

Annex P

Matters Related to Discussions Under Item 17 on Scientific Permits

ANNEX P1

EFFECT OF THE MARCH 11TH EARTHQUAKE AND TSUNAMI ON JARPA II/JARPN II DATA AND SAMPLES

Institute of Cetacean Research

Many of the samples obtained by the JARPA II and JARPN II cruises were stored at freezers in the Pacific coastal city of Ishinomaki and at the marine station of the Institute of Cetacean Research (ICR) in Ayukawa (Miyagi Prefecture). The March 11th earthquake and tsunami caused severe damage in many Pacific coastal towns included Ayukawa and Ishinomaki. The staff of the Ayukawa marine station was found safe but unfortunately several staff members of the Ishinomaki freezer store facilities lost their lives in the tragedy. Apart from the severe damage to infrastructure, instruments, etc., many samples obtained by JARPA II and JARPN II were lost or seriously damaged as an effect of the tsunami. In some cases the laboratory work for samples had been completed before the tragedy so that in those cases the samples were lost but data are available. This Annex summarises the status of the data and samples obtained by JARPA II and JARPN II after the earthquake and tsunami. It should be noted that more work is being conducted to investigate more details of samples and data and this summary can be updated in the future.

JARPA II (Table 1)

Sighting data

Sighting data were stored at ICR Tokyo so all of these data are safe.

Biological data and samples

Biological samples such as baleen plates and ovaries had been kept in Ishinomaki and were lost. Maturity status of females however is available from the examination of ovaries made during the field work.

Most of the genetic tissue samples from Antarctic minke whales were lost. However some DNA samples and some tissue samples stored in alcohol were recovered from the Ayukawa marine station. Others were stored at ICR Tokyo at the time of the tragedy. There is some ongoing work to get more information on the number and quality of the DNA samples recovered.

Genetic tissue samples for other species (biopsies) were lost. Fortunately either DNA samples or DNA data (mtDNA sequences and microsatellite profiles) for southern right and humpback whales were stored at ICR Tokyo at the time of the tragedy.

Data and samples for pollutant analysis

Many tissues samples for pollutant analysis had been kept at Ishinomaki and these were lost.

Oceanographic data

Oceanographic data were stored at ICR Tokyo so all of these data are safe.

Table 1

Status of data and samples obtained by JARPA II (2005/06).

Item	Data or sample	
	Preserved	Lost/damaged
I SIGHTING DATA		
Angle and distance experiment data (no. of experiments)	X	-
Ice edge line	X	-
Photo-id, humpback whale (no. of photographs)	X	-
Photo-id, right whale (no. of photographs)	X	-
Photo-id, blue whale (no. of photographs)	X	-
Sighting data (no of schools)	X	-
Survey effort data (no. of activity of SV/SSVs)	X	-
Weather data (no. of observations of weather)	X	-
II BIOLOGICAL DATA		
Age (ear plug)	X	-
Age (baleen plate)	-	X
Age at sexual maturity (transition phase in EP)	X	-
Sexual maturity (male)	X	-
Sexual maturity (female)	-	X ^{*1}
Corpora albicantia and lutea (number)	-	X
Physical maturity (vertebra)	X	-
Blubber thickness (3 point/14 points)	X	-
Body length	X	-
Body proportion	X	-
Body weight	X	-
Catching date	X	-
Catching location	X	-
Diatom film	X	-
Discovery-type marks recovery	X	-
Foetus, body length	X	-
Foetus, body weight	X	-
Foetus, number	X	-
Foetus, sex	X	-
Freshness of stomach contents	X	-
Girth	X	-
Lactation condition	X	-
Main Prey species in stomach contents	X	-
Mitochondrial DNA control region sequences	-	X ^{*2}
Mitochondrial DNA RFLP-derived haplotype distribution	-	X ^{*2}
Nuclear DNA microsatellite (6 loci), minke	-	X ^{*2}
Organ weights	X	-
Parasites, external occurrence record	X	-
Parasites, internal occurrence record	X	-
Sex	X	-
Skull (length and breadth)	X	-
Stomach contents (IWS format)	X	-
Stomach contents weights	X	-
Testis weight	X	-
Other large whales biopsy samples	-	X ^{*2}
III ENVIRONMENTAL DATA		
Heavy metals (liver)	-	X
Heavy metals (stomach contents)	-	X
Marine debris (stomach contents)	X	-
Organochlorine (blubber)	-	X
Marine debris (sighting survey)	X	-
Temperature (XBT survey)	X	-
Temperature & Salinity (XCTD survey)	X	-
Temperature & Salinity (CTD survey)	X	-
Temperature & Salinity (EPCS survey, days)	X	-
Echo sounder (krill distribution, days)	X	-

^{*1}Preliminary maturity data obtained at the field is available.

^{*2}Some DNA samples recovered. Ongoing work to examine them.

Table 2
Status of data and samples obtained by JARPN II (2000-).

Item	Data or sample	
	Preserved	Lost/damaged
I SIGHTING DATA		
Angle and distance experiment data (no. of experiments)	X	-
Photo-id, humpback whale (no. of photographs)	X	-
Photo-id, right whale (no. of photographs)	X	-
Photo-id, blue whale (no. of photographs)	X	-
Sighting data (no of schools)	X	-
Survey effort data (no. of activity of SV/SSVs)	X	-
Weather data (no. of observations of weather)	X	-
II BIOLOGICAL DATA		
Sampling date	X	-
Sampling location	X	-
Body length	X	-
Body proportion	X	-
Skull (length and breadth)	X	-
Body scar record	X	-
Parasites, external occurrence record	X	-
Parasites, internal occurrence record	X	-
Sex	X	-
Body weight	X	-
Organ weights	X	-
Blubber thickness	X	-
Girth	X	-
Age (ear plug)	X	-
Age (baleen plate)	-	X
Maturity stage (male)	X	-
Maturity stage (female)	-	X ^{*1}
Corpora albicantia and lutea (number)	-	X
Lactation condition	X	-
Testis weight	X	-
Stomack contents (IWS format)	X	-
Stomack contents weights	X	-
Main prey species in stomach contents	X	-
Freshness of stomach contents	X	-
Fetus, number	X	-
Fetus, sex	X	-
Fetus, body length	X	-
Fetus body weight	X	-
PCB concentrations (blubber)	-	X
Total Hg levels (liver)	-	X
Total Hg, methyl Hg and Se levels (liver)	-	X
Total Hg, methyl Hg and Se levels (kidney)	-	X
Total Hg, methyl Hg and Se levels (muscle)	-	X
Mitochondrial DNA control region sequences	-	X ^{*2}
Nuclear DNA microsatellite	-	X ^{*2}
Biopsy samples	-	X ^{*2}
III POLLUTANT DATA (Environmental and prey species samples)		
Organochlorine compounds (air)	-	X
Organochlorine compounds (sea water)	-	X
Total Hg compounds (copepods)	-	X
Total Hg compounds (krill)	-	X
Total Hg compounds (larval of anchovy)	-	X
Total Hg compounds (adult of anchovy)	-	X
Total Hg compounds (Pacific saury)	-	X
Total Hg compounds (mackerels)	-	X
Total Hg compounds (Pacific pomfret)	-	X
Organochlorine compounds (walleye pollock)	-	X
IV OCEANOGRAPHIC DATA		
Marine debris (sighting survey)	X	-
Temperature and salinity (XCTD survey)	X	-
Temperature and salinity (CTD survey)	X	-
Midwater trawl	X	-
MOCNESS survey	X	-
IKMT survey	X	-
NORPAC net survey	X	-
Echo sounder	X	-

^{*1}Preliminary maturity data obtained at the field is available. ^{*2}Laboratory work completed before the tragedy.

JARPN II (Table 2)

Although many samples were lost, data had already been obtained and are available for all research items up until 2007 (data presented to the JARPNII review meeting in 2009).

Sighting data

Sighting data were stored at ICR Tokyo so all of these data are safe.

Biological data and samples

Biological samples such as baleen plates and ovaries had been kept in Ishinomaki and were lost. Maturity status of females however is available from the examination of ovaries made during the field work (corpora counting data is available for years up until the 2007 survey).

Most of the genetic tissue samples were lost but fortunately all laboratory work for all species (common minke, Bryde's, sei and sperm whales) had been completed so that DNA samples or DNA data (mtDNA sequences and microsatellite profiles) are available.

Data and samples for pollutant analysis

Many tissue samples for pollutant analysis had been kept at Ishinomaki and these were lost.

Oceanographic data

Oceanographic data were stored at ICR Tokyo so all of these data are safe.

ANNEX P2

COMMENTS FROM SOME MEMBERS ON SPECIAL PERMIT WHALING PROGRAMMES: GENERAL COMMENTS

Over the past few years the Scientific Committee has focused its discussions on whaling under Special Permit on methods to evaluate new, existing and terminating programmes (known as 'Annex P'). Notwithstanding the issues raised in relation to whether or not 'Annex P' has led to an improved review process some members are concerned that there is now very little review and discussion on the scientific aspects of Special Permit whaling outside the periodic reviews expected under 'Annex P' (i.e. there was almost no discussion on papers SC/63/O1-O4). This lack of review and comment should not be interpreted as an indication that any of the serious scientific concerns expressed about Special Permit whaling programmes have been addressed. These members recognise that in the absence of new results coming from Special Permit whaling, it is not a good use of the Committee's time to repeat previous discussions.

These members wish to reiterate the view that the Special Permit programmes conducted by the Government of Japan (JARPN, JARPN II, JARPA and JARPA II), and the recent program conducted by the Government of Iceland have not provided results relevant to the IWC and are unnecessary for the conservation and management of whales. Further, while the Scientific Committee has had to disrupt its work on other important, genuinely scientific issues to discuss Special Permit proposals that claimed an urgent need for research, this has not always been reflected in timely presentation of results. This is all the more serious due to the serious potential impact of these open-ended and generally expanding programmes on the status of some whale populations.

These members make reference to the extensive discussions in previous Reports of the Scientific Committee that highlight many substantial, general and specific objections to the purpose and operation of Special Permit whaling programmes and their lack of any genuine response to scientific review processes.

ANNEX P3

RESPONSE FROM OTHER MEMBERS ON ‘ANNEX P’ AND SPECIAL PERMIT PROGRAMMES

As in Annex P2, we also do not regard the ‘Annex P’ review process as replacing or preventing the Scientific Committee’s function to review the results of Special Permit programmes. The Scientific Committee members can argue for or against a review report submitted by the Expert Panel organised under ‘Annex P’. The results of Special Permit programmes have been regularly provided to the Scientific Committee and have contributed to the discussions at such sub-committees as RMP, IA and NPM. The Scientific Committee members have regular opportunity to review the results of the Special Permit programmes.

We disagree with the statement that Special Permit programmes are unnecessary for the conservation and management of whales. The past Scientific Committee review reports also include numerous statements which acknowledge the contributions of Special Permit programmes to marine science and the conservation and management of whales.

For example, the ‘Report of the Intersessional Workshop to Review Data and Results from Special Permit Research on Minke Whales in the Antarctic’ (IWC, 2008), states that ‘the results from the research programme have the potential to improve management of minke whales in the Southern Hemisphere’. Similarly, the ‘Report of the Expert Workshop to Review the Ongoing JARPNII Programme’ (IWC, 2010a), which was carried out under ‘Annex P’, states that ‘The Panel agrees that many of the objectives of JARPN II are relevant to Resolutions of the Commission and that scientific results have been submitted to the Scientific Committee, as requested in several of the Resolutions.’

ANNEX P4

IMPROVED IMPLEMENTATION OF ‘ANNEX P’

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Introduction

‘Annex P’ (IWC, 2009) documents the process for the review of Special Permit proposals and research results from existing and completed permits. The first and thus far only time this process has been used was to review the JARPNII Special Permit (IWC, 2010a). While the process worked well in general (IWC, 2010b), some suggestions were made for potential improvements on some aspects of the implementation of the process, primarily related to: (a) the inclusion of observers; and (b) the Panel selection process. This annex is to document a proposed way forward to address these two aspects that were agreed to by the Working Group on Special Permits.

Inclusion of observers

The previous intersessional specialist Workshop was divided into two types of sessions: (1) open sessions where a limited number of scientists associated with the proposal presented the proposal and answered questions; and (2) closed sessions where only the Panel members discussed the proposal and developed the report. At that time, Scientific Committee observers were not admitted to the Workshop sessions.

This time, we suggest the following process.

- (1) Scientific Committee members are allowed to attend the same sessions as the proponents as observers (will be referred to as observers from here on). These observers will not normally participate in discussions

Table 3
Example timetable when including observers.

	Schedule of events	Example
(a) Review of New Special Permit proposals		
Receipt of Special Permit proposal	>6 months prior to Annual Meeting (1 Dec.)	1 Dec.
Distribute proposal to Vice Chair, Head of Science and SSG	1 week	8 Dec.
Make proposal available to the Scientific Committee		
SSG suggest names for the Specialist Workshop	2 weeks	22 Dec.
Observers indicate their interest in participating in Workshop		
Chair, Vice Chair and Head of Science develop list of Specialists and reserves	2 weeks	5 Jan.
Final comments from SSG	1 week	12 Jan.
Invitation and documents to Specialists	1 week	19 Jan.
Observer’s review due at the Secretariat		
Observer reviews sent to Specialists and Proponents	1 week	26 Jan.
Hold Workshop	>100 days prior to Annual Meeting (23 Feb.)	23 Feb.
Final Workshop Report made available to Proponents	> 80 days prior to Annual Meeting	
Distribution of the Proposal, Workshop Report and comments from Proponents to the Committee Meeting	>40 days prior to Annual Meeting	
Discussion and submission of documents to the Commission	Annual Meeting (1 Jun.)	1 Jun.
(b) Periodic and final reviews		
Information on likely analytical methods to be used in the documents to the Workshop	9 months prior to Annual Meeting (1 Sep.)	1 Sep.
Distribute documents to Vice Chair, Head of Science and SSG	1 week	8 Sep.
SSG suggest names for the Specialist Workshop	2 weeks	22 Sep.
Announcement of review to IWC and call for observers		
Chair, Vice Chair and Head of Science develop list of Specialists and reserves	2 weeks	6 Oct.
Final comments from SSG	1 week	13 Oct.
Invitation and documents to Specialists	1 week	20 Oct.
Receipt and circulation of results/review documents from Special Permit research (including to IWC Scientific Committee members)	>6 months prior to Annual Meeting (1 Dec.)	1 Dec.
Observer’s review due at the Secretariat		30 Dec.
Observer’s reviews sent to Specialists and Proponents		6 Jan.
Hold Workshop	>100 days prior to Annual Meeting (23 Feb.)	23 Feb.
Final Workshop Report made available to Proponents	>80 days prior to Annual Meeting	
Distribution of result documents, Workshop Report and comments from Proponents to the Scientific Committee	>40 days prior to Annual Meeting	
Discussion and submission of documents to the Commission	Annual Meeting (1 Jun.)	1 Jun.

unless invited to do so by the Chair under special circumstances (*cf* the rule for observers to the Scientific Committee meeting).

- (2) Any Scientific Committee member may submit reviews or analyses relevant to the review for consideration of the Panel following the agreed time frame outlined in 'Annex P'.

The admittance of observers has logistical implications for the hosting of the Workshop. The importance of hosting the Workshop in a venue convenient for the proponents was important given the alternating open and closed sessions. Deadlines for registering interest in attendance will need to be established, e.g. see Table 3.

CHOICE OF PANEL MEMBERS

As stated in 'Annex P', the Panel members will have special emphasis on the field and analytical methods provided in the proposal and estimation of the effect of catches on the stock(s). These members will be chosen by the Scientific Committee Chair, Vice-Chair, Head of Science and SSG (composed of the last four Scientific Committee Chairs).

In addition to the guidance already provided in 'Annex P', it was agreed that the Scientific Committee Chair, Vice-

Chair and Head of Science should take into account the comments made in IWC (2010b), recognising that some of these issues reflected availability of selected Panel members. In particular, the goal is to obtain a full, fair, independent, balanced and objective review and careful efforts will be made to avoid any inferences of potential conflicts of interest. Emphasis will be given to including outside experts (non-Scientific Committee members) but the precise balance will depend on the subject matter. The Panel membership will include experts in the relevant field and/or analytical methods used in the Permit activities which may include those that are not specialists in whales.

REFERENCES

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