



WWF

POSITION

IWC 67

2018



© naturepl.com / Mark Carwardine / WWF

## WWF Position Statement

# 67<sup>TH</sup> INTERNATIONAL WHALING COMMISSION (IWC) MEETING

Florianópolis 04-14 September 2018

*WWF's goal is to ensure that viable populations of all cetacean species occupy their historic range, and fulfil their role in maintaining the integrity of the ocean ecosystem. We work at a local level and across a broad range of international fora to address and reduce threats to cetaceans. In doing so, WWF acknowledges the widely varied cultural attitudes toward the conservation and management of whales.*

*WWF opposes commercial whaling, now and until WWF is convinced that the governments of the world have brought whaling under international control, with a precautionary and conservation-based enforceable management and compliance system adhered to by the whaling nations.*

### On the proposed "Way Forward"

Document **IWC/67/08** proposes to establish a Sustainable Whaling Committee (SWC), allow schedule amendments by a simple majority vote, and instruct the Scientific Committee to set catch limits for abundant whale stocks/species. The SWC would be dedicated to both commercial and aboriginal subsistence whaling and would be "*composed of all Contracting Governments committed to promoting sustainable whaling.*" Additionally, Japan proposes to amend the Convention to "*relax the decision-making requirement of the Commission,*" so that the Schedule may be amended by a simple majority vote, instead of the three-quarter majority vote that is currently required. This proposal violates Rule of Procedure E3b which says: "*(b) Action in pursuance of Article V shall contain the text of the regulations proposed to amend the Schedule... A proposal that does not contain such regulatory text to revise the Schedule but would commit the Commission to amend the Schedule in the future can neither be put to a vote nor adopted*". **WWF recommends that Member States strongly oppose this draft resolution on the basis that the Commission cannot make schedule amendments by simple majority (which requires a three-quarters majority). Moreover, this resolution intends to override the commercial whaling moratorium, which again requires a three-**

**quarters majority support. In other words, this resolution is procedurally unsound, and would undermine the commercial whaling moratorium, the International Convention for the Regulation of Whaling (ICRW), as well as the Commission as a whole.**

### The Florianópolis Declaration

Draft resolution **IWC/67/13** clarifies the mandate of the IWC in the 21st Century as “to ensure the recovery and the maintenance of whale species and populations at or closest to their pre-industrial exploitation levels, in order to fulfill their ecological and nutrient cycling roles in the world’s oceans and to provide maximum benefit from non-lethal uses to coastal communities, particularly in developing countries.” Additionally it states that commercial whaling is no longer a necessary economic activity; and that “scientific whaling” is not currently a valid alternative to answer scientific questions given the existence of abundant contemporary non-lethal research methods. It also states that aboriginal subsistence whaling should be adequately managed and closely monitored to ensure the conservation of whales. To this end the resolution directs the IWC to propose more balanced budgets and work schedules accordingly. **WWF recommends that Member States support this draft resolution on the basis that this is the “Future of the IWC”: a multilateral environmental agreement focused on the conservation of all of the world’s cetaceans, ensuring their full recovery throughout their historic range and fulfilling their role in maintaining the integrity of the ocean ecosystems.**

### Aboriginal Subsistence Whaling

The proposed Schedule Amendment on ASW in **IWC/67/01** proposes to automatically extend ASW proposals every six years without an affirmative decision of the Commission being taken to approve them. This is inconsistent with the provisions for adopting schedule amendments set out in the treaty. Adopting a regulation such as a new catch limit, whether the catch limit has been amended or not, is a decision and Article III, which states that: “Decisions of the Commission shall be taken by a simple majority of those members voting except that a three-fourths majority of those members voting shall be required for action in pursuance of Article V”. If a catch limit automatically renews, the Commission’s decision-making process is being effectively overridden. **WWF recognizes the human need for aboriginal subsistence whaling where it is carried out by aboriginal, indigenous, or native peoples with long-standing, strong social or cultural ties to whaling and under the following conditions: 1) Where products are for local consumption only; and 2). With a precautionary management scheme in place to ensure such activities are sustainable and do not threaten whale populations. However, whereas this proposal does not contain regulatory text setting out catch limits from 2024 to 2031 it commits the Commission to amending the Schedule to include those catch limits and dates in the future. Therefore WWF cannot support this proposal.**

### South Atlantic Whale Sanctuary

**IWC/67/10** proposes the creation of the South Atlantic Whale Sanctuary. No less than 54 species of cetaceans inhabit the waters of the South Atlantic Ocean. Seven of these (blue, fin, sei, common minke, Antarctic minke, humpback and southern right whales) are highly migratory baleen whales that feed in the Antarctic and Sub Antarctic oceans during summer and breed in tropical, subtropical and temperate waters in winter and spring. The proposal for the creation of the South Atlantic Whale Sanctuary (SAWS) represents the legitimate interests of southern hemisphere countries to offer permanent protection to these whale populations that benefit coastal communities through whale watching activities and non-lethal research. Any lethal whaling activities will be forbidden within the SAWS; more broadly a management plan was designed to guide management of other human induced threats for cetaceans, and to monitor their recovery in the South Atlantic Ocean. The Scientific Committee agreed “*that an adequate review of the scientific aspects of the SAWS proposal had been performed and that a new review... would not be needed*” (IWC SC 2016). **WWF supports the proposal to create the South Atlantic Whale Sanctuary, and requests the suspension of “scientific” whaling in the Southern Ocean Sanctuary that has been created to avoid such hunting activities.**

## Ghost Gear Entanglement and Bycatch

Draft resolution IWC/67/11 proposes to incorporate ghost fishing gear and its impacts to cetaceans in the work of the Conservation and Scientific Committee. WWF is a member of the Global Ghost Gear Initiative (GGGI) and supports the intentions of this resolution. Nonetheless we think the resolution should be strengthened by incorporating the issue of bycatch. Accidental entanglement in fishing gear has long been recognized by scientists and policy makers around the globe as the most pervasive human-induced threat to cetaceans, causing a minimum of 300,000 cetacean deaths annually. The Commission took a very important step by creating the Bycatch Mitigation Initiative in 2016. This year we hope to see the Commission endorse BMI's strategy and secure a sustainable source of funding for the initiative. **Therefore WWF supports this draft resolution, but recommends amendments that strengthen it by including a commitment to support the Bycatch Mitigation Initiative through an allocation of core funding.**

## Ocean Noise

Cetaceans have evolved to use sound as their primary means for communicating, foraging, navigating, and generally perceiving features in the environment around them. Sound from human activities represents unwanted noise to these species. This noise can disrupt their natural activities, induce stress responses, degrade their environment and, in the more extreme cases, lead to permanent hearing damage, or even death. Research and conservation efforts should prioritise noise impacts as well as technology for vessel noise reduction. **WWF supports this draft resolution and encourages all IWC Contracting Governments to determine and set in noise level standards adequate to safeguard cetaceans from anthropogenic noise-producing activities. WWF further encourages these governments to engage industries in the implementation of best practices for noise mitigation and the development of noise reduction technology.**

## Food Security

Draft resolution IWC/67/07 contains several policy goals to which most IWC contracting countries are already committed to through various international agreements and declarations. For this reason the resolution is unnecessary and out of context in the IWC. **WWF does not believe that whale meat is the answer to food security issues; the problem is much broader and greater consideration should be given to improved fisheries management measures and better distribution of resources that allow for increased access to good nutrition where it is needed, therefore we cannot support this proposal.**

## Cetaceans and Ecosystem Services

Draft resolution IWC/67/17 "*encourages Contracting Governments to integrate the value of cetaceans' ecological roles into local, regional and global decision-making on biodiversity and environment, including climate change and conservation policies*". Assuring the recovery of great whales may help to buffer marine ecosystems from destabilizing stresses and could lead to higher rates of productivity in locations where whales aggregate to feed and give birth. Whales have been shown to play an important role in the maintenance of healthy marine ecosystems. In addition to the various biological contributions whales make, they have an inherent cultural and biodiversity value, and can render ecosystem services and economic security for coastal communities through their ecotourism potential. **WWF welcomes this draft resolution and recommends Contracting Governments to support since the protection of whales can also contribute to increasing fish productivity, which is where food security efforts should really be focused.**

## Response to the Independent Review of the IWC

The ICRW was signed in 1946. The Secretariat and the Commission have worked for more than 70 years to ensure the IWC and its subsidiary bodies are functioning in the service of implementing the Convention. However, there is an identified need to step back and reevaluate how that is being done and where improvements can be made. **WWF welcomes this draft resolution and recommends**

**Contracting Governments support these efforts to improve governance and accountability. Specifically, WWF would highlight the following recommendations from the Independent Review: allocation of core budget for the Conservation Committee, appointment of a Head of Conservation, establishment of compliance mechanisms, improvement of internet resources and communications, cooperation with other organizations (i.e. FAO, CITES, CMS, IMO), and improvement of NGO participation.**

### Special Permit Programmes

WWF welcomes the Report of the Standing Working Group on Special Permit Programmes **IWC/67/16**, as well as the expertise provided by the Scientific Committee. It is clear that the Government of Japan did not make a significant effort to address the recommendations of the Expert Panel for NEWREP-A, NEWREP-NP or JARPN II, as not even 1/3 of any of those recommendations were fully addressed. The information provided by Japan did not justify the need for lethal sampling in NEWREP-A or NEWREP-NP, nor was there sufficient information to make that determination for JARPN II. **WWF strongly encourages Contracting Governments to endorse the report and its recommendations and urges Japan to immediately halt their so-called “scientific” whaling program in line with Resolution 2014-5.**

### Critically Endangered Small Cetaceans

WWF is extremely concerned about the conservation status of several small cetaceans worldwide, in particular the impact of bycatch on these animals. Therefore we would like to highlight the following populations of concern and the recommendations made by the Scientific Committee in its latest report:

#### Vaquita

The Scientific Committee has been very clear “either gillnetting in the Upper Gulf ends or the vaquita will be gone - the second entirely preventable cetacean extinction that the Committee will have witnessed in the last ten years”. Given the imminent danger of the vaquita going extinct, WWF recommends that:

- (1) the Governments of Mexico, United States and China take urgent and coordinated measures to stop the fishing, trade and consumption of totoaba products;
- (2) Mexican authorities must strictly enforce the gillnet ban in vaquita habitat to avoid any further reduction in vaquita numbers due to bycatch.
- (3) the immediate removal of all active and ghost gillnets from the range of the vaquita;
- (4) Mexican fisheries authorities give high priority to expeditiously implement vaquita-safe fishing technologies under the advice of the newly-created Expert Committee on Fishing Technologies for the Upper Gulf of California;
- (5) Fisheries that do not negatively impact vaquita should be closely monitored and regulated to ensure no illegal activities occur behind these operations, therefore securing a long-term sustainable livelihood for fishers and their families.

#### Māui Dolphin

Again the Scientific Committee drew attention to the inadequacy of bycatch mitigation measures, and reiterated that the highest priority should be given to eliminating bycatch, including closures of any fisheries that are known to pose a threat to Maui dolphins. **WWF requests the IWC uphold the SC request that, rather than seeking further scientific evidence, it is of highest priority to take immediate management actions that eliminate bycatch of Māui dolphins. This includes full closures of any fisheries within the range of Māui dolphins that are known to pose a risk of bycatch of small cetaceans (i.e. set net and conventional trawl fisheries). WWF additionally recommends that the New Zealand Government work with fishers to support their transition where possible to dolphin-safe fishing methods within Māui dolphin habitat.**

## River Dolphins

The Committee agreed that **“the situation facing South Asian river dolphins is a matter of grave concern and requires immediate attention”**, especially in India with the National Waterways Act (2016). WWF supports the initiative of establishing a Small Cetacean Task Team to provide urgent assistance and we suggest that this Team covers *Platanista gangetica* minor considering various water infrastructure development projects are at an advance planning stage on the Indus River e.g Indus River Cascade Project under China Pakistan Economic Corridor.

### Irrawaddy Dolphin

WWF opposes the proposed constructions of Sambor and Stung Treng Hydropower Dams and we also strongly opposes transboundary translocation river dolphins due to high risks of failure. For the first time in 20 years, the Mekong river dolphins population has shown sign of recovery and increased by 15% in the last population survey in 2017. WWF and its partners commit to working with government of Cambodia to find alternative energy options to address energy need for economic development”.

**WWF proposes notification of protected area for the Mahakam subpopulation of the Irrawaddy dolphin.**

## Ship Strikes

Ship strikes are a growing threat to large whale populations across the globe, particularly as new shipping routes open in Arctic waters as sea ice continues to retreat. Maritime traffic globally is expected to double in the next two decades, generating a proportional increase in pressure and potential impacts on cetaceans. Therefore mitigation measures such as vessel speed reduction, areas to be avoided and anti-collision systems should be considered in areas of high risk.

**WWF strongly supports the efforts of the IWC to address the issue of ship strikes and we encourage 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, particularly in areas that are important habitats for threatened cetacean species.**

## Conservation Committee

Since its establishment in 1946 the International Whaling Commission (IWC) has evolved into the primary body for cetacean conservation and research, including within its remit issues from ship strikes, bycatch and entanglement, to the establishment of whale sanctuaries. It has also progressed to formally recognize the need for its engagement in the conservation small cetaceans. Given this logical evolution of the IWC and the subsequent growth in the Conservation Committee (CC) agenda, **WWF strongly supports the proposal for annual meetings of the CC, as well as the related recommendations in the Independent Review to allocate resources for the CC from core budget and to appoint a Head of Conservation within the Secretariat staff. We also strongly encourage Contracting Governments to endorse the Strategic Plan for Bycatch and the Bycatch Mitigation Initiative (BMI) Workplan and to allocate core budget to support the BMI, given the significance of the bycatch threat to cetacean populations across the globe.**



#### Why we are here

To stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature.  
wwf.panda.org