

Resolution 2005-1

RESOLUTION ON JARPA II

AWARE that Article VIII of the International Convention for the Regulation of Whaling allows Contracting Governments to grant Special Permits for the purpose of scientific research on whales;

RECALLING that since the moratorium on commercial whaling came into force in 1985/86, the IWC has adopted over 30 resolutions on Special Permit whaling in which it has generally expressed its opinion that Special Permit whaling should: be terminated and scientific research limited to non-lethal methods only (2003-2); refrain from involving the killing of cetaceans in sanctuaries (1998-4); ensure that the recovery of populations is not impeded (1987); and take account of the comments of the Scientific Committee (1987).

ALSO RECALLING Resolution 2003-3 that no additional Japanese Whale Research Program under Special Permit in the Antarctic (JARPA) programs be considered until the Scientific Committee has completed an in-depth review of the results of JARPA;

FURTHER RECALLING that earlier this year the Government of Japan concluded JARPA - an 18-year program of whaling under Special Permit in Antarctic waters;

NOTING that the results of the JARPA program have not been reviewed by the Scientific Committee this year;

CONCERNED that more than 6,800 Antarctic minke whales (*Balaenoptera bonaerensis*) have been killed in Antarctic waters under the 18 year of JARPA, compared with a total of 840 whales killed globally by Japan for scientific research in the 31 year period prior to the moratorium;

NOTING that it is the Government of Japan's stated intention to more than double the annual catch of Antarctic minke whales and also take 50 fin whales (*B. physalus*) and 50 humpback whales (*Megaptera novaeangliae*) under the proposed JARPA II program;

NOTING that the Third Circumpolar Survey indicates that the abundance of Antarctic minke whales is substantially lower than the earlier estimate of 760 000, and that the Scientific Committee is working to identify factors contributing to the differences between the two surveys;

CONCERNED that there are no agreed data to indicate that endangered fin whale populations have increased since the cessation of whaling;

ALSO NOTING that some humpback whales which will be targeted by JARPA II belong to small, vulnerable breeding populations around small island States in the South Pacific and that even small takes could have a detrimental effect on the recovery and survival of such populations;

ALSO CONCERNED that JARPA II may have an adverse impact on established long-term whale research projects involving humpback whales;

NOW THEREFORE THE COMMISSION:

REQUESTS the Scientific Committee to review the outcomes of JARPA as soon as possible; and

STRONGLY URGES the Government of Japan to withdraw its JARPA II proposal or to revise it so that any information needed to meet the stated objectives of the proposal is obtained using non-lethal means.

Resolution 2005-2

RESOLUTION ON FACILITATING CLOSER COOPERATION AMONG THE RANGE STATES TO EXPEDITE THE SIGHTING SURVEY ON THE MINKE WHALES OFF KOREAN PENINSULA

RECOGNISING THAT the common minke whale stock migrating off Korea, Russia, China and Japan should be conserved and managed appropriately, and that the Scientific Committee is now preparing the in-depth assessment for this stock;

NOTING THAT the spatio-temporal coverage of the past research on this stock for a population assessment was restricted and that data and samples for stock identification are still insufficient;

NOTING THAT the Commission has classified this stock as a "Protected Stock" and a comprehensive assessment has not been conducted during the past twenty years;

NOW THEREFORE THE COMMISSION:

WELCOMES a workshop for non-lethal research collaboration on this stock to be held in Ulsan early in 2006 to be hosted by the Republic of Korea and encourages all range states and other interested parties to participate in the workshop;

REQUESTS the relevant countries that have unsurveyed waters under their jurisdictions to conduct cooperative non-lethal scientific research for the 2006 surveys;

RECOMMENDS THAT scientists from range states and other countries to collaborate in association with the IWC Scientific Committee and harmonize efforts to develop a research program and conduct analysis of data, and that funds to be provided.

Resolution 2005-3

RESOLUTION ON THE WESTERN NORTH PACIFIC GRAY WHALE

RECALLING Resolution 2001-3, which *inter alia* called on range states and others to actively pursue all practicable actions to eliminate anthropogenic mortality and minimize anthropogenic disturbance to the western gray whale population; and Resolution 2004-1, which *inter alia* called upon range states to develop or expand national monitoring and research programmes on western gray whales;

WELCOMING the report of the Independent Scientific Review Panel (ISRP) set up by IUCN, to which the IWC Secretariat contributed, the work carried out under the Russian national program, and the work carried out under the Russia-US program;

WELCOMING the cooperation between Sakhalin Energy Investment Corporation Ltd (SEIC) and IUCN to address the potential impacts of their oil and gas activities on western gray whales;

WELCOMING the desire to re-route the planned platform-to-shore oil and gas pipelines around instead of through the gray whale feeding ground off Piltun Lagoon;

REMAINING CONCERNED that noise generated during the pipeline, platform emplacement and onshore construction in the coming season will impinge upon the Piltun feeding ground;

ENCOURAGED by the finding of the Review Panel that the population of Western Gray Whales appears to have increased over the period 1994-2003, even using low abundance estimates; but

CONCERNED that the Review Panel found that the population includes less than 30 reproductive females, and that one population model using the lowest abundance level of all presented found that a hypothesised additional death of just one female whale per year could drive the population to extinction before 2050;

NOTING WITH CONCERN that, despite the efforts by the Japanese authorities and peoples concerned not to disturb the animal and release it from entanglement, a female gray whale was drowned in a set net in Tokyo Bay on May 10, 2005;

NOW THEREFORE THE COMMISSION:

CALLS upon range states to take all practical measures to avoid all anthropogenic mortality, and in particular to develop and implement strategies to prevent accidental deaths;

CALLS UPON all organisations concerned with oil and gas projects to take all practicable measures to ensure that received noise levels in the Piltun feeding ground are reduced to a minimum and are in accordance with any future recommendations of the IWC Scientific Committee;

SUPPORTS the ISRP proposal for a comprehensive strategy to save western gray whales and their habitat;

FURTHER CALLS UPON all organisations, range states, authorities, scientists and other stakeholders concerned with developments in the waters around Sakhalin Island to support the efforts to develop a framework for collaborative research, monitoring and mitigation efforts between oil companies, independent experts, national programmes and authorities and the IWC and other intergovernmental organisations, and that they share all relevant data collected;

REQUESTS the Secretariat continue to offer its services and scientific expertise to appropriate collaborative efforts to develop a comprehensive strategy and ensure continued effective monitoring of the population.

Resolution 2005-4

RESOLUTION TO ADVANCE THE RMS PROCESS

THE COMMISSION:

AGREES to hold an intersessional meeting to advance the work of the Working Group on the Revised Management Scheme (RMS) and that of the Small Drafting Group, as established by Resolution 2004-6, with particular emphasis on any outstanding issues and taking as a starting point the Group's report to this Commission (IWC/57/RMS 3).

AGREES to hold a meeting of the RMS Working Group in connection with IWC 58 to discuss the remaining issues that must be resolved before adoption of the RMS can be considered.

AGREES to consider, if appropriate, ministerial, diplomatic, or other high-level possibilities to resolve these issues among the Contracting Governments to the Convention.

Agreed

**PROPOSAL FOR A WORKSHOP ON WHALE KILLING METHODS AND ASSOCIATED WELFARE
ISSUES AT IWC58**

RECALLING that the scientific Workshop on Whale Killing Methods and Associated Welfare Issues held prior to IWC55 in 2003, adopted a Revised Action Plan that encourages the IWC to hold a further scientific and technical workshop in 3-5 years;

NOTING that the Revised Action Plan on Whale Killing Methods, as noted in the Chair's report of the 2003 Workshop, recommends continued improvements in data collection and reporting; technical development of killing methods, and criteria and methods to determine death;

RECOGNISING that the Chair's report of the 2003 Whale Killing Methods and Associated Welfare Issues scientific workshop surmises that penthrite grenade technology represents the current state of 'best practice' for a primary killing method;

RECOGNISING the inherent importance of safety for whaling vessel crews in all proposals to improve whale killing methods;

NOTING that the Working Group on Whale Killing Methods and Associated Welfare Issues agreed to convene a workshop meeting at IWC 58;

NOW THEREFORE THE COMMISSION:

AGREES the following Terms of Reference for the Workshop on Whale Killing Methods and Associated Welfare Issues at IWC 58;

The Workshop shall build on advances from previous years to consider the following issues and make recommendations as appropriate:

1. Practical criteria for determining the onset of irreversible insensibility and death;
2. Means of improving the efficiency of whale killing methods;
3. Reducing times to death and other associated welfare issues;
4. Means for reducing struck and lost rates in whaling operations;
5. The welfare implications of methods used to kill whales caught in nets where they are not released alive;
and
6. Practicable methods of reviewing and collecting data from aboriginal hunts

Safety issues for the crew members of whaling vessels shall be taken into account in all proposals regarding improvements to existing and new methods, and gear, e.g. killing methods for whales caught in nets. Cost issues for aboriginal subsistence hunters shall also be taken into account.

In considering these issues the Workshop shall have regard, inter alia, to data furnished to the Working Group on Whale Killing Methods and Associated Welfare Issues and also to relevant comparative data from the killing of other large mammals.

Agreed

TERMS OF REFERENCE FOR COMPLIANCE WORKING GROUP

- (1) To explore ways to strengthen compliance by analyzing the range of possible legal, technical, and administrative measures available to the Commission which are consistent within the ICRW.
- (2) To explore possible mechanisms to monitor and possibly address non-compliance of contracting governments consistent with the ICRW and international law.