

OUTSTANDING ISSUES IN RELATION TO RMS

I. Draft revision of Chapter V of the Schedule (Supervision and Control)

Basis: doc. IWC/49/RMS 1 submitted by Government of Japan.

Comments and proposed amendments received up to 31 March 1998:

SECTION A: COMMON ELEMENTS FOR NATIONAL INSPECTION SCHEMES

A2: Proposal by Norway to make distinction between pelagic and coastal whaling operations

A3: Proposal by US to add:

- requirement that whaling countries maintain individualized DNA records for each whale taken;
- requirement that national inspectors record time to death for each whale taken.

Proposal by UK to include requirement for all contracting governments which intend to authorise commercial whaling operations to have in place appropriate enforcement legislation and an effective administrative framework (in lieu of specification of duties of national inspectors).

A4: Proposal by Norway to modify system of automatic and continuous tracking.

Proposal by New Zealand to prescribe satellite transponders automatically providing position fixes to the IWC twice daily.

SECTION B: INTERNATIONAL OBSERVATION SCHEME

B general:

Proposal by UK to include:

- IWC registration of all whaling vessels and approved land stations;
- whale meat only to be landed at registered land stations;
- automatic reporting to IWC (with appropriate safeguards) via satellite of whaling vessels positions;
- all strikes (including struck and lost) to be reported on at least a daily basis to the IWC;
- complete details of strikes to be fully reported, including times of death, number of harpoons, means of secondary killing;
- observers to report immediately any suspected infractions to IWC and relevant government;
- international observers to have powers to conduct spot checks on all land based whaling facilities and on all points in the wholesale/retail chain for whale products;
- vessel trips, landings and trans-shipment records kept to verify catches and full records kept by registered land stations of all whales processed;
- full records of whale products to be kept at all stages of the marketing and distribution chain; consideration should be given to basing this on a DNA-register;
- the costs of the supervision and control scheme to be borne by the whaling industry in countries with a commercial whaling quota.

Proposal by New Zealand to provide for DNA testing to track whale products through domestic and international markets, free access to DNA registries and random surveys of markets by independent agencies.

B2: Proposal by Norway to distinguish between pelagic and coastal whaling operations.

Proposal by US to modify as follows: at least one IWC observer on each factory ship and at each land station and one IWC observer on each catcher vessel equipped to flense whales on board.

B3: Proposal by UK to modify language requirement in para. b.

Proposal by Austria, New Zealand and UK to bring para. c.2 into line with para. c.1.

B6: Suggestion by UK to leave it open to governments to permit IWC observers to help enforce their regulations (para. b).

Suggestion by UK to modify para. c in order to avoid jeopardising safety and freedom of observers.

B7: Proposal by Austria to enable observers to document listed items by appropriate means (para. b).

B8: Proposal by New Zealand to provide for real time reporting by observers to IWC of kills and possible infractions and collection of other data relevant to IWC's work, e.g. times to death.

B10: Proposal by US to add that all costs related to activities of IWC observers shall be paid by government having jurisdiction over vessels concerned.

Proposal by New Zealand to provide for costs to be met by the whaling industry, including but not limited to:

- observer training, transport, accommodation and wages;
- administrative costs of Review Panel;
- deployment of satellite transponders on all whaling vessels;
- administrative costs of real-time reporting system at IWC Secretariat.

SECTION C: MEASURES TO ENSURE CATCH LIMITS ARE NOT EXCEEDED

C general:

Proposal by UK to include:

- rules for setting commercial catch limits;
- mechanism for ensuring that commercial catch limits and RMP catch limits (covering all known human induced mortalities) are not exceeded.

Additional comments:

- UK adds that its specific comments are not comprehensive.
- US and NZ suggest IWC panel for review of observers' reports which includes NGO and governmental participants (like in IATTC).
- Argentina stresses importance of inspection and observation scheme conforming with international law, in particular UNCLOS.

II. Scientific aspects (Chairman's report of IWC 49, para. 12.1)

A. Oversight of surveys and data analysis:

- Incorporation into SC Guidelines for surveys of mechanism for SC members participation in surveys designed to obtain estimates for use in RMP;
- Several outstanding questions relating to restrictions on availability of sighting survey and catch data.

B. Genetic database:

- Specification of type of information needed for genetic database.

C. Total catches over time:

- Provision for ensuring that total catches over time are within limits set by RMP (see also under I , C)

D. Carry-over:

- Adoption of addition proposed by SC (SC Report, App. 4, Annex D).

E. Other items related to finalising the RMP and associated guidelines:

- Secretariat to re-code the MANAGE program;
- Once completed, Secretariat to retune the CLA;
- Secretariat to investigate methods to calculate catch limits within CLA more efficiently.

III. Incorporation of the specification of the RMP and the other elements of the RMS into the Schedule

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