

**66<sup>th</sup> Meeting of the International Whaling Commission**

**ABORIGINAL SUBSISTENCE WHALING SUB-COMMITTEE**

09.00 – 12.30 Hrs

Thursday 20 October 2016 at the Grand Hotel Bernardin, Portorož, Slovenia.

PROVISIONAL AGENDA  
and annotations

1. INTRODUCTORY ITEMS

- 1.1. Appointment of Chair
- 1.2. Appointment of Rapporteur [Greg Donovan, Secretariat, is proposed]
- 1.3. Review of Documents
- 1.4. Observer participation

2. ADOPTION OF AGENDA

3. REPORT OF THE AD-HOC ABORIGINAL SUBSISTENCE WHALING WORKING GROUP

*At IWC/63 in 2011 the Commission endorsed a recommendation to form an Ad Hoc Aboriginal Subsistence Whaling Working Group (ASWWG). The group's terms of reference are to identify and consider unresolved ASW issues, including inter alia those identified in the 2011 report of the ASW Sub-committee. This item will allow the Sub-committee to hear the report of the ASWWG.*

*Of particular interest this year will be the report of the IWC's Expert Workshop on Aboriginal Subsistence Whaling which took place in Maniitsoq, Greenland in September 2015.*

*Additionally, and at the request of the Chair of the ASW Sub-committee and the Chair of the ASW working group, an external invited expert (Dr Dalee Dorough) will provide an update on recent developments on indigenous people's rights at other inter-governmental organisations. Dr Dorough is an Expert Member of the United Nations Permanent Forum on Indigenous Issues and is Associate Professor at the Department of Political Science at the University of Alaska.*

- 3.1. Report of the Ad Hoc Aboriginal Subsistence Whaling Working Group
- 3.2. Report of the Expert Workshop on Aboriginal Subsistence Whaling
- 3.3. Invited Speaker on Indigenous People's Rights
- 3.4. Discussion and Recommendations (including work plan)

4. ABORIGINAL SUBSISTENCE WHALING MANAGEMENT PROCEDURE

*In 2014, through Resolution 2014-4, the Commission emphasised the need to regulate ASW in the future through a more consistent and long term approach. This Resolution inter alia requested the Scientific Committee to give high priority to all AWMP-related activities.*

*The Commission has set objectives for the management of aboriginal subsistence whaling. These objectives were agreed in Resolution 1994-4 and they are to:*

- a) Ensure that the risks of extinction to individual stocks are not seriously increased by subsistence whaling;*
- b) Enable aboriginal people to harvest whales in perpetuity at levels appropriate to their cultural and nutritional requirements, subject to the other objectives; and*

- c) *Maintain the status of stocks at or above the level giving the highest net recruitment and to ensure that stocks below that level are moved towards it, so far as the environment permits.*

*Resolution 1994-4 further resolves that highest priority shall be accorded to the objective of ensuring that the risk of extinction to individual stocks are not seriously increased by subsistence whaling.*

*The Scientific Committee responded to these objectives by developing an ASW management procedure. This procedure ensures that the level of proposed ASW catches are safely within the Commission's objectives.*

*This item allows the Scientific Committee to update the Commission on its work to develop the management procedure approach for subsistence whaling. This procedure involves the development of Strike Limit Algorithms (SLAs), and it is these algorithms that establish the sustainability of proposed hunts according to the Commission's objectives.*

*To date the Scientific Committee has completed four long term SLAs, one for bowhead whales in the Bering-Chukchi-Beaufort Seas, a second for gray whales in the eastern North Pacific, a third for humpback whales off West Greenland and a fourth for bowhead whales off West Greenland. Work continues to develop SLAs for the other stocks which support the Greenland hunt.*

#### 4.1. Progress with Strike Limit Algorithms for Greenland Subsistence Whaling.

*The development of Strike Limit Algorithms is more complex for the Greenland hunt than for other aboriginal whaling. This is partly because the Greenland hunt is multi-species and therefore targets different stocks, and partly because the structure of the individual stocks are themselves more complex. The multi-species requirement arises in Greenland because of the need for flexibility amongst species in meeting its subsistence needs.*

*Recognising these factors, in 2008 the Commission adopted a recommendation from the Scientific Committee to use an interim approach for setting catch limits. The Scientific Committee advise this approach is safe and valid for up to two quota blocks, i.e. until 2018. The interim approach has been simulation tested in the same way as for a normal Strike Limit Algorithm, but not for as full a range of scenarios.*

*The Scientific Committee has continued to work on establishing long term advice for the Greenlandic hunts and this item allows it to report progress.*

4.1.1. Report of the Scientific Committee. See Item 8.1 of IWC/66/Rep01 (2016)

4.1.2. Discussion and Recommendations

#### 4.2. Implementation Review for gray whales

*The Commission adopted a Strike Limit Algorithm (SLA) for gray whales taken by Russia and potentially also by the USA in 2002. Although SLAs generate long term advice, the Scientific Committee reviews their validity at regular intervals (usually every five years) to ensure no new information is available that would require further testing. These reviews are called Implementation Reviews.*

*An Implementation Review for gray whales was completed in 2010 for the Russian hunt off Chukotka, Siberia, supplemented by the provision of advice in 2013 for a potential hunt of gray whales by the Makah tribe on the west coast of the USA.*

*The Scientific Committee also agreed that the next Implementation Review should not occur until the completion of the range wide assessment of gray whales which began in 2013. This item allows the Committee to report on its progress on preparing for the next Implementation Review.*

4.2.1. Report of the Scientific Committee. See Item 9.1.3 IWC/66/Rep01(2016)

4.2.2. Discussion and Recommendations

## 5. ABORIGINAL WHALING SCHEME (AWS)

*The purpose of the Aboriginal Whaling Scheme is to manage several practical issues including survey intervals, carry over, data collection etc. The Scientific Committee views the Scheme as constituting an important and necessary component of safe management under the management procedure discussed in Item 3 above.*

*This item allows the Scientific Committee to report its ongoing progress on the Aboriginal Whaling Scheme.*

5.1. Report of the Scientific Committee. See Item 8.2 of IWC/66/Rep01 (2016)

5.2. Discussion and Recommendations

## 6. ABORIGINAL WHALING SUBSISTENCE CATCH LIMITS

*Size and duration of catch limits for Aboriginal Whaling are set out at paragraph 13 of the Schedule to the International Convention for the Regulation of Whaling.*

*In 2012 catch limits were re-established for a period of six years for stocks of bowhead whales in the Bering-Chukchi-Beaufort Seas, gray whales in the eastern Pacific and humpback whales off St. Vincent and The Grenadines. In 2014 the Commission re-established catch limits for stocks of whales around Greenland for a period of four years. Accordingly catch limits for all stocks are established until 2018.*

*Some of the catch limits described in the Schedule are subject to annual review by the Commission in light of advice from the Scientific Committee. Other provisions are subject to review if new scientific data becomes available.*

### 6.1. Bering-Chukchi-Beaufort Seas stock of bowhead whales (annual review)

6.1.1. Report of the Scientific Committee. See Item 9.2, IWC/66/Rep01 (2016)

6.1.2. Discussion and Recommendations

### 6.2. North Pacific Eastern stock of gray whales (annual review)

6.2.1. Report of the Scientific Committee. See Item 9.1, IWC/66/Rep01 (2016)

6.2.2. Discussion and Recommendations

### 6.3. Common minke whale stocks off Greenland (annual review)

*This item includes advice for common minke whale stocks off both West and East Greenland.*

*For the common minke whale catch limits from the West Greenland stock the Schedule states the provision will 'be reviewed if new scientific data become available within the 4 year period and if necessary amended on basis of the advice of the Scientific Committee'.*

*For common minke whale catch limits off East Greenland the Schedule does not make a provision for review of this quota and so the item is included in case there are any relevant Scientific Committee comments or recommendations.*

6.3.1. Report of the Scientific Committee. See Items 9.3 and 9.4, IWC/66/Rep01 (2016)

6.3.2. Discussion and Recommendations

#### 6.4. West Greenland stock of fin whales

*For this stock no provision for annual review included in the Schedule so this item is included in case there are any relevant Scientific Committee comments or recommendations.*

6.4.1. Report of the Scientific Committee. See Item 9.5, IWC/66/Rep01 (2016)

6.4.2. Discussion and Recommendations

#### 6.5. West Greenland stock of bowhead whales

*For bowhead whales of West Greenland, the Schedule states that 'this provision will be reviewed if new scientific data become available within the 4 year period and if necessary amended on the basis of the advice of the Scientific Committee'.*

*This item includes an opportunity for the Commission to discuss information received from the Government of Canada in respect of their catches of bowhead whales from the same stock.*

6.5.1. Information from the Government of Canada. See Item 9.7, IWC/66/Rep01 (2016)

6.5.2. Report of the Scientific Committee. See Item 9.7, IWC/66/Rep01 (2016)

6.5.3. Discussion and Recommendations

#### 6.6. Humpback whales off West Greenland.

*For humpback whales off West Greenland the Schedule states that the provision will 'be reviewed if new scientific data become available within the remaining quota period and if necessary amended on the basis of the advice of the Scientific Committee'.*

6.6.1. Report of the Scientific Committee. See Item 9.6, IWC/66/Rep01(2016)

6.6.2. Discussion and Recommendations

#### 6.7. North Atlantic humpback whales off St. Vincent and The Grenadines

*The Schedule does not make a provision for annual review of this quota so the item is included in case there are any relevant Scientific Committee comments or recommendations.*

6.7.1. Report of the Scientific Committee. See Item 9.8, IWC/66/Rep01 (2016)

6.7.2. Discussion and Recommendations

### 7. STATUS OF THE VOLUNTARY FUND

At IWC65 in 2014 the Commission agreed to establish a dedicated Aboriginal Subsistence Whaling fund. This item will provide an update on the status of the fund.

### 8. ADOPTION OF THE REPORT

*The Chair will propose adopting the report by correspondence.*

## **TERMS OF REFERENCE**

The terms of reference of the Aboriginal Subsistence Whaling Sub-committee are to consider relevant information and documentation from the Scientific Committee, and to consider nutritional, subsistence and cultural needs relating to aboriginal subsistence whaling and the use of whales taken for such purposes, and to provide advice on the dependence of aboriginal communities on specific whale stocks to the Commission for its consideration and determination of appropriate management measures (*Rep. Int. Whal. Commn* 48: 31)

## **ADMISSION OF OBSERVERS**

### *Rule of Procedure C.2*

2. Observers accredited in accordance with Rule [of procedure] C.1.(a) and (b) are admitted to all meetings of the Commission and the Technical Committee, and to any meetings of Committees and all subsidiary groups of the Commission and the Technical Committee, except the Commissioners-only meetings, meetings of the Bureau and closed meetings of the Finance and Administration Committee.

## **SPEAKING RIGHTS FOR OBSERVERS**

### *Rule of Procedure C.3*

3. Observers accredited in accordance with rule C.1.(a) and (b) will have speaking rights during Plenary sessions and sessions of Commission subsidiary groups and Committees to which they are admitted to under C.2, in accordance with the Rules of Debate of the Commission. Observers might also submit documents for information to the delegations and observers participating in such sessions, provided these are submitted through the Secretariat at least 48 hours before the session in which they are intended to be made available, and are duly authored or endorsed by the accredited organisation making the submission, which is to be held responsible for its contents.

### *Rules of Debate Paragraph A*

#### **A. Right to Speak**

1. The Chair shall call upon speakers in the order in which they signify their desire to speak, with the exception of accredited Observers, which should be allowed to speak only after all Commissioners desiring to speak do so. As a general rule, Observers will only be allowed to speak once at each Agenda item under discussion, and at the discretion of the Chair.