

**Annual Report of the International Whaling Commission 2001
53rd Annual Meeting, 2001**

**Resolution 2001-4
Resolution on the incidental capture of Cetaceans**

NOTING that the problem of the incidental capture of non-target species in fishing gear is a problem of international proportions, and is the subject of serious concern within a number of international agreements, including the Convention on Migratory Species,

RECOGNISING that the problem of by-catch of cetaceans has been discussed by the IWC for over twenty years,

RECALLING IWC Resolution 2000-8 (on the North Atlantic Right Whale) and 2000-9 (on fresh water cetaceans),

ACKNOWLEDGING that the problem of by-catch may prove critical for some species,

NOW THEREFORE, THE COMMISSION

COMMENDS the work of the Scientific Committee on the Estimation of By-catch and Other Human-Induced Mortality;

URGES all members to contribute fully to the Committee's further work on this matter;

REQUESTS the Scientific Committee to provide to the 54th Annual Meeting of the Commission a summary of its work in recent years on the most feasible methods to mitigate the incidental capture of large cetaceans in fishing gear, and ways in which entangled large cetaceans may be removed from fishing gear with minimal risk to rescuers;

RECOMMENDS that all Contracting Parties make reasonable attempts to release alive, with the minimum harm possible, whales that have been incidentally captured.

If the whale cannot be released alive, the Commission recommends that:

- (a) There shall be no commercial exchange of incidentally-captured whales for which no catch limit has been set by the Commission;
- (b) If an incidentally-captured whale is subject to a catch limit awarded under the RMP, and the sovereign government wishes to permit commercial exchange for that whale, then:
 - (i) A DNA sample must be forwarded to the appropriate diagnostic register;
 - (ii) The incidental capture must be counted against the overall quota for that species or stock.