

1991-Appendix 2
Resolution on Special Permit Catches by Japan
in the Southern Hemisphere

WHEREAS the Commission has considered the Report of the Scientific Committee IWC/43/4 concerning the results of the Japanese catches of minke whales in the Southern Hemisphere described in SC/43/Mi11, the proposed catch in 1991/92 described in SC/43/Mi19, and the responses in SC/42/SHMi9 and SC/43/Mi19 of the Government of Japan to earlier criticisms of the research programme arising in the Scientific Committee's reports (IWC/39/4; Report of Special Meeting Cambridge 1987, IWC/40/4, IWC/41/4, IWC/42/4);

WHEREAS the Commission has encouraged Contracting Governments to base their research programmes to the maximum extent possible on non-lethal methods (*Rep. int. Whal. Commn* 42: 70) and the Government of Japan has made important contributions to the development of non-lethal whale population assessment methods especially through sightings surveys conducted under the IWC/IDCR programme of Southern Hemisphere Minke Whale Assessment Cruises;

WHEREAS the Government of Japan, through its various modifications to the original research programme, including those outlined in SC/43/Mi19, has attempted to address the concerns expressed by the Scientific Committee in its earlier reports;

WHEREAS the Commission takes cognizance of Article VIII of the International Convention for the Regulation of Whaling, under which the granting by any Contracting Government to its nationals of a Special Permit authorising the killing, taking, or treatment of whales for purposes of scientific research remains the responsibility of each Contracting Government, exercising its sovereign rights in respect of maritime areas under its jurisdiction and freedom of the high seas;

Now, THEREFORE, the Commission

CONSIDERS; taking into account the comments of the Scientific Committee; that the proposed take of minke whales in the Southern Hemisphere described in SC/43/Mi19 does not fully satisfy the criteria specified in both the 1986 Resolution on Special Permits for Scientific Research and the 1987 Resolution on Scientific Research Programmes in that the proposed research is not structured so as to contribute information presently required for the management of these stocks, though it addresses general research needs;

INVITES the Government of Japan to reconsider the proposed research under special permit in 1991/92 in the light of the above.

1991-Appendix 3
Resolution on USSR Proposal for Special Permit
Catches in the North Pacific

WHEREAS the International Whaling Commission adopted in 1986 a Resolution on Special Permits for Scientific Research (*Rep. int. Whal. Commn 37: 25*) and in 1987 a Resolution on Scientific Research Programmes (*Rep. int. Whal. Commn 38: 27*);

WHEREAS the Commission takes cognizance of Article VIII of the International Convention for the Regulation of Whaling, under which the granting by any Contracting Government to its nationals of a special permit authorising the killing, taking or treatment of whales for purposes of scientific research remains the responsibility of each Contracting Government, exercising its sovereign rights in respect of maritime areas under its jurisdiction and freedom of the high seas;

WHEREAS an assessment of the Western North Pacific stock of minke whales under the Comprehensive Assessment has been undertaken at the 1991 meeting of the Scientific Committee which showed that whales from a Protected Stock, the Sea of Japan, Yellow Sea, East China Sea minke whale stock, might be taken in the Okhotsk sea;

WHEREAS Article VIII of the Convention requires *inter alia* a Contracting Government to report at once to the Commission authorisations of special permits it has granted;

Now, THEREFORE, the Commission

CONSIDERS; taking into account the comments of the Scientific Committee; that the proposed kill of minke whales in the North Pacific described in SC/43/O11 does not satisfy the criteria specified in both the 1986 Resolution on Special Permits for Scientific Research and the 1987 Resolution on Scientific Research Programmes in that the proposed research is not structured so as to contribute information essential to the rational management of these stocks and that it has not been established that the research addresses important research needs;

REQUESTS the Government of the Union of Soviet Socialist Republics to refrain from proceeding with the proposed kill of minke whales until the proposed research programme is revised in accordance with the criteria specified in the 1986 and 1987 resolutions and the Scientific Committee and Commission have concluded a review of the programme as revised.

1991-Appendix 4 Resolution on the Revised Management Procedure

WHEREAS the International Convention for the Regulation of Whaling recognises the interest of the nations of the world in safeguarding for future generations the great natural resources of the whale stocks;

WHEREAS Schedule paragraphs 10(a) to 10(c) proved to be deficient in several important respects, particularly with regard to the expected advice which the Scientific Committee was unable to provide in the face of uncertainty over the status of stocks, and which, therefore, often left the Commission without adequate advice on classifications and catch limits;

WHEREAS the Commission as a consequence of these deficiencies adopted paragraph 10(e) of the Schedule, and committed itself to the undertaking of a Comprehensive Assessment of the effects of its decision;

WHEREAS the Commission has determined at its forty-first Annual Meeting that the objectives for a revised management procedure to replace paragraphs 10(a) to 10(c) should be:

- (i) stability of catch limits which would be desirable for the orderly development of the whaling industry,
- (ii) acceptable risk that a stock not be depleted (at a certain level of probability) below some chosen level (e.g. a fraction of its carrying capacity), so that the risk of extinction is not seriously increased by exploitation;
- (iii) making possible the highest possible continuing yield from the stock.

WHEREAS the Scientific Committee as part of the Comprehensive Assessment has been developing a range of revised management procedures to overcome the deficiencies of the management procedure specified in Schedule paragraphs 10(a) to 10(c), and has now provided the Commission with its advice;

NOW THEREFORE the Commission having considered the advice of the Scientific Committee;

DECIDES to accord the highest priority to the management objective (ii) regarding an acceptable risk that a stock shall not be depleted below some chosen level;

ACCEPTS the Scientific Committee's recommendation for the C procedure as the core single stock management procedure for baleen whales upon which further development of the Revised Management Procedure shall proceed;

AGREES that its Revised Management Procedure shall at least incorporate the following elements;

1. Commercial whaling shall only be permitted for populations in areas and seasons for which catch limits are in force. These catch limits shall have been calculated by the Scientific Committee, and forwarded to and approved by the Commission in conformity with all the provisions of the Revised Management Procedure. Catch limits for all other populations in all areas and seasons shall be zero.
2. The "high tuning" level of 0.72 shall be adopted.
3. To permit depleted stocks (i.e. stocks below 54% of the unexploited level) to recover to more productive levels, catch limits under the Revised Management Procedure shall only be greater than zero in cases when the stock is determined to be above 54% of its unexploited level.

AGREES to review the third element described immediately above at the next annual meeting of the Commission in the light of advice to be sought from the Scientific Committee on the probability of whaling being inadvertently allowed under the proposed Revised Management Procedure when stock levels are significantly below the protection level of 54%;

OBSERVES that the existing C procedure on base case simulation trials with the "high tuning" ensures that:

1. Catch limits set for stocks with population levels as low as 60% of the unexploited level will be such that the stocks will continue to remain above 54% of the unexploited level with a 95% certainty.
2. Catch limits will vary by no more than 20% per year, except in cases where reductions greater than that amount are necessary.

REQUESTS the Scientific Committee to consider and provide further advice on the minimum standards for data, including coverage and methodology for sighting surveys, analytical techniques and acceptable levels of precision.

RESOLVES to continue with due diligence the development of the programme of work set out by the Scientific Committee in IWC/43/4. In particular, the Commission calls upon the Scientific Committee to address the development of multi-stock management procedures.

1991-Appendix 5

Resolution on Small Cetaceans

The International Whaling Commission,

- **Recalling** the resolution on small cetaceans adopted at its 42nd Annual Meeting, in which it expressed its concern at the severe reductions of certain stocks of small cetaceans through directed exploitation and incidental catches in fishing operations;
- **Recalling** also its request in that resolution to the Scientific Committee to commence a process of drawing together information on the stocks subjected to significant directed and incidental takes, and on the impact of those takes on the stocks; and to present to the 43rd Annual Meeting a report on the work undertaken to date together with such scientific advice as may be warranted;
- **Aware** that there exist differences in views between member states on the regulatory competence of the IWC with regard to small cetaceans, and noting that this resolution does not seek in any way to prejudice different members' positions;
- **Conscious** of the sovereign rights of coastal states, as set out in the United Nations Convention on the Law of the Sea, and recalling also the provisions of Article 65 of that Convention;
- **Noting** that the Scientific Committee has prepared an initial review of the status of a number of stocks which confirms that many stocks are severely threatened and puts forward carefully considered scientific advice on ways to address this serious situation;
- **Taking account of** the fact that the Scientific Committee has identified a number of stocks for which further investigation is required, and that some stocks could not be reviewed because of a lack of information;
- **Bearing in mind** the Commission's decision in its 1990 resolution to present a report on the work carried out under the terms of that resolution to the 1992 United Nations Conference on Environment and Development;

Now, therefore:

1. **Commends** the Scientific Committee for the work carried out to date;
2. **Requests** the Scientific Committee to continue this work, including those stocks of small cetaceans subject to significant directed and incidental takes which were not reviewed this year;
3. **Requests** those Contracting Governments which have not yet provided appropriate information to make every effort to do so;
4. **Requests** the Secretary to forward to contracting and non-contracting governments, intergovernmental organisations and other entities as appropriate, copies of the relevant sections of the Scientific Committee's report on small cetaceans, at the same time drawing their attention to any particular scientific advice contained therein and offering more detailed advice if that should be sought;
5. **Further requests** the Secretary to forward the report on small cetaceans and the relevant sections of the Scientific Committee's report to the Secretariat of the United Nations Conference on Environment and Development at the earliest possible date after the close of this annual meeting.