

**WWF POSITION STATEMENT**  
**62<sup>nd</sup> INTERNATIONAL WHALING COMMISSION MEETING**  
**Agadir, Morocco, June 2010**

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, strong social or cultural ties to whaling; where products are for local consumption only; and with a precautionary management scheme in place to ensure such activities are sustainable and do not threaten whale populations.

This position statement includes comments on several but not all of the issues facing the IWC.

**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 and supports the efforts made by the Chair and the Vice Chair of the IWC to "*improve the conservation and management of whale populations.*" However, while we respect the Chair's motivation in seeking to bring whaling back under the IWC's control, WWF believes that the current "Proposed Consensus Decision to Improve the Conservation of Whales," as contained in document IWC/62/7rev, requires significant revision if it is to be to the benefit of whale conservation.

WWF has outlined in a joint statement with Greenpeace and the Pew Environment Group six fundamental elements that are essential for inclusion in any final decision. These 6 elements are:

- (i) No whaling (commercial or other) in the Southern Ocean Whale Sanctuary
- (ii) No international trade in whale products
- (iii) Full use of the published version of the RMP (tuning level 0.72) for all catch limits set by the Commission, and formal incorporation of the RMP into the IWC Schedule
- (iv) No whaling of species or populations listed by IUCN as threatened
- (v) No use of Article VIII ('scientific whaling')
- (vi) A commitment that all governments will refrain from the use of objections.

A full outline of these 6 elements, in English, Spanish and French, can be found at [www.panda.org/iwc](http://www.panda.org/iwc). Additional comments on the use of science in the Proposed Decision, the revision of Article VIII, and the Southern Ocean Whale Sanctuary, are provided below:

***SCIENCE AND THE CHAIR'S PROPOSED DECISION***

Of particular concern to WWF is the full and proper use of the scientific resources available to the Commission in its decision making. It is critical to ensure that any agreed catch limits are calculated by the IWC Scientific Committee (SC) using the IWC's Revised Management Procedure (RMP, the IWC SC's agreed procedure for determining precautionary and sustainable catch levels), with 0.72 tuning level. Anything less would be a step back for the IWC, would void nearly a decade of work by the IWC SC, and would irreparably destroy any perception that the IWC is a credible science-based organization.

The current proposed consensus decision mentions the RMP, but leaves it ambiguous as to whether the RMP would actually be used for the calculation of catch limits. The proposed catch levels in Table 4 of the proposed decision are not derived from the RMP, and are in some cases substantially greater than what the RMP would allow. Furthermore, the RMP rules specify that catch limits are to be calculated by the IWC SC, are to be set for a maximum of 5 years, and revert to zero on expiry unless renewed.



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On May 7, the IWC Secretariat posted a press release (revised May 11th) which states that “the Scientific Committee’s extremely conservative Revised Management Procedure would be applied immediately where possible, and within the 10-year period, where not.” However, the Proposed Decision itself contains no concrete mechanism to ensure that this would happen, and leaves it unspecified as to when or how this provision is to be implemented, or by whom. It is important to note that once catch limits have been written into the Schedule, it would require a subsequent Schedule amendment (requiring the support of  $\frac{3}{4}$  of IWC Governments) to alter the catch limits.

The UK government has submitted formal text for the adoption of the RMP into the Schedule which would resolve the ambiguity by providing that upper limits on allowed catches be calculated in advance by the IWC SC for all the whale stocks in question, using the official, published version of the RMP.

In the interests of transparency and the precautionary principle, WWF believes that any Proposed Decision that is adopted at this meeting **must base any quotas on genuine RMP numbers calculated in a verifiable and transparent manner by the IWC SC, as specified in the agreed RMP rules. Furthermore, also in accordance with the RMP, catch limits should not be set for periods in excess of five years. Finally, the UK’s proposed text to incorporate the RMP into the Schedule must be adopted as part of the Proposed Decision.**

#### ***ARTICLE VIII AND THE CHAIR’S PROPOSED DECISION***

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, 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 therefore believes that if a Proposed Decision is to be adopted, the Working Group which would be established to ‘examine reform of the Commission’ must address as a priority the removal of Article VIII from the Schedule.** 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.

#### ***SOUTHERN OCEAN WHALE SANCTUARY***

The Southern Ocean 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 livelihood 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>1</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 of 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 Proposed Decision does not set catch limits for whaling in the Southern Ocean.

#### **SMALL CETACEANS**

More than 85% of cetacean species are ‘small cetaceans’, and many of these species are in a critical condition, such as the critically endangered Vaquita, numbering just 150 individuals. Small cetaceans face a growing number of anthropogenic threats. Hundreds of thousands of small cetaceans die each year through bycatch and direct hunts, with other human induced threats such as habitat degradation, sonar activities, shipping, climate change and pollution also taking their toll. Many small cetaceans are migratory, inhabiting the EEZs of several nations, and the

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<sup>1</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)



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threats they face such as pollution and bycatch are similarly international in nature. Therefore international oversight, management and protection are needed for all cetaceans, not only the great whale species.

However small cetaceans suffer from a severe lack of data and information (58% of small cetacean species are classified as ‘data deficient’ by IUCN, meaning that there is not enough information to determine whether they are threatened or not), and are much less well protected by international conventions than large whales (for example, only 48% of small cetacean species are covered by the Convention on Migratory Species, compared to 87% of the great whale species).<sup>2</sup>

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. For example, we are particularly concerned that any limitation placed on pelagic or ‘scientific’ whaling by Japan would do nothing to alleviate, and might even worsen, the pressure on populations of small cetaceans that are already being subjected to unsustainable takes in Japan’s coastal waters, such as the Dall’s porpoise. The quadrupling of the Dall’s porpoise catch in the late 1980s, soon after the moratorium on commercial whaling was put in place, is one indication of the link between whaling and small cetacean hunts. If the IWC is to become an effective body, it must embrace the principles of Ecosystem Based Management and consider the impact of its decisions on a broader range of species than great whales alone.

WWF therefore supports and welcomes document IWC/62/CC11 submitted by the governments of Belgium and Switzerland, entitled “Small cetaceans and the IWC: A contribution to the discussions of the ‘Future of the IWC.’” **WWF urges all Contracting Governments to support the recommendations in this document, in particular the recommendation that a Commission Sub-Group on Small Cetaceans be established.**

## **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>3</sup> and the specific impacts of climate change on the whales of the Antarctic.<sup>4</sup> WWF welcomes the IWC SC workshop on climate change and cetaceans, which took place in 2009, and looks forward to the IWC SC’s planned workshop on climate change and small cetaceans.

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 livelihood benefits generated from whale and dolphin watching activities. **WWF urges the IWC SC, 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>5</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>6</sup>

<sup>2</sup> For more information on the conservation status and protection levels afforded to small cetaceans, see WWF report: “*Small cetaceans: the forgotten whales*” available at [www.wwf.org.au/publications/wwf-smallcetsreport/](http://www.wwf.org.au/publications/wwf-smallcetsreport/)

<sup>3</sup> See ‘Whales in Hot Water’ <http://assets.panda.org/downloads/climatechange16ppfinallo.pdf>

<sup>4</sup> See ‘Icebreaker’ [http://assets.panda.org/downloads/english\\_final\\_proof\\_final.pdf](http://assets.panda.org/downloads/english_final_proof_final.pdf)

<sup>5</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://www.wwf.panda.org/what\\_we\\_do/endangered\\_species/cetaceans/cetaceans/iwc/resources/?I66824/ETPcetaceansAdaptationoClimateChange](http://www.wwf.panda.org/what_we_do/endangered_species/cetaceans/cetaceans/iwc/resources/?I66824/ETPcetaceansAdaptationoClimateChange)

<sup>6</sup> See IWC resolutions 2005-3, 2004-1, 2001-3



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WWF is extremely concerned about potential disturbances to the WGW in their critical feeding habitat during the summer of 2010. It is well understood in the scientific community that noise from seismic surveys are a serious threat to whales. This summer, two seismic surveys are planned in the area of WGW feeding habitat. One (4-D seismic survey, Astokh / Sakhalin Energy) will be undertaken early in the open-water season, before many whales have arrived in the feeding area, and will be undertaken with a full mitigation and monitoring programme intended to minimize the risk of damage to the whale population. The plan was developed with the Western Gray Whale Advisory Panel (WGWAP), a panel of eminent cetacean scientists established to ensure the conservation and recovery of the WGW population. A second 3-D seismic survey (Rosneft Lebedenskoie) will take place after the first survey, just as whales are arriving to feed in near-shore waters. There is no evidence that a similarly precautionary approach has been taken in planning this survey, which has significant potential for disturbing feeding and nursing. It is understood that the survey will last through much of the critical feeding season for the whales, including the females and their calves. The WGWAP are “extremely concerned that the Lebedinskoe survey, without the kind of robust mitigation and monitoring planned for the Astokh survey, could result in serious damage to the survival and recovery of WGWs”<sup>7</sup> and concluded that “postponement of the Lebedinskoe survey until at least 2011 is necessary and appropriate.”

**WWF calls on the Government of Russia to postpone the Lebedinskoe survey, and support the establishment of a Sakhalin Marine Federal Wildlife Reserve along the Piltun Spit for the protection and monitoring of critical grey whale habitat. WWF calls on the other Contracting Governments to the IWC, in particular those Governments which are range states of WGW, to support Russia in its conservation efforts for this species.**

#### **ECONOMICS OF WHALING**

The IWC is generally concerned with the sustainability of whaling, but another important consideration, particularly in the current climate of global financial crisis, is the economic viability of the industry. A WWF report on the economics of whaling<sup>8</sup> revealed that in Norway and Japan (the two countries assessed), whaling is financially marginal and at present highly dependent on subsidies. In this time of global economic crisis, the use of valuable tax dollars on the propagation of what is most likely an economically unviable industry is neither strategic, sustainable, nor an appropriate use of limited government funds. These considerations should be taken into account by Contracting Governments engaged in whaling operations.

#### **SHIP STRIKES**

Ship strikes are a growing threat to whale population across the globe, and can also cause significant damage to vessels and injury to passengers. WWF thoroughly supports the work of the IWC Ship Strikes Working Group which is making significant progress in quantifying the problem, and developing mitigation measures. WWF is working as part of the Working Group with Wallenius Wilhelmsen Logistics (WWL), a major shipping company, to ensure crews are informed and aware of ship strikes and how to mitigate them. **WWF urges all IWC Contracting Governments to continue to engage with and support the Ship Strikes Working Group.**

#### **CONCLUDING REMARKS**

The IWC is at a crossroads—the world is watching, and the integrity of the IWC is in the balance. WWF stands ready to work with governments to find the best possible solutions for the conservation of whales and other cetaceans. In that spirit, **WWF strongly urges governments to fully integrate input from civil society (NGOs) into all of their deliberations - for it is the people of the world and citizens of all 88 member states that will stand in judgment of the decisions and compromises reached.**

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<sup>7</sup> WGWAP letter to Russian Ministry of Natural Resources and Environment, 19<sup>th</sup> April 2010  
[http://cmsdata.iucn.org/downloads/wgwap\\_letter\\_to\\_gizatulin\\_190410.pdf](http://cmsdata.iucn.org/downloads/wgwap_letter_to_gizatulin_190410.pdf)

<sup>8</sup> [http://assets.panda.org/downloads/economics\\_whaling\\_summ\\_report\\_final\\_1.pdf](http://assets.panda.org/downloads/economics_whaling_summ_report_final_1.pdf)