

# **Report of the Scientific Committee**

**Bled, Slovenia, 7-19 June 2016**

## **Annex Xrev1: Statements on the Agenda**

*Annex X6 was missed from the original annex*

**This report is presented as it was at SC/66b.  
There may be further editorial changes (e.g. updated references, tables, figures)  
made before publication.**

**International Whaling Commission  
Bled, Slovenia, 2016**



# Annex X

## Statements on the Agenda

### **ANNEX X1. STATEMENT BY THE ICELANDIC, JAPANESE AND NORWEGIAN DELEGATIONS CONCERNING DNA REGISTER SYSTEMS**

Members of the Scientific Committee and the Commission are aware that the Governments of Iceland, Japan and Norway have, on a voluntary basis, implemented national DNA register systems to provide for effective monitoring of whale meat products in the market and that information on these DNA register systems has been provided to the Commission.

This statement is to reassert the position of the Governments of Iceland, Japan and Norway that the monitoring of markets is outside the jurisdiction and competence of the IWC and that for this reason, inclusion of items related to DNA identification of market products on the agenda of the Scientific Committee and its Working Groups is inappropriate. For this reason, representatives of the Governments of Iceland, Japan and Norway and their appointed scientists will not participate in Scientific Committee discussions of this matter.

However, the Governments of Iceland, Japan and Norway will provide additional information on their DNA register systems as they deem appropriate including information on technical aspects of these systems. Further, we urge that the future work of the Scientific Committee on matters related to the use of DNA technologies and analyses take the position of our Governments into account. In this regard, documents dealing with the marketing of whale meat products should not be submitted to or discussed by the Scientific Committee.

### **ANNEX X2. STATEMENT BY THE JAPANESE DELEGATION CONCERNING WHALEWATCHING**

It is the Government of Japan's position that whalewatching is outside the competence of the IWC. Further, the IWC has limited financial and human resources and should be focusing its efforts on important matters such as stock assessments.

### **ANNEX X3. STATEMENT BY THE JAPANESE DELEGATION CONCERNING SMALL CETACEANS**

Resolution 1999-9 on Dall's porpoise is clearly outside the jurisdiction of the IWC, and therefore Japan continues not to provide data concerning small cetaceans at this year's Scientific Committee meeting. Furthermore, Japan will not participate in the meeting of the Standing Sub-Committee on Small Cetaceans this year. It is unfortunate that the political attempt to expand the scope of the IWC's influence to include small cetaceans by Resolution 1999-9 has prevented the continued voluntary scientific co-operation of Japan in the field of small cetaceans.

However, Japan will make its data on small cetaceans available following this year's Scientific Committee meeting through appropriate means, such as the website of the Fisheries Agency of Japan.

Finally, although Japan may not make any comments on the draft report of the Standing Sub-Committee on Small Cetaceans, this should in no way be taken to mean that Japan concurs with or supports the contents of the report.

### **ANNEX X4. STATEMENT BY THE RUSSIAN FEDERATION CONCERNING THE AGENDA**

The Russian Federation has stated repeatedly the objections on spreading IWC jurisdiction beyond the Convention boundaries. Items 7, 15, 16 of the proposed Agenda are such a case. Russian delegates will participate in discussions on the above-mentioned items and will present the data but that will be done on voluntary basis. All SC recommendations on these items will not be considered as obligatory by the Russian Federation.

**ANNEX X5. STATEMENT BY BAKER, C.S., BAULCH, S., BELL, E., BROWNELL, R.L. JR., BURKHARDT, E., CHARASSIN, J-B., CLAPHAM, P., COOKE, J., CURREY, R. , DE LA MARE, W., DOUBLE, M., EVANGELISTA COUTINHO, T, FRIEDRICH FRUET, P., GALLEGRO, P., GALLETTI, B, HERR, H., HIELSCHER, N., IÑIGUEZ, M., IVASHCHENKO, Y., JARAMILLO-LEGORRETA, A., LAURIANO, G, LEAPER, R. , LUNDQUIST, D., MCKINLAY, J., MENDES CARLOS DE ALMEIDA, R., PANIGADA, S., REEVES, S., RIDOUX, V., RITTER, F., RODRIGUES, J., ROSENBAUM, H., SANTOS, B., SCHEIDAT, M., SIMMONDS, M. AND WADE, P.**

Last year the Expert Panel reviewing NEWREP-A had concluded that the NEWREP-A proposal had not demonstrated the need for lethal sampling to achieve its objectives. The Panel made a number of recommendations for additional

work that it believed were essential to be completed before a full review of the programme under Annex P and Resolution 2014-5 can be completed. The recommended analyses could be conducted with existing samples/data and new non-lethal sampling efforts.

The Committee at its 2015 meeting agreed that progress on these analyses had been made, but recognized that essentially none of the analyses were final. The Committee agreed on the analyses that should be completed, and that progress should be reviewed again in 2016.

Consequently, many members of the Committee, including ourselves, concluded in a statement appended to last year's Committee report that commencement of lethal sampling in the 2015/16 season was not justified.

In November 2015 the Government of Japan circulated a document in which they report completing works and analyses concerning the items agreed at SC/66a. They concluded that no substantial changes to NEWREP-A were required and the lethal sampling went ahead.

It is important that the Committee this year provide clear advice to the Commission on each of the questions specified in Resolution 2014-5, building on the Committee's discussions in 2015.

We are participating in the further discussions of NEWREP-A on the understanding that it is for the Scientific Committee to determine whether the further works and analyses presented to this meeting fulfill the recommendations of the Committee. In light of the new analyses, the Committee should now finish its review by providing advice on whether the need for a lethal sampling component in NEWREP-A has been demonstrated.

#### **ANNEX X6. STATEMENT BY THE GOVERNMENT OF JAPAN IN RESPONSE TO STATEMENT BY BAKER *ET AL.* (ANNEX X5)**

This statement is intended to respond to the main points raised in Annex X5.

Firstly, Japan would like to respond to the point relating to the analyses prior to the start of NEWREP-A. It should be noted that Japan has sincerely responded to the recommendations made by last year's Scientific Committee and intends to continue doing so. As a result of the discussions at its meeting in 2015, the Scientific Committee indicated that it would be necessary for Japan to undertake additional work and analyses. It was agreed that those analyses recommended by the Panel and further specified in Annex Q1 to last year's Scientific Committee report should be completed and that progress should be reviewed this year. The report of the Scientific Committee from the 66a meeting did not indicate all the items included in its recommendations need to be completed before the start of NEWREP-A.

After the Scientific Committee meeting in 2015, the proponents of NEWREP-A conducted additional work and analyses as indicated by the Committee. The Government of Japan assessed that all of the items pointed out by the Scientific Committee that needed to be conducted prior to the start of NEWREP-A had been completed at a reasonable level. Therefore, Japan finalised the Research Plan for NEWREP-A and circulated it with a summary statement regarding the outcome of the further work to Scientific Committee members and Contracting Governments and decided to implement the Research Plan from December, 2015.

Furthermore, in order to facilitate the discussion at the Scientific Committee on the progress this year, as agreed in the last year's Committee, Japan submitted to the Committee further elaborated results of additional work and analyses, as well as a progress report on the work conducted in response to recommendations from last year's Committee. As the proponents of NEWREP-A make further progress on this additional work and analyses, they will report the outcomes to the Scientific Committee in the coming years for its review.

Secondly, with regard to the lethal sampling component of NEWREP-A, Japan believes that the need for a lethal sampling component in NEWREP-A has been sufficiently demonstrated since its proposal was drafted. The objectives of NEWREP-A require to ascertain ongoing changes occurring in whale resources and Antarctic ecosystem through the collection of relevant data on a yearly basis. This inevitably needs new samples under this programme. In order to estimate age-at-sexual-maturity (ASM), which is one of the essential inputs for detecting changes in biological parameters to achieve Main Objective I of NEWREP-A, it is indispensable to obtain earplugs and reproductive organs, which can be achieved only through lethal methods, for collecting age and sexual maturity data respectively.

Thirdly, with respect to the review by the Scientific Committee, in the review of the proposal for a special permit as recognized under Article VIII of the International Convention for the Regulation of Whaling (ICRW), Paragraph 30 of the Schedule of the ICRW and Annex P are the guiding provisions to determine its procedure. Paragraph 30 of the Schedule provides that "[a] Contracting Government shall provide the Secretary to the International Whaling Commission with proposed scientific permits before they are issued and in sufficient time to allow the Scientific Committee *to review and comment on them* [emphasis added]." Annex P provides the detailed procedure under which the review of the special permit program at the Scientific Committee pursuant to Paragraph 30 is to be conducted. Resolution 2014-5 by itself does not change the procedure provided under Annex P. By the time of the initial review of NEWREP-A by the Scientific Committee last year, Annex P had not been revised. NEWREP-A nonetheless underwent the Annex P review process duly taking into account the points listed in the first operative paragraph of Resolution 2014-5 and, Japan has sincerely responded to the comments provided by the Scientific Committee last year.