

Draft Resolution for IWC 64  
Highly migratory cetaceans in the high seas

**Submitted by Monaco**

1. *Noting* that the overwhelming majority of marine cetacean species currently recognized by the IWC are highly migratory species and thus critically dependent on international cooperation for their conservation and management;
2. *Noting* that Articles 65 and 120 of the United Nations Convention on the Law of the Sea (UNCLOS) require States to cooperate with a view to the conservation of marine mammals and, in the case of cetaceans, to work through the appropriate international organizations for their conservation, management and study both within and beyond the exclusive economic zone;
3. *Concerned* that efforts by coastal and island States to protect these migratory species depend upon effective conservation efforts on the high seas;
4. *Recalling* that, due to a divergence of views among IWC Parties over the taxonomic coverage of the ICRW, only 38 highly migratory species of cetacean are included in the ICRW Schedule, without addition of any further species in the last 35 years;
5. *Regretting* that most countries engaged in whaling have a policy of not providing data to the IWC Scientific Committee on cetacean species which in their view are not covered by the ICRW;
6. *Expressing deep concern* that current catches of cetaceans in the world's oceans - with the single exception of those meeting aboriginal subsistence whaling quota - are taken without agreed limits;

**NOW therefore the Commission:**

7. *Calls the attention* of the international community to the circumstance that significant unregulated catches of highly migratory species of cetaceans continue to take place;
8. *Invites* Contracting Parties to consider this issue in collaboration with the United Nations General Assembly, with a view to contributing to the conservation efforts of the IWC.

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3. *Concerned* that efforts by coastal and island States to protect these migratory species depend upon effective conservation efforts on the high seas;
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6. *Expressing deep concern* that current catches of cetaceans in the world's oceans - with the single exception of those meeting aboriginal subsistence whaling quota - are taken without agreed limits;

**NOW therefore the Commission:**

7. *Calls the attention* of the international community to the circumstance that significant unregulated catches of highly migratory species of cetaceans continue to take place, ~~including within the IWC Southern Ocean Sanctuary;~~
8. *Invites* Contracting Parties to consider this issue in collaboration with the United Nations General Assembly, with a view to contributing to the conservation efforts of the IWC.