

**WWF POSITION STATEMENT
61st INTERNATIONAL WHALING COMMISSION MEETING
Madeira, Portugal, June 2009**

WWF's goal is to ensure that viable populations of all cetacean species occupy their historical range, and fulfill their role in maintaining the integrity of ocean ecosystems. WWF acknowledges the widely varied cultural attitudes toward the conservation and management of whales, but continues to oppose commercial whaling -now and until whale stocks have fully recovered, and the governments of the world have brought whaling fully under international control with a precautionary and conservation-based enforceable management and compliance system adhered to by all whaling nations.

In the more than 60 years since the International Convention on the Regulation of Whaling (which established the International Whaling Commission) was adopted, it has become impossible to separate the threats presented by commercial whaling from those of marine and noise pollution, commercial bycatch, overfishing, ship strikes, oil and gas development or climate change. It would be far preferable, and of greater potential conservation benefit to cetaceans, for the IWC to now embrace the internationally accepted principles of Ecosystem Based Management, and address all of the threats to cetacean populations in a broad, multilateral context. As such, WWF urges governments to make the IWC an effective international forum for the conservation of all cetaceans and to work to minimise adverse impacts from all human-caused threats. Achieving successes together to alleviate these threats will increase the trust between member governments, which has been lost over recent decades. WWF thus strongly supports the efforts of contracting governments, the IWC Scientific Committee, and the Conservation Committee, in finding science-based solutions to these problems, and urges the IWC to increase financial and political resources to support these efforts.

WWF recognises the human need for aboriginal subsistence whaling where it is carried out by aboriginal, indigenous, or native peoples with long-standing, strong social or cultural ties to whaling; where products are for local consumption only; and with a precautionary management scheme in place to ensure such activities are sustainable and do not threaten whale populations.

This position statement includes comments on several but not all of the issues facing the IWC. We believe that many of these issues can only be resolved at the political level.

FUTURE OF THE IWC

WWF supports a resolution to the current impasse in the IWC - to find real solutions for whale conservation that are so urgently needed. However WWF is deeply concerned about the ongoing "Future of the International Whaling Commission" process, facilitated through the Small Working Group (SWG) negotiations, and on which the Chair of the IWC reported in document IWC/61/6. While we respect the Chair's motivation in seeking a consensus package to bring whaling back under the IWC's control and address the 33 issues identified as priorities by members of the IWC, it is clear that the process has failed. Feedback from the Chair made during a US Government congressional hearing on whaling indicated that Japan's lack of willingness to compromise was the main factor in the inability of the SWG to reach agreement.

Without significant concessions from the whaling nations, the SWG process is not a negotiation, and is unlikely to deliver the chair's objective of bringing whaling under control and improving the conservation status of whales. **Therefore, without major public signals from the whaling nations before the 61st meeting of the IWC, including a statement from Japan that it is willing to look seriously at eliminating all scientific whaling, we urge the Commission and its contracting governments not to allocate more scarce resources to the continuation of these negotiations.**

If negotiations of the SWG are to continue, WWF strongly recommends that the following must be included in any 'package deal', if there is to be one, in order for it to be acceptable to all parties, and ensure the proper conservation of whales:

1. All countries engaged in commercial whaling must be included in the package deal in the first instance, not dealt with in an 'interim period'.
2. All IWC governments must remove objections and reservations within the IWC.



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3. Compliance, monitoring and sanctions are crucial and must be agreed upon at the onset of any schedule amendment.
4. All lethal take of great whales must be halted in established sanctuaries.
5. Article VIII¹ should be eliminated from the Convention text, through an amending protocol. As a first step, all governments should agree not to invoke Article VIII, and to stop all scientific whaling.
6. Any whaling by IWC Contracting Governments must be fully under the management of the IWC, and must use the RMP to calculate quotas. The current RMP should be adopted into the schedule.
7. There must be no lethal take for commercial purposes of threatened whale species.
8. The RMP should be used responsibly, with no alteration of tuning levels, for all whales taken by IWC Contracting Governments.
9. All reservations to the listing of great whale species on Appendix I of CITES must be removed. Governments should agree not to submit proposals to transfer to Appendix II any whale species included in CITES Appendix I.
10. The remit of the IWC must be clarified—as including all cetaceans, both large and small.

For a full analysis of the two ‘package deal’ options presented in document IWC-M09-4 to the IWC Intersessional meeting in February 2009, please see:

www.panda.org/what_we_do/endangered_species/endangered_species_list/cetaceans/cetaceans/iwc/resources/?165881/WWF-Opening-Statement-IWC-intersessional-meeting-March-2009

ECONOMICS OF WHALING

The IWC is generally concerned with the sustainability of whaling, but another important consideration, particularly in the current climate of global financial crisis, is the economic viability of the industry. WWF would like to draw the attention of the Commissioners to a new report, to be distributed during the meeting, which investigates the economic basis of the whaling industry. The analysis concludes that whaling is heavily subsidised at present. In both Japan and Norway (the two countries assessed), substantial funds are made available to prop up an operation which would otherwise be commercially marginal at best, and most likely loss making. Although the data available do not allow a full assessment or complete cost-benefit analysis of whaling, it is clear that whaling is financially marginal and at present dependent on subsidies.

In this time of global economic crisis, the use of valuable tax dollars on the propagation of what is most likely an economically unviable industry, is neither strategic, sustainable, nor an appropriate use of limited government funds.

SMALL CETACEANS

WWF believes that small cetacean conservation should be central to any discussions or negotiations about the future of the IWC, and should therefore be included in the list of ‘high priority’ issues to be discussed by the SWG, should the SWG negotiations continue.

More than 85% of cetacean species are ‘small cetaceans’, and many of these species are in a critical condition, such as the Vaquita, endemic to Mexico and critically endangered. Small cetaceans face a growing number of anthropogenic threats. Hundreds of thousands of small cetaceans die each year through bycatch and direct hunts, with other human induced threats such as habitat degradation, sonar activities, shipping, climate change and pollution also taking their toll.

Many small cetaceans are migratory, inhabiting the EEZs of several nations, and the threats they face such as pollution and bycatch are similarly international in nature. Therefore international oversight, management and protection are needed for all cetaceans, not only the great whale species.

The IWC Scientific Committee has expertise and a database of information on small cetaceans second to none. The Scientific Committee has investigated several species and carried out major reviews of significant directed catches of small cetaceans, and the mortality of small cetaceans in fishing gear. The Commission has made recommendations which have had a palpable impact on the development of conservation plans for several populations including the Vaquita and the harbour porpoise in the Baltic Sea.

¹ See page 4, section ‘Needless Lethal Research’



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If small cetaceans are not central to negotiations on current whaling, it is possible that conservation successes achieved for great whales could simply result in a shift of problems from great whales to small cetaceans. For example, we are particularly concerned that any limitation placed on pelagic or ‘scientific’ whaling by Japan would do nothing to alleviate, and might even worsen, the pressure on populations of small cetaceans that are already being subjected to unsustainable takes in Japan’s coastal waters, such as the Dall’s porpoise. The quadrupling of the Dall’s porpoise catch in the late 1980s, soon after the moratorium on commercial whaling was put in place, is one indication of the link between whaling and small cetacean hunts. If the IWC is to become an effective body, it must embrace the principles of Ecosystem Based Management and consider the impact of its decisions on a broader range of species than great whales alone.

WWF believes that the IWC cannot function as a relevant international conservation body without developing a holistic approach to the protection and management of all cetaceans and that this will be of benefit to both large and small cetacean populations. This must be a major priority at the earliest stage of the discussions on the future of the IWC.

WWF draws the attention of the IWC and its contracting governments to a report on small cetaceans ‘*The Forgotten Whales*’, which will be distributed during the meeting.

CLIMATE CHANGE

There is now unequivocal evidence that climate change is happening, and a growing understanding that climate-related changes in the oceans pose a threat to cetacean species, particularly those with a limited habitat range or those for which sea ice provides an important part of their habitat. WWF reports at previous IWC meetings have highlighted both the overall impacts of climate change on cetacean species², and the specific impacts of climate change on the whales of the Antarctic³. WWF strongly supported the IWC Scientific Committee (SC) workshop on climate change and cetaceans, which took place in the intersessional period.

However science alone will not be enough to avoid the potential negative implications of climate change’s impact on cetacean species – for the cetaceans themselves, but also for the local communities which depend on healthy cetacean populations to deliver the livelihood benefits generated from whale watching activities. **WWF urges the Scientific Committee, the Conservation Committee and Contracting governments to build on the good science that has been collated and analysed during the IWC SC workshop, by developing and implementing adaptation strategies for cetaceans, and incorporating climate change considerations into existing conservation and management plans.**

WHALES AND FISHERIES – AND THE IWC

A number of contracting governments to the IWC have claimed that whales need to be culled (through whaling) as the large number of whales in the oceans is causing a depletion of the fisheries resources available for human consumption. However the science behind this issue strongly suggests that there is no evidence that whales compete with fish stocks targeted by humans. Analyses indicate that most food consumed by marine mammals consists of prey types that fisheries do not target, and that marine mammals consume most of their food in areas where humans do not fish.

Since the last IWC meeting, additional scientific publications have joined the now extensive range of evidence demonstrating that culling of marine mammals will not aid in the recovery of commercial fisheries, and that in some cases culling of marine mammals could actually be detrimental to fishing interests. Furthermore, the IUCN World Conservation Congress, of which most IWC contracting parties are members, passed a resolution by a 91.3% majority of governments which “ACKNOWLEDGES that the great whales play no significant role in the current crisis affecting global fisheries.”

It is now time for the IWC, as a science-based organization, to take note of current scientific knowledge and political opinion, and make a strong and public statement clarifying that the IWC and its contracting governments recognize that culling whale species is not necessary to secure fish stocks.

² See ‘Whales in Hot Water’ <http://assets.panda.org/downloads/climatechange16ppfinallo.pdf>

³ See ‘Icebreaker’ http://assets.panda.org/downloads/english_final_proof_final.pdf



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The cause of depletion in fish stocks is over-fishing, and the best solution to the problem of declining fisheries is to rebuild overexploited stocks and ecosystems through relieving fishing pressure, improving gear selectivity and fishing exploitation patterns, protecting habitat and making a wise and generous use of protected areas and no-take zones.

NEEDLESS LETHAL RESEARCH

Although the ICRW contains a provision (Article VIII) that allows governments to issue their own lethal research permits, it was written more than 60 years ago, at a time when no practical alternatives existed. At that time, killing whales was the only way to obtain some of the most basic biological information, which was then used to set catch quotas. Today, modern scientific non-lethal techniques provide the data required for whale management more efficiently and accurately than lethal sampling. WWF calls on the Government of Japan to stop abusing the special whaling permit provision of the ICRW by conducting commercial whaling under the guise of research, to bring its research efforts into the 21st Century through the use of existing non-lethal techniques, and to refrain from using science as an excuse to bring whale meat into its commercial markets. WWF believes the Contracting Governments of the IWC must ensure that IWC-related research meets modern accepted scientific techniques, so that the IWC's credibility on this issue is maintained. WWF fully supports efforts by Australia and other governments in developing regional non-lethal research partnerships, and urges contracting governments to support and further develop these initiatives.

WESTERN NORTH PACIFIC GRAY WHALES

The IWC has repeatedly addressed and made recommendations on the Western North Pacific Gray Whale (WGW), both in terms of bycatch and oil and gas development near its feeding grounds off Sakhalin Island in the Russian Far East.⁴ However the status of the WGW is by no means secure. According to the WGW Advisory Panel (WGWAP) there was a significant decline in the number of whales sighted along the Sakhalin shoreline and near the Piltun Spit during the Summer 2008 observation period, which may be linked, along with other factors, to the Sakhalin oil and gas projects.

The WGW is one of the most heavily studied and closely deliberated whale populations in the world. Intensive conservation efforts have occurred to reduce the impacts of oil and gas activities on the species, including the establishment of the WGWAP. The world is watching the WGW, and extinction of this sub-species would have far reaching and precedent setting implications for whale conservation worldwide.

WWF calls on all IWC contracting parties to provide assistance to the WGW range states in conserving the species, and to support conservation initiatives aimed at ensuring its survival such as the establishment of a Sakhalin Marine Federal Wildlife Reserve along the Piltun Spit for the protection and monitoring of critical grey whale habitat.

WHALE MEAT TRADE

WWF strongly supports effective enforcement and implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), including the effective implementation of the CITES Appendix I listings of great whales. We are very concerned by the escalation in trade in whale meat from Norway and Iceland to Japan. Although this trade is technically legal under CITES, since Norway, Iceland and Japan all have reservations to the Appendix I CITES listings in question, trade nevertheless undermines the effectiveness of both CITES and the IWC. The CITES Parties have clearly stated that reservations undermine the effectiveness of CITES. We believe that the collaborative, consensus spirit of discussion that the IWC is trying to foster is undermined by this trade. We cannot see how negotiations of the "Future of the IWC" can proceed unless these reservations are removed.

CONCLUDING REMARKS

The IWC is at a crossroads—the world is watching, and the integrity of the IWC is in the balance. WWF stands ready to work with governments to find the best possible solutions for the conservation of whales and other cetaceans. In that spirit, WWF strongly urges governments to fully integrate input from civil society (NGOs) into all of their deliberations - for it is the people of the world and citizens of all 85 member states that will stand in judgment of the decisions and compromises reached.

⁴ See IWC resolutions 2005-3, 2004-1, 2001-3