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CIRCULAR COMMUNICATION TO MEMBERS OF THE SCIENTIFIC COMMITTEE  
IWC.SC.80

**Outcome and follow-up to IWC/54**

Judy Zeh, outgoing Chair of the Scientific Committee (SC), has asked that the attached information be circulated to the members of the SC.

Dr. Nicky Grandy  
Secretary to the Commission

# Outcome and Follow-up to IWC/54

JUDY ZEH, OUTGOING CHAIR OF THE SCIENTIFIC COMMITTEE

## SCIENTIFIC COMMITTEE PRIORITIES, STRUCTURE AND BUDGET

### Scientific Committee Report

Many of you may not have seen items 19-21 and Annex S of the SC Report. These items describe Committee priorities and initial agenda for the 2003 meeting, data processing and computing needs for 2002/2003, and funding requirements for 2002/2003 respectively. Annex S gives e-mail correspondence groups and their terms of reference. You can find these, and the complete Scientific Committee Report and Annexes, on the IWC web site ([http://www.iwcoffice.org/SCWEB/sc\\_2002.htm](http://www.iwcoffice.org/SCWEB/sc_2002.htm)). Please check the latest version of Annex S and if you wish to join any of the Working Groups, please contact Clare Last directly ([clast@iwcoffice.org](mailto:clast@iwcoffice.org)).

### Next year's meeting dates

The 2003 SC meeting (SC55) will be in Berlin, Germany. As part of the Commission's attempt to reduce its budget, the Committee meeting will be one day less than this year. There will be a 2-day North Atlantic minke whale *Implementation Review* meeting (probably on 24 and 25 May 2003) before the main meeting that may continue during the week of the sub-committees. The Committee meeting will probably be from 26 May – 6 June. The Commission working groups will probably take place between 7 and 14 June and the Commission meeting itself will be from 16-19 June. The final dates will be circulated by the Secretariat in due course and will be included on the website.

### Initial agenda and sub-committees

As you will see from Item 19, the sub-committee and working group structure is similar to the structure used during SC54.

With the completion of the Comprehensive Assessment of North Atlantic humpback whales at SC54, the name of the H sub-committee has been changed to SH. It will be convened by Childerhouse, who served ably as chair of the Working Group on Southern Hemisphere humpback whales at SC54. The SH sub-committee will deal with Southern Hemisphere whales other than Antarctic minke whales, leaving the IA sub-committee free to complete its work on minke whale abundance. SH focus for SC55 will be on Southern Hemisphere blue and humpback whales. Northern Hemisphere whale stocks will be considered by *ad hoc* working groups or existing sub-committees at SC55, as appropriate. The Convenors agreed to retain the working groups on sanctuaries, convened by Zerbin, and scientific permits, convened by Bjørge, although their workload at SC55 should be lighter than at SC54. Reilly will replace DeMaster as Convenor of E, and Pastene will replace Zeh as Convenor of DNA.

As noted below, at the Commission meeting, the Committee was asked to specifically comment on management implications of restricting whaling to within 200 miles of whaling nations' coasts. This is important enough to mandate a working group under RMP; Hammond will convene this group.

In the next few months, the Convenors will be working to refine the initial agenda. Any suggestions you may have regarding the agenda should be e-mailed to your new Chair ([Douglas.DeMaster@noaa.gov](mailto:Douglas.DeMaster@noaa.gov)).

### Budget

Table 10 under Item 21 gives the reduced budget of £282,845 agreed by the Committee in plenary discussions. Unfortunately for the Committee, the Commission opted for attempting to balance its budget mainly by reductions in expenditure. A number of cuts were made, including the amount allocated to research funding that was reduced to £243,445 for 2002/2003. The Committee was warned to expect a further reduction in the research budget for 2003/2004, to £217,600. After consulting with the available Convenors, I specified the following reductions to achieve the total allocated for 2002/2003. SOWER circumpolar cruise was reduced to £68,000; the amount removed is roughly the cost of the acoustics component, and it was hoped that a national government might offer to fund this – in fact, work is already underway to make up this shortfall. Also under IA, the amount available for (1) the development/application of BBM model/spatial models was reduced to £6,000 and (2) the evaluation of standard methods/other analyses was reduced to £2,000. Under E, SO-GLOBEC was reduced to £15,000 and POLLUTION 2000+ to £5,000. In all these cases, the final reduced

amounts specified were believed to be the minimum that would allow any work at all to continue in these areas. Member governments were urged to provide additional support to these important projects. Finally, a reduction to £20,000 for invited participants was necessary to meet the Commission's reduced allocation. However, the Netherlands and Mexico pledged contributions for invited participants from developing countries. The Committee may therefore still be able to fund more such invited participants for intersessional meetings and/or SC55. The other items in Table 10 remain unchanged, and the rest of the Committee's report was noted and its recommendations adopted.

Another positive development regarding funding is one you heard about in Circular IWC.ALL.57 regarding a pledge of US\$75,000 from WWF to the IWC Voluntary Fund for Small Cetaceans. Further details will be provided in due course.

## **COMMISSION DECISIONS**

In the remainder of this note, other Commission decisions relevant to our work are outlined. The press release on the IWC website (<http://www.iwcoffice.org/2002PressRelease.htm>) provides further details on the Commission meeting.

### **Sanctuaries**

You have all, no doubt, heard that neither the South Atlantic nor the South Pacific Sanctuary was adopted. The Southern Ocean and Indian Ocean sanctuaries remain unchanged. I believe the Committee conducted a fair, thorough, and scientific review of the Indian Ocean Sanctuary. However, the discussion following my presentation of the Committee's review was quite contentious, with some Commissioners complaining because the SC failed to reach consensus on some points. The Commission passed a resolution (2002-1, attached) instructing the Committee to include two additional principles in future sanctuary reviews: (1) Temporary overlap of management measures, for example paragraph 10(e) of the Schedule and a Sanctuary, cannot be used to invalidate any longer-term scientific and conservation value of a given Sanctuary; and (2) The application of the Precautionary Approach shall be determined in accordance to Principle 15 of the 1992 Rio Declaration (This states: 'In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.').

### **RMS**

Little direct progress was made on the Revised Management Scheme (RMS), but the Commission agreed that a private Commissioners'/Alternate Commissioners' meeting should take place in October 2002 to attempt to resolve disagreements on a number of broad issues. Should sufficient progress be made, an 'Expert Drafting Group' will be designated at that meeting and instructed regarding the drafting of text to be considered at IWC/55 for incorporation of the RMS into the Schedule. The Committee was asked to comment on the management implications (in terms of yield and risk) of restricting commercial whaling by any nation to within 200 miles of its coast. This will be handled by a Working Group at the next meeting (see above).

### **Aboriginal subsistence whaling**

The most notable events during the Commission meeting involved aboriginal subsistence whaling. The Bowhead SLA was endorsed and adopted, but the Commission wanted to give further consideration to the Aboriginal Whaling Scheme itself. Aboriginal catch limits for gray whales and for the Greenland and Bequia subsistence hunts were approved, but the bowhead quota request fell one vote short of the  $\frac{3}{4}$  majority needed for amending the Schedule. Aside from the political issues related to this decision, scientific issues were raised by two governments. The government of Japan raised the concern that because the BCB stock of bowhead whales was listed as an endangered species under US law, a 5-year quota was inappropriate. The government of Antigua and Barbuda commented on possible uncertainty in stock structure of this species. My response to both of these concerns was to note that they were not considered important by the Committee and that there were no scientific reasons why a 5-year block quota at the levels proposed could not be accepted.

### **Administrative matters**

A number of items affecting the Committee came up under the Commission's agenda item on administrative matters.

Japan made a proposal to admit the press to all meetings of the Commission and its Committees and sub-committees except the Finance and Administration Committee, the Advisory Committee, and the Budgetary

Sub-committee. Japan made clear that this could include admitting the press to the Scientific Committee plenary. The proposal was discussed, but no vote was taken. Japan indicated that it might raise this issue again in the future. We may wish to comment on this proposal at our next annual meeting.

The SC Rule of Procedure A.6 (i) regarding participation of developing country scientists was approved by the Commission and will be in effect for SC55.

Given the requirement for 60 days notice regarding rule changes, our suggested changes to our Rules of Procedure regarding appointment of a new SC Chair and Vice-Chair (Annex Q of IWC/54/4, the SC report) could not be adopted before SC55. Some Commissioners were concerned that in case a secret ballot was requested, only the nominee that was chosen would be reported, not the vote count. This issue was referred back to the Committee for further consideration since the need for an election was unlikely to arise during our next two meetings. It is my view that the SC54 decision regarding this issue was the correct one, and it saddens me that some Commissioners seem determined to encourage political battles in the SC. It is my fondest hope as outgoing Chair that the Committee will remain the community of scientists seeking the best scientifically based advice for the Commission of which I have always been so proud to be a member.

**Resolution 2002-1**

**GUIDANCE TO THE SCIENTIFIC COMMITTEE ON THE SANCTUARY REVIEW PROCESS**

RECALLING that amendments to the Schedule, including the establishment of Sanctuaries, require criteria for their periodic review by the Scientific Committee.

CONVINCED that the establishment of Sanctuaries for conservation purposes represents an integral part of best management practices for wildlife in general.

NOTING that sanctuaries were established and have been maintained for a number of reasons, of which scientific considerations, although important, should not be definitive in the validation process. When considering scientific arguments for sanctuary evaluation, if consensus is not possible, then a precautionary approach should prevail.

RECALLING FURTHER that since 1995, the IWC has recognised the need for a broader understanding of environmental changes and threats affecting whale stocks in the Antarctic marine ecosystem and recommended the application of precautionary principles in their discussions. On several occasions there was consistent support within the SC (2002) for the precautionary approach, specially when dealing with Arctic and Antarctic resource management. (SC/54/IA7, IA11, IA15, SC/54/E3, E11, E16, SC/54/IA7, IA11, IA18, SC/54/BRG4).

RECOGNISING that if there is no consensus on specific issues within sanctuaries, the Precautionary Approach should limit the negative impacts of environmental uncertainty (e.g. effects of climate change over sea-ice dynamics and feeding habitat accessibility and unforeseen problems in the RMP to the other regions where it was applied). In such cases, currently established sanctuaries complement the provisions of paragraph 10 e) of the Schedule as an integral management strategy.

TAKING INTO ACCOUNT that sanctuaries of appropriate spatial and temporal scales are consistent with the practice of establishing large-scale areas closed to harvest as essential components of best management practices. These no-take regions should therefore be regarded independently of any other management actions or the provisions of paragraph 10(e) of the Schedule to the Convention. The long-term provisions and dimensions of an individual sanctuary depend on factors other than those determining the Commission's short-term management policy.

NOW, THEREFORE, THE COMMISSION:

INSTRUCTS the Scientific Committee that, in reviewing Sanctuaries, it includes the following principles in addition to those in the Instructions from the Commission to the Scientific Committee for Review of Sanctuaries approved by the 53<sup>rd</sup> Annual Meeting.

- 1) Temporary overlap of management measures, for example Para 10(e) of the Schedule and a sanctuary, cannot be used to invalidate any long-term scientific and conservation value of a given Sanctuary.
- 2) The application of the Precautionary Approach shall be determined in accordance to Principle 15 of the 1992 Rio Declaration.