

Appendix 5

RESOLUTION ON SPECIAL PERMIT CATCHES BY JAPAN IN THE SOUTHERN HEMISPHERE

WHEREAS the Commission has considered the Report of the Scientific Committee IWC/44/4 concerning the results of the Japanese catches on minke whales in the Southern Hemisphere described in SC/44/SHB10 and SC/44/SHB11, the proposed catch in 1992/93 described in SC/44/SHB14, and the responses 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 and IWC/43/4);

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* 40: 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/44/SHB14 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/44/SHB14 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 research needs;

INVITES the Government of Japan to continue to reconsider and improve the proposed research under special permit in 1992/93 in the light of the above.