

## Opening Statement

# 66<sup>TH</sup> INTERNATIONAL WHALING COMMISSION (IWC) MEETING

Slovenia 20-28 October 2016



*WWF would like to congratulate the IWC on its 70<sup>th</sup> Anniversary and, in view of the moratorium's 30 years of existence, we highlight the important steps the IWC has taken to improve the conservation and management of whales through its work on entanglement, ship strikes, ocean noise, climate change, and dedicated efforts to conserve endangered populations of large whales as well as small cetaceans. We are also pleased by the steps taken to again allow civil society organisations to contribute to the discussions around the issues all of us are working to address. IWC66 provides a unique opportunity for the IWC to address the increasing threat of bycatch and strandings with dedicated work streams and we will support these efforts in whatever way we can.*

### Bycatch (CC05)

Accidental entanglement in fishing gear has long been recognized by scientists and policy makers around the globe as the most pervasive human-induced threat to cetaceans, causing a minimum of 300,000 cetacean deaths annually. While many studies point to a direct link between declining cetacean population numbers and interactions with fishing gear, much less has been done to determine how to prevent or mitigate cetacean bycatch. The International Whaling Commission, as the primary international body addressing cetacean conservation and management, is in a prime position to take the lead in a global effort to effectively reduce fisheries-related mortality and injury to whales and dolphins. **WWF welcomes document CC05 and urges all IWC Contracting Governments to engage in the development of the bycatch reduction work-stream. We strongly encourage the implementation of cetacean bycatch prevention and mitigation measures in national and international waters, particularly in critical habitats for threatened populations.**

*For further information, please refer to our factsheet "Cetacean bycatch and the IWC".*

### Whaling under Special Permit

The International Court of Justice (ICJ) ruled in March 2014 that Japan's 'JARPA II' programme of scientific whaling in the Antarctic during 2005-2014 was not in accord with the Whaling Convention (ICRW) that established the IWC and is therefore illegal. The ruling cited that Japan's whaling in the Southern Ocean was not for purposes of scientific research, and was therefore "commercial" whaling, in contravention of various IWC decisions, including the moratorium on commercial whaling and the declaration of the Southern Ocean Whale Sanctuary.

In spite of the above, Japan began whaling again under the pretence of science in the Antarctic in the 2015-2016 season, disregarding [resolution 2014-5](#) approved at the last IWC meeting, which clearly states "that no further special permits for the take of whales are issued under existing research programmes or any new programme of whale research until: the Commission has, in accordance with Article VI, made such recommendations on the merits or otherwise of the special permit programme as it sees fit." At the IWC SC66a, 42 scientists from 18 countries made a very clear statement: "we do not consider that there is any scientific justification for collecting lethal samples until it is demonstrated that the information collected is necessary and reasonable in accordance with the guidelines in Resolution 2014-5 adopted by the Commission".

**WWF therefore believes that proposals for lethal whale research that do not contribute to the conservation and management of whales responding to a clear need established by the Commission, should be condemned and treated as infractions.**

### Improving the Review Process for Whaling under Special Permit (66-11)

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This resolution intends to establish a small Working Group of the Commission to consider reports and recommendations of the Scientific Committee with respect to all the new, ongoing and completed special permit programmes, where the Contracting Government proposing or responsible for the special permit programme will only be eligible to participate as an observer.

**WWF welcomes this draft resolution, but asks Contracting Governments to strengthen it by enforcing resolution 2014-5 and emphasizing the findings of the ICJ, where special permits for scientific purposes cannot depend on the perception of the proponent state and no permits should be granted in whale sanctuaries established by the IWC.**

### South Atlantic Whale Sanctuary

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No less than 54 species of cetaceans inhabit the waters of the South Atlantic Ocean. Seven of these (blue, fin, sei, common minke, Antarctic minke, humpback and southern right whales) are highly migratory baleen whales that feed in the Antarctic and Sub Antarctic oceans during summer and breed in tropical, subtropical and temperate waters in winter and spring. The proposal for the creation of the South Atlantic Whale Sanctuary (SAWS) represents the legitimate interests of southern hemisphere countries to offer permanent protection to these whale populations that benefit coastal communities through whale watching activities and non-lethal research. The Scientific Committee agreed *“that an adequate review of the scientific aspects of the SAWS proposal had been performed and that a new review... would not be needed”* (IWC SC 2016).

**WWF supports the proposal to create the South Atlantic Whale Sanctuary, and requests the suspension of “scientific” whaling in these areas that have been protected to avoid hunting activities.**

*Please refer to the “Joint Statement on the South Atlantic Whale Sanctuary proposal and the resolution on Special Permit whaling”.*

### Food Security (66-12)

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This resolution contains several policy goals to which most IWC contracting countries are already committed through various international agreements and declarations. For this reason, the resolution is unnecessary and out of context in the IWC.

**WWF does not believe that whale meat is the answer to food security issues; the problem is much broader and greater consideration should be given to improved fisheries management measures and better distribution of resources that allow for increased access to good nutrition where it is needed.**

### Cetaceans and Ecosystem Services (66-15)

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Assuring the recovery of great whales may help to buffer marine ecosystems from destabilizing stresses and could lead to higher rates of productivity in locations where whales aggregate to feed and give birth. Whales have been shown to play an important role in the maintenance of healthy marine ecosystems. In addition to the various biological contributions whales make, they have an inherent cultural and biodiversity value, and can render ecosystem services and economic security for coastal communities through their ecotourism potential.

**WWF welcomes this resolution and recommends strong support. Since the protection of whales contributes to a healthy marine environment, it is important for fish and people.**

*For further information please read the “Whales are Vital for Marine Ecosystem Health” factsheet.*

## Minamata Convention (66-14)

WWF commends the adoption of the Minamata Convention on Mercury and encourages Contracting Governments to adhere to it, as well as to increase collaboration between the IWC and this convention to contribute to the reduction of mercury pollution in cetaceans and the marine environment.

## Japanese Coastal Whaling

Any proposal to create a new category of whaling undermines the spirit and intent of the whaling moratorium and should be rejected. It would also create an exemption to the finding of the ICJ (paragraphs 228-233) that there is currently no category of whaling that falls outside Article VIII, paragraph 1, or Schedule paragraphs 13 or 10(e). Additionally, Japan's proposed coastal whaling would be conducted where endangered inshore, or "J-Stock," minke whales mix with the less vulnerable but still depleted offshore "O-Stock" minke whales and it is impossible to tell one from another. The endangered J stock of minke whales numbers approximately 900 animals and is already threatened by bycatch and ongoing takes from special permit whaling.

## Critically Endangered Small Cetaceans

WWF is extremely concerned about the conservation status of several small cetaceans worldwide and, in particular, the impact of bycatch on these animals. For this reason we welcome the decision to include small cetaceans in the terms of reference of the Non-deliberate Human-Induced Mortality Working Group. We also welcome the creation of task teams for intersessional action for particularly threatened species, operating simultaneously and reporting back progress to the Scientific Committee.

WWF strongly supports the Scientific Committee recommendation "*that no small cetacean removals (live capture or directed harvest) should be authorised for any population until a complete and up-to-date assessment of sustainability has been completed*" (IWC SC Report 2016). We would like to highlight the following populations of concern and the recommendations made by the Scientific Committee in its latest report:

## Vaquita

The Scientific Committee has been very clear "**either gillnetting in the Upper Gulf ends or the vaquita will be gone - the second entirely preventable cetacean extinction that the Committee will have witnessed in the last ten years.**" Given the imminent danger of the vaquita going extinct, WWF recommends:

- (1) the Governments of Mexico, the United States and China take urgent and coordinated measures to stop the fishing, trade and consumption of totoaba products;
- (2) Mexican authorities close immediately and permanently all gillnet fisheries in the habitat of the vaquita, and strictly and effectively enforce the ban throughout the year to avoid any further reduction in vaquita numbers due to bycatch. Affected fishers should be compensated accordingly;
- (3) the immediate removal of all active and ghost gillnets from the range of the vaquita;
- (4) Mexican fisheries authorities prioritize the expeditious implementation of vaquita-safe fishing technologies, in particular the small trawl net for shrimp, under the advice of the newly-created INAPESCA/ WWF Expert Committee on Fishing Technologies for the Upper Gulf of California;
- (5) Fisheries that do not negatively impact vaquita should be closely monitored and regulated to ensure no illegal activities occur under the guise of these operations, therefore securing a long-term sustainable livelihood for fishers and their families.

## Māui Dolphin

Again the Scientific Committee concluded “*that existing management measures in relation to bycatch mitigation fall short of what has been recommended previously and expresses continued grave concern over the status of this small, severely depleted subspecies*”.

**WWF again requests the IWC uphold the SC request that, rather than seeking further scientific evidence, it is of highest priority to take immediate management actions that eliminate bycatch of Māui dolphins. This includes full closures of any fisheries within the range of Māui dolphins that are known to pose a risk of bycatch of small cetaceans (i.e. set net and trawl fisheries).**

## Franciscana

WWF supports the Scientific Committee conclusion that the franciscana is a good candidate to be put forward for the Conservation Management Plan (CMP) process, as well as the recommendation to monitor bycatch and assess the extent and other characteristics of fisheries in the franciscana’s range as high priorities.

*For further information on other critically endangered small cetaceans, please read WWF’s Position Statement.*

## Ship Strikes

WWF strongly supports the efforts of the IWC to address the issue of ship strikes and we encourage all IWC Contracting Governments to continue to engage with and support the Ship Strikes Working Group and to develop ship strike mitigation regulations for cetaceans in national and international waters, particularly in areas that are important habitats for threatened cetacean species.

## Ocean Noise

WWF encourages all IWC Contracting Governments to phase in increasingly strict noise level standards for all noise-producing activities and seek ways to address and reduce the underlying demand for noise producing activities so that their occurrence can be reduced to the greatest extent possible.

## The Future of the IWC

Since its establishment in 1946 the International Whaling Commission (IWC) has evolved into the primary body for cetacean conservation and research, including within its remit threats from ship strikes, chemical and noise pollution, to the establishment of whale sanctuaries, and the development of standards for whale watching operations. It has progressed to fill the void beyond that of the great whales by now formally including small cetaceans within its mandate.

**This is the “Future of the IWC”: a multilateral environmental agreement focused on the conservation of all of the world’s cetaceans, ensuring their full recovery throughout cetacean’s historic range and fulfilling their role in maintaining the integrity of the ocean ecosystems.**

