

## Annex P

### Statements Relating to Agenda Items 19 and 22

#### ANNEX P1. STATEMENT ON ITEM 22 (WORKING METHODS OF THE COMMITTEE)

T. Smith (verbal), N. Gales, J. Palazzo, S. Childerhouse, M. Donoghue, L. Kell and D. Thiele (associated by)

Some members expressed concern about Japan's unwillingness to support three important aspects of the work of the Scientific Committee:

- (1) refusal to participate in the Intersessional Working Group to review Bryde's whale catch data proposed by the Revised Management Procedure sub-committee (Item 6.4.1), even though the official catch data reported to the IWC for some years in the mid-20<sup>th</sup> century may have been misreported by whaling companies and even though access to company operational summary charts had been arranged;
- (2) refusal to endorse a Whale Bycatch Workshop, proposed by the Working Group on Estimation of Bycatch and other Human-Induced Mortality (Item 7.2.1), despite the higher reports of western North Pacific minke whale bycatch this year;
- (3) withdrawal from the Fisheries Interaction Modelling Workshop, now to be held in La Jolla, California, of the Standing Working Group on Environmental Concerns (Item 12.3.4), explained in part as conflicts with dates,

even though Japan had agreed the 24-27 June 2002 dates as long ago as November 2001.

The lack of participation of Japanese scientists in these activities, which the full Committee adopted and endorsed, would reduce the Committee's ability to complete work on three tasks that Japan had previously indicated strong interest in. These tasks are:

- (1) Implementation of the RMP for western North Pacific Bryde's whales.
- (2) Implementation of the RMP for western North Pacific minke whales.
- (3) Evaluation of the modelling approaches in use in JARPEN II.

Japan's refusal to participate in the above three activities is impairing the Committee's progress on the three tasks listed. This is impairing the Committee's ability to provide advice to the Commission on these matters, and raises the question of the appropriateness of the high priority that the Committee has continued to give to these tasks for several years.

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#### ANNEX P2. STATEMENT ON ITEM 19 (COMMITTEE PRIORITIES AND INITIAL AGENDA FOR THE 2003 MEETING) AND RESPONSE TO ANNEX P1

M. Komatsu

Japan is deeply concerned that the Scientific Committee is increasingly moving away from its primary objective related to the provision of management advice for the sustainable utilisation of large whales to matters of peripheral interest. This problem has been exacerbated by the unnecessary complication of issues beyond that required for provision of advice on, among other things, stock definition and RMP trials. This has led to the unacceptable situation that despite beginning work to implement the RMP for North Pacific minke whales more than 10 years ago, we are still being asked to provide additional data when the provision of such data simply leads to more unnecessary delays, additional hypotheses and more requests for data.

There has also been an increasing dissociation of the Committee's work from science with the result that much of the discussion on important matters has become little more than inappropriate politically motivated discourse. Japan is

also concerned with the increasing attempts by some members to have the Scientific Committee intervene in matters that are the sole responsibility of sovereign states such as the management of small cetaceans and domestic markets. We regret that the functioning of the Scientific Committee has degenerated in this manner that has produced mistrust among scientists and an atmosphere that impedes rather than encourages the progress of good science. We urge Committee members to examine these matters seriously.

- (1) Concerning participation in the Workshop on Methodological/Modelling Techniques to Examine Interactions between Whales and Fish Stocks, Japan has already noted that the proposed change in venue and timing were problematic. We have already noted our view that the Workshop should be held in either Japan or

Norway since these countries have large datasets that will be required for use in models. The major problem however is that the proposed dates conflict with other obligations for Japanese scientists. We regret that the Scientific Committee did not take these concerns into account, and conclude that this matter should be decided by the Commission since the original decision was made by the Commission.

- (2) With respect to Japan's decision not to participate in the Working Group to examine alleged misreporting of catch data in Japanese whaling operations, we have already explained that we do not have access to data that forms the basis of the allegations. For this reason we see

no merit in participating in the Working Group. Japan will however conduct its own investigation of this matter.

- (3) Japan's decision not to participate in the Scientific Committee discussions of small cetaceans is one of the issues that is the subject of the first paragraph of this statement. Small cetaceans are outside the competence of IWC. While we have provided data on small cetaceans in the past on a voluntary basis, it is our experience that this data has been misused and has resulted in increasing attempts to interfere in the management of these stocks that is the sovereign right of Japan.

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### ANNEX P3. STATEMENT IN RESPONSE TO ANNEX P1

L. Walløe

It is my serious opinion that the actions taken by the Japanese scientists and criticised by Smith in his intervention, must be understood on the background of what has happened with the RMP *Implementation* for North Pacific Minke Whales during the last five to six years. In the RMP sub-committee I made the following statement, which is only vaguely reflected in one sentence in the sub-committee Report.

The failure of the IWC Scientific Committee to finalise the RMP *Implementation Trials* and complete the *Implementation* for western North Pacific minke whales after 10 years of work is bound to have serious consequences for the credibility of this Scientific Committee. In an earlier intervention in the sub-committee, a well-respected member of the delegation of a non-whaling nation stated that 'the completion of this *Implementation* carries a substantial political baggage'. I agree, but would like to restate the same opinion in a somewhat more blunt language: The failure to complete this *Implementation* is politically motivated, not

scientifically motivated. I also agree with the delegate quoted above that this *Implementation* could and should have been completed five years ago, based on the knowledge available then. It is implicit in scientific work that our knowledge will never be perfect and complete. That is why we should have *Implementation Reviews* every five years or so. If the *Implementation* for western North Pacific minke whales had been completed in 1997, it would have been time for an *Implementation Review* by now, and some of the more recent hypotheses on stock structures could have been explored in the Review.

To me it is especially disturbing that in this case – and I would like to add: in this case only – some of the senior and usually scientifically serious members of the US delegation to the Scientific Committee have taken part in these politically motivated delay operations.

The Japanese regrettable actions must be understood on this background.

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