the IWC in terms of transparency, timely production of public reports

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<sup>1</sup> Available publically at <http://archive.defra.gov.uk/wildlife-pets/wildlife/protect/whales/documents/iwc63-improve-iwc-operations.pdf>



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and agreed decisions, financial procedures, delegate sponsorship and NGO participation.<sup>2</sup> WWF believes the proposals made by the UK are the bare minimum required to bring the IWC up to these basic and widely accepted international standards. **WWF strongly urges all IWC Contracting Parties to support the resolution submitted by the UK government, and all the reforms proposed in document IWC/63/F&A 4.**

### **REVISED MANAGEMENT PROCEDURE**

Due to the previous effects of vastly unsustainable commercial whaling, from which many whale species have still failed to fully recover, all IWC Contracting Governments must be fully committed to caution in all management decisions. As such, WWF strongly opposes any moves to weaken the IWC's Revised Management Procedure (RMP). **WWF urges all Contracting Governments to ensure the RMP is maintained in its original form, and that the agreed tuning level of 0.72 is used in all RMP calculations.**

### **NEEDLESS LETHAL RESEARCH**

Although the International Convention for the Regulation of Whaling (ICRW) contains a provision (Article VIII) that allows governments to issue their own lethal research permits, it was written more than 60 years ago, at a time when no practical alternatives existed. At that time, killing whales was the only way to obtain some of the most basic biological information, which was then used to set catch quotas. Today, modern non-lethal scientific techniques provide the data required for whale management more efficiently and accurately than lethal sampling. WWF believes the Contracting Governments of the IWC must ensure that IWC-related research meets modern accepted scientific techniques, so that the IWC's credibility on this issue is maintained. **WWF fully supports efforts by Australia and other governments in developing regional non-lethal research partnerships, and urges contracting governments to support and further develop these initiatives.**

### **WHALE SANCTUARIES**

WWF urges the Contracting Governments of the IWC to respect the wishes of range states and support the establishment of additional IWC sanctuaries for whales. WWF strongly supports the proposal from Brazil to establish a whale sanctuary in the South Atlantic, a region in which whale-watching has been steadily increasing, providing ecotourism income, benefits for local communities, and research opportunities. **WWF urges all IWC Contracting Parties to support the proposal from Brazil to establish a whale sanctuary in the South Atlantic.**

The Southern Ocean Whale Sanctuary is critical to ensuring the recovery and viability of whale populations in the southern hemisphere. It provides the feeding grounds needed to sustain most southern hemisphere baleen whales, which provide income and livelihoods to coastal communities from Australia to Latin America to Africa through whale watching tourism. Most of the Southern Ocean's whale species were driven to near extinction by uncontrolled commercial whaling in the 20<sup>th</sup> Century, and many species are still severely depleted. Whales in the Southern Ocean now face an increasing range of threats, including ship strikes, potential overfishing of key prey species, and most importantly, climate change.<sup>3</sup> In order to strengthen the resilience of Southern Ocean whale populations as they face this new raft of threats, it is of paramount importance to prevent any losses due to whaling. Furthermore the Southern Ocean is an existing sanctuary, as noted in the IWC Schedule: "*... commercial whaling, whether by pelagic operations or from land stations, is prohibited in ... the Southern Ocean Sanctuary.*" **WWF believes it is therefore an unquestionable responsibility of all Contracting Governments to the IWC to ensure that the Southern Ocean Whale Sanctuary is respected and that no takes of any cetacean species are authorized in this zone.**<sup>4</sup>

### **OIL AND GAS EXPLORATION AND DEVELOPMENT**

Last year the world witnessed one of the worse accidental oil spills in history, the BP Deepwater Horizon oil spill which occurred in an area of habitat for sperm, blue, fin and sei whales, as well as several dolphin species. BP Deepwater Horizon was a stark reminder of the extreme levels of damage that can be caused by oil and gas

<sup>2</sup> A WWF report on governance of the IWC in relation to other MEAs, and recommendations for governance reforms that would be appropriate for the IWC/ICRW, please see <http://assets.panda.org/downloads/governancepaper.pdf>

<sup>3</sup> For a full scientific review of the impacts of climate change on Southern Ocean whales, see [http://wwf.panda.org/what\\_we\\_do/endangered\\_species/cetaceans/cetaceans/iwc/resources/?165561/Whales-set-to-chase-shrinking-feed-zones](http://wwf.panda.org/what_we_do/endangered_species/cetaceans/cetaceans/iwc/resources/?165561/Whales-set-to-chase-shrinking-feed-zones)

<sup>4</sup> For a report on the importance of strengthening the Southern Ocean Whale Sanctuary, please see [http://wwf.panda.org/about\\_our\\_earth/all\\_publications/?193792/Save-the-Whale-Save-the-Southern-Ocean](http://wwf.panda.org/about_our_earth/all_publications/?193792/Save-the-Whale-Save-the-Southern-Ocean)

exploration and development. The risk of an oil spill in ice filled waters would be even more severe, as oil spill response is far more difficult if not impossible in icy waters.

Even without a spill, the undersea noise generated by oil and gas exploration and development, particularly during exploration phases (e.g. seismic testing) is known to have a severe impact on whales, which rely on sound as their primary sense.<sup>5</sup>

However as sources of cheap and easily accessible oil dwindle and oil prices increase, plans for offshore oil and gas exploration and development are increasing at a rapid rate, including in critical habitat areas for whale and dolphin species. These include several countries which have traditionally taken a strong stance on whale conservation at the IWC.

**WWF urges all Contracting Governments to support, provide data to, and promote the expansion of the IWC' work on 'the impacts of oil dispersants on cetaceans' and 'anthropogenic sound'. WWF proposes that the IWC Commission develops concrete recommendations for necessary national and international activities required to mitigate the impact of oil and gas exploration and development on cetaceans, based on the information developed by the Scientific Committee, particularly with respect to oil spills and anthropogenic sound.**

### **ARCTIC ANTHROPOGENIC IMPACTS WORKSHOP**

WWF welcomes the commitment made by Contracting Governments at IWC62 to undertake a workshop on anthropogenic impacts on Arctic cetaceans, under the auspices of the Scientific Committee. WWF is willing to commit resources, both technical and financial, to ensure the effectiveness of the workshop and positive impact from its outcomes. WWF has a large Global Arctic Programme, and is currently active in most Arctic countries, including Canada, Denmark, Finland, Norway, Russian Federation, Sweden, and the United States.

Arctic cetaceans face a raft of threats, arguably the greatest being those resulting from climate change, expanding oil and gas exploration and operations, and increased shipping. Arctic cetaceans are also critically important to the Arctic peoples for cultural and subsistence purposes, and declines in Arctic cetacean populations due to anthropogenic impacts such as oil and gas exploration would have severe implications for Inuit communities.

One anticipated outcome from the workshop would be identification of critical cetacean habitats in the Arctic, and agreement on management recommendations for those areas.<sup>6</sup> An important consideration in determining these areas and mitigation measures is the issue of climate change – i.e. how critical habitats for Arctic cetaceans may shift with the predicted impacts of climate change, and how oil and gas exploration and development is likely to expand in light of the predicted reductions of sea ice extent. Consideration of this issue during the workshop, building on the outcomes of the IWC Scientific Committee's 2009 and 2010 workshops on climate change and cetaceans, would be extremely valuable.

**WWF encourages all Contracting Governments, particularly those in the Arctic or with Arctic territories, to provide the technical and financial resources necessary to ensure the effectiveness and success of the Arctic anthropogenic impacts workshop. WWF would also encourage a focus not only on recommendations regarding scientific research, but primarily on conservation recommendations which can be immediately implemented by Arctic international and national management authorities.**

### **SHIP STRIKES**

Ship strikes are a growing threat to large whale populations across the globe, and can also cause significant damage to vessels and injury to passengers. WWF strongly supports the IWC Ship Strikes Working Group which is making significant progress in quantifying the problem and developing mitigation measures. WWF is working

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<sup>5</sup> For more information on the impact of ocean noise on cetaceans, visit <http://dontbeabuckethead.org/>

<sup>6</sup> There are several processes underway to map Arctic marine areas: IUCN and NRDC have identified 13 "super" Ecologically and Biologically Significant Areas (EBSAs) in the Arctic; A WWF research project, using existing scientific literature, is mapping the critical habitats for cetaceans in the Arctic; a separate WWF project is identifying and mapping the areas and features that are considered to be significant for building social-ecological resilience across the Circumarctic and that are likely to persist in future Arctic climate change conditions under different warming scenarios (RACER project: Rapid Assessment of features and areas for Circumarctic Ecosystem Resilience in the 21<sup>st</sup> Century.)



as part of the Working Group with Wallenius Wilhelmsen Logistics (WWL), a major shipping company, which is taking a leading role in the shipping industry by considering voluntary mitigation measures to reduce ship strikes. **WWF urges all IWC Contracting Governments to continue to engage with and support the Ship Strikes Working Group, and to develop ship strike mitigation regulations for cetaceans in their waters, particularly in waters which are important habitats for threatened cetacean species.**

The development of a mandatory code for ships operating in polar waters (the “Polar Code”) provides an important opportunity to minimize the risk of ship strikes in two of the most important habitats for cetaceans worldwide – the Arctic and the Antarctic. WWF, IFAW and Friends of the Earth have submitted a document to the International Maritime Organisation’s (IMO) Marine Environment Protection Committee, urging IMO to consider and recommend suitable provisions for the polar code regarding vessel voyage planning and operations in order to avoid interactions, especially collisions, with cetaceans, or disruption of native subsistence hunting dependent on cetaceans. **WWF urges all IWC Contracting Governments to ensure that through their participation in the IMO, the Polar Code fully incorporates measures to reduce ship strikes with cetaceans.**

## CLIMATE CHANGE

There is now unequivocal evidence that climate change is happening, and a growing understanding that climate-related changes in the oceans pose a threat to cetacean species, particularly those with a limited habitat range or those for which sea ice provides an important part of their habitat. WWF reports at previous IWC meetings have highlighted both the overall impacts of climate change on cetacean species,<sup>7</sup> and the specific impacts of climate change on the whales of the Antarctic.<sup>8</sup> WWF welcomes the IWC Scientific Committee workshop on climate change and cetaceans, which took place in 2009, and the IWC Scientific Committee workshop on the impacts of climate change to small cetaceans, which took place in 2010.

However, science alone will not be enough to avoid the potential negative implications of climate change impacts on cetacean species – for the cetaceans themselves, but also for the local communities which depend on healthy cetacean populations to deliver the subsistence and livelihood benefits generated from whale and dolphin watching activities. **WWF urges the IWC Scientific Committee, the IWC Conservation Committee and Contracting Governments to build on the good science that has been collated by developing and implementing adaptation strategies for cetaceans, and incorporating climate change considerations into the Conservation and Management plans that will be developed by the Commission.** One example of adaptation strategies for cetaceans and other species in the Eastern Tropical Pacific has already been submitted to the IWC by the Government of Costa Rica (see document IWC/61/18).<sup>9</sup>

## WESTERN NORTH PACIFIC GRAY WHALES

The IWC has repeatedly addressed and made recommendations on the conservation of the critically endangered Western North Pacific Gray Whale (WGW), both in terms of bycatch and oil and gas development near its feeding grounds off Sakhalin Island in the Russian Far East.<sup>10</sup>

WWF is extremely concerned about the impact of industrial activities off Sakhalin Island in the summer of 2010 on WGWs. The Western Gray Whale Advisory Panel expressed their concern as follows<sup>11</sup>: “It is particularly worrisome that three [seismic] surveys in 2010 occurred in or near three different parts of the population’s feeding range near Sakhalin Island, including in the case of the Lebedenskoye survey an area used regularly by mother-calf pairs.” For the Lebedenskoye survey WGWAP noted that “levels of noise received even in areas outside the Lebedenskoye licence area were above those known to cause behavioural disturbance to feeding gray whales” and that “it is likely that portions of the feeding area ... were exposed to levels that would be expected to cause hearing

<sup>7</sup> See ‘Whales in Hot Water’ <http://assets.panda.org/downloads/climatechange16ppfinallo.pdf>

<sup>8</sup> See ‘Icebreaker’ [http://assets.panda.org/downloads/english\\_final\\_proof\\_final.pdf](http://assets.panda.org/downloads/english_final_proof_final.pdf)

<sup>9</sup> IWC document available at [www.iwcoffice.org/documents/commission/IWC61docs/61-18full.pdf](http://www.iwcoffice.org/documents/commission/IWC61docs/61-18full.pdf) Full publication available at :

[http://wwf.panda.org/what\\_we\\_do/conservation/conservation/cetaceans/cetaceans/iwc/resources/?166824/ETPcetaceansAdaptationClimateChange](http://wwf.panda.org/what_we_do/conservation/conservation/cetaceans/cetaceans/iwc/resources/?166824/ETPcetaceansAdaptationClimateChange)

<sup>10</sup> See IWC resolutions 2005-3, 2004-1, 2001-3

<sup>11</sup> See the report of WGWAP’s 9<sup>th</sup> meeting at [www.iucn.org/wgwap/wgwap/meetings/wgwap\\_9/](http://www.iucn.org/wgwap/wgwap/meetings/wgwap_9/)



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damage in gray whales.” A report of WWF and partners<sup>12</sup> developed from observations at the time of the Lebedenskoye survey noted that Rosneft (the company operating the Lebedenskoye survey) repeatedly violated its own mitigation measures, for example by conducting seismic testing at night when it is impossible to see (and avoid) WGWs, and by operating support vessels at full speed in the direct vicinity of WGWs, on several occasions causing repeated breaching and immediate avoidance reaction (ie WGW leaving the area at speed.) Such operations are of particular concern so close to the feeding grounds of WGW as the loss of just one or two breeding females each year could cause the population to crash.

The impacts of industrial activities in 2010 have not yet been assessed - the whales are only just now arriving back in their feeding grounds off Sakhalin. However one company operational in the area (Sakhalin Energy, a consortium of Shell, Gazprom, Mitsui and Mitsubishi) have announced plans for a major new development - another offshore oil and gas platform - and plan to start activities related to the new platform this summer. Twenty NGOs have signed a Statement of Concern<sup>13</sup> opposing the third platform, which could have a potentially devastating impact on the whales.

WWF congratulates the Government of Russia for imposing a regulation that will require developers in a new oil exploration block to conduct activities only from late November to late May, when the whales are away from their summer feeding grounds. However, the new regulation applies to only one section of the waters surrounding Sakhalin Island, while numerous companies have active projects in other areas close to the whales’ feeding habitat.

**WWF calls on the Government of Russia to expand its recent decision to only allow industrial activities when WGW are not present to all exploration blocks in the vicinity of the WGW feeding area, and to reject proposals from Sakhalin Energy for the construction of a new offshore platform.**

**WWF calls on the other Contracting Governments, in particular those Governments which are range states of WGW, to support Russia in its conservation efforts for this species and to consider implementing similar time-space closures for cetacean populations in their own waters where oil and gas operations may occur.**

## **CONCLUDING REMARKS**

With no major proposal on the table for the Future of the IWC, IWC63 provides a significant opportunity to bring the IWC up to date with modern standards by improving its effectiveness and by strengthening its conservation agenda. WWF strongly urges all Contracting Governments to work together in this effort, and as the world’s largest conservation organization, WWF stands ready to offer its full support.

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<sup>12</sup> See ‘Preliminary results of the NGO monitoring of seismic geophysical explorations at the Lebedenskoye field, July-September 2010’ [http://cmsdata.iucn.org/downloads/wgwap\\_9\\_doc\\_19\\_ngo\\_report\\_on\\_lebedenskoye\\_eng.pdf](http://cmsdata.iucn.org/downloads/wgwap_9_doc_19_ngo_report_on_lebedenskoye_eng.pdf)

<sup>13</sup> See [http://cmsdata.iucn.org/downloads/wgwap\\_10\\_inf\\_1a\\_ngo\\_statement\\_of\\_concern\\_sakhalin\\_ii\\_march\\_2011.pdf](http://cmsdata.iucn.org/downloads/wgwap_10_inf_1a_ngo_statement_of_concern_sakhalin_ii_march_2011.pdf)