

RESOLUTIONS OF THE 50th MEETING OF THE INTERNATIONAL WHALING COMMISSION

IWC Resolution 1998-1

RESOLUTION ON NORWEGIAN WHALING

HAVING ESTABLISHED zero catch limits for commercial whaling in paragraph 10 (e) of the Schedule;

CONCERNED that the Government of Norway, having lodged an objection to paragraph 10 (e) of the Schedule, has unilaterally authorised commercial whaling on minke whales;

CONCERNED ALSO that, despite IWC Resolutions 1995-5, 1996-5 and 1997-3 calling on the Government of Norway to halt immediately all whaling activities under its jurisdiction, Norway has again increased the quota it sets for commercial whaling;

REAFFIRMING its view that commercial whaling should not take place while paragraph 10 (e) of the Schedule remains in force.

NOW THEREFORE THE COMMISSION:

CALLS UPON the Government of Norway to reconsider its objection to paragraph 10 (e) of the Schedule and to halt immediately all whaling activities under its jurisdiction.

IWC Resolution 1998-2

RESOLUTION ON TOTAL CATCHES OVER TIME

RECALLING that one of the remaining elements of the Revised Management Scheme to be completed consists of "arrangements to ensure that total catches over time are within limits set under the RMS" (IWC Resolution 1996-6);

FURTHER RECALLING the general agreement ID the 1997 RMS Working Group that "in setting catch limits the Commission should, as far as possible, use the CLA [Catch Limit Algorithm] to determine the allowable removal and then take account of all known human-induced mortalities including aboriginal subsistence whaling, scientific whaling, whaling outside the IWC, bycatches, ship strikes and other non-natural removals" (*Rep.Int. Whal.Commn 49: item 12.1.2*);

NOW THEREFORE THE COMMISSION:

AGREES that the catch limits calculated by the Scientific Committee in accordance with the Revised Management Procedure as part of an agreed Revised Management Scheme represent the total allowable removal;

FURTHER AGREES that catch limits for commercial purposes for any species of whale in any region shall be calculated by deducting all human-induced mortalities that are known or can be reasonably estimated, other than commercial catches, from the total allowable removal;

REQUESTS the Scientific Committee to provide advice in this regard for the Commission's consideration for inclusion in the Revised Management Scheme.

IWC Resolution 1998-3

RESOLUTION ON THE SOUTHERN OCEAN SANCTUARY

RECALLING that the Commission at its 46th Annual Meeting adopted paragraph 7(b) of the Schedule, which established the Southern Ocean Sanctuary;

NOTING that this provision is to be reviewed ten years after initial adoption and at succeeding ten year intervals,

AWARE of the Scientific Committee's request for advice from the Commission with respect to commonly agreed objectives for the Southern Ocean Sanctuary (Chairman's Report of the 49th Annual Meeting, p.29);

FURTHER AWARE of the Scientific Committee's desire to prepare in advance for the anticipated review in 2004 (IWC/50/4),

RECOGNISING the progress made in this area by the Standing Working Group on Environmental Concerns (SWGEC);

NOW THEREFORE THE COMMISSION:

AFFIRMS that the agreed objectives of the Southern Ocean Sanctuary are to provide for:

1. The recovery of whale stocks, including the undertaking of appropriate research upon and monitoring of depleted populations;
2. The continuation of the Comprehensive Assessment of the effects of setting zero catch limits on whale stocks; and
3. The undertaking of research on the effects of environmental change on whale stocks;

DIRECTS the Scientific Committee to give high priority to implementing the recommendations of the Norfolk Island Intersessional Meeting of the Working Group on a Sanctuary in the Southern Ocean (*Rep. Int. Whal. Commn* 45, 1995); and in the context of those recommendations specifically to:

INCREASE cooperation with governmental, regional and other international organisations working on related issues in the Southern Ocean;

FURTHER develop and support existing international and national non-lethal cetacean research in the Sanctuary which will contribute to the conservation objectives of the Sanctuary;

PROVIDE the Commission with a long term framework for non-lethal research, including multidisciplinary research, on environmental changes and their impact on cetaceans in the Southern Ocean Sanctuary, so that the Commission is able to make appropriate decisions to ensure effective conservation of whale stocks in that region;

ENSURE that this work conforms with the provisions relating to sanctuaries, and that it will clearly contribute to the review of the Sanctuary in 2004,

GIVE priority to those proposals for non-lethal research which will address conservation and management objectives for the Sanctuary in a time frame consistent with contributing to the review in 2004 and beyond.

IWC Resolution 1998-4

RESOLUTION ON WHALING UNDER SPECIAL PERMIT

WHEREAS Article VIII of the Convention provides for the issuing by Contracting Governments of special permits for scientific research and paragraph 7 (b) of the Schedule establishes a sanctuary in the Southern Ocean;

RECALLING previous resolutions on whaling under special permits adopted by the Commission (1995-9, 1996-7 and 1997-5), relating to lethal scientific research in the Southern Ocean and the North Pacific Ocean;

NOTING that in 1997 the Commission affirmed that the JARPA and JARPN programmes did not address critically important research needs for the management of whaling in the Southern Ocean and the North Pacific Ocean;

NOW, THEREFORE, THE COMMISSION:

REGRETS that despite multiple IWC resolutions affirming that these lethal research programmes did not address critically important research needs, the Government of Japan continues the programmes of lethal research, particularly in the Southern Ocean Sanctuary.

DIRECTS the Scientific Committee, with respect to all special permit research programmer, to continue to identify non-lethal methods and alternative sources of data that might be used in meeting the stated research objectives;

INSTRUCTS the Secretary to notify the Contracting Government concerned if a continuing or proposed special permit research programme does not meet critically important research needs, as determined by the Commission in the above resolutions;

NOTES the grave concerns of eminent members of the international scientific community over the continuation of lethal whale research programmes which were specified in a letter, (TWC/50/17) of 23 January 1998, to the Chairman of the Commission; in particular; "that moral and ethical issues are properly raised when:

A single research programme results in over 2,500 cetaceans being killed over 8 years, with the prospect of another 8 years to come; and

Whale meat and other whale products resulting from lethal scientific whaling are being sold in commercial markets, while a moratorium on commercial whaling remains in force."

REQUESTS that the Secretariat undertake, for the next Annual Meeting of the International Whaling Commission, a comprehensive review of the ethical considerations taken into account by other international scientific organizations with respect to scientific research;

RECOMMENDS that, if whales are killed under the provisions of Article VIII of the Convention, this should be done in a manner consistent with the provisions of Section HI of the Schedule;

REAFFIRMS its previous request that the Government of Japan refrain from issuing any further permits for the take of minke whales in the Southern Ocean Whale Sanctuary and the North Pacific Ocean.

IWC Resolution 1998-5

RESOLUTION ON ENVIRONMENTAL CHANGES AND CETACEANS

NOTING that the United Nations has declared 1998: as the International Year of the Ocean, in recognition of the increasing concern over the state of the marine environment, and that the 50th Annual Meeting of the International Whaling Commission offers an opportunity to reflect upon the future of the Commission;

RECALLING that at the 38th Meeting the Scientific Committee of the International Whaling Commission, in determining the scientific work needed for a comprehensive assessment, identified the importance of examining the general features of whale dynamics, including the impacts on cetaceans of environmental changes and influence of human factors, other than direct exploitation;

RECALLING that at its 44th Annual Meeting the Commission adopted a resolution establishing a regular agenda item in the Scientific Committee to address the impact of environmental changes on cetacean stocks;

FURTHER RECALLING that at its 46th Annual Meeting the Commission adopted a resolution endorsing the plans of the Scientific Committee to pursue studies of environmental changes and their impacts on cetaceans and identifying priority areas that needed to be addressed in this context;

NOTING that the IWC has sponsored two special scientific Workshops, one on the effects of chemical pollution on cetaceans and the second on the effects of climate change on cetaceans;

AWARE that the Workshop on Chemical Pollution and Cetaceans concluded 1) that there are sufficient data on the adverse effects of pollutants on the health of other marine mammals and terrestrial species to warrant concern for cetaceans; and 2) that indicator species identified were bottlenose dolphins, harbor porpoises and belugas (SC/47/Rcp2);

AWARE also that the Workshop on Climate Change and Cetaceans concluded that the available evidence on the effects of such change is sufficient to warrant general concerns for cetaceans (SC/48/Rep2);

RECALLING that at its 48th Annual Meeting the Commission adopted a resolution endorsing the establishment by the Scientific Committee of its Standing Working Group on Environmental Concerns (SWGEC) and directed it to consider and act on the specific recommendations of the two IWC special workshops and on other priority areas for assessing the impact of environmental changes on cetaceans;

NOTING that the SWGEC in its first report identified topics of particular importance to its work, including climate/environmental change, ozone depletion and UV-B radiation, chemical pollution, physical and biological habitat degradation, impact of noise, effects of fisheries, Arctic issues, and disease and mortality events; and

RECALLING that at the 49th Annual Meeting the Commission adopted a resolution urging the Scientific Committee to produce detailed scientific proposals for future work on environmental concerns on a multi-annual basis.

NOW THEREFORE THE COMMISSION:

COMMENDS the Scientific Committee for its two ongoing initiatives on 1) the significance of pollutants and chemical contaminants on cetaceans and 2) baleen whale habitat and prey studies related to climate change and identification of 1) physical and biological habitat degradation and 2) Arctic issues as next priorities (IWC/50/4 Sec. 12.5);

DIRECTS the Scientific Committee to give high priority to implementing the research initiatives of the SWGEC and to continue to produce costed scientific proposals for non-lethal research to identify and evaluate the impacts of environmental changes on cetaceans in all priority areas;

DIRECTS that the Chairman of the Scientific Committee, in consultation with the Chair of the SWGEC, invite participants with necessary expertise in the identified priority areas of the field of environmental changes to attend the annual meetings of the Scientific Committee and Intersessional workshops of the SWGEC;

ENCOURAGES Contracting Governments to send scientists with experience in the field of environmental changes to take part in the Scientific Committee and specifically the SWGEC;

URGES the Scientific Committee, in *its work on* comprehensive assessments, to examine, in accordance with its previous determinations file general features of whale dynamics, including the impacts on cetaceans of environmental changes and the influence of human factors other than direct exploitation; and

AGREES to establish a regular Commission agenda item entitled "Environmental Concerns," under which the Scientific Committee would continue to report annually on its progress in nonlethal research on environmental concerns, and Contracting Governments could report annually on national and regional efforts to monitor and address the impacts of environmental change on cetaceans and other marine Mammals.

IWC Resolution 1998-6

RESOLUTION FOR THE FUNDING OF WORK ON ENVIRONMENTAL CONCERNS

RECALLING the directives by the Commission to the Scientific Committee and the Standing Working Group on Environmental Concerns (SWGEC) to consider and act on all priority areas for assessing the impact of environmental change on cetaceans;

RECALLING that at the 49TH Annual Meeting the Commission adopted a resolution urging the Scientific Committee to produce detailed scientific proposals for future work on environmental concerns on a multi-annual basis;

NOTING that at its 50th meeting the Scientific Committee reiterated its support for the two major environmental research programmes initiated within the SWGEC, which were originally proposed at the 49th meeting of the IWC Scientific Committee and subsequently endorsed by the Commission:

- i. a collaborative, multidisciplinary, multinational programme in Southern Ocean with CCAMLR and Southern Ocean GLOBEC; and
- ii. a multidisciplinary programme of work to investigate the adverse effects of pollutants on cetaceans.

NOTING FURTHER that at this 50th meeting of the International Whaling Commission, the Scientific Committee agreed to an intersessional work plan that includes the following additional initiatives:

1. the development of a proposal for a workshop on habitat degradation; and
2. the identification of issues and activities related to assessing the environmental effects on Arctic cetaceans (IWC150/4, 12.6)

NOTING FURTHER that the Scientific Committee has identified eight priority topics that it hopes to address: climate/environmental change; chemical pollution; physical and biological habitat degradation; effects of fisheries; ozone depletion, and W-B radiation; Arctic issues; disease and mortality events; and the impact of noise.

NOW THEREFORE the Commission:

AGREES to fund activities to be conducted in association with these programmes of research by drawing if necessary from the Commission's reserves;

INSTRUCTS the Secretariat in drawing up the provisional budget for 1999/2000 to make provisions for expenditure of £100,000 from the Commission's reserves to fund selected proposals recommended from the Scientific Committee under these programmes, as well as to support Invited Participants with relevant expertise as necessary;

AGREES to consider at its 51st Annual Meeting, the establishment of a dedicated Environment Research Fund to facilitate research on environmental change and cetaceans; and the attendance at the Scientific Committee and other related meetings of Invited Participants with relevant expertise in the priority areas of the Standing Working Group on Environmental Concerns.

IWC Resolution 1998-7

RESOLUTION ON COORDINATING AND PLANNING FOR ENVIRONMENTAL RESEARCH IN THE ANTARCTIC

WHEREAS the International Whaling Commission at its 44th Meeting adopted Resolution (IWC/44/12) that decided the Scientific Committee should give priority to research effort on the effects of environmental change on cetaceans:

WHEREAS the International Whaling Commission at its 48th Meeting adopted Resolution (IWC Resolution 1996-8) endorsing the formation of a Standing Working Group on Environmental Concerns by the Scientific Committee, and requested the Scientific Committee to increase collaboration and cooperation with governmental, regional and other international organizations working on environmental issues;

AWARE that at the 50th Meeting of the Scientific Committee the SWGEC set up a working group to facilitate collaboration between the IWC and CCAMLR, GLOBEC and other research programmes investigating aspects that relate cetaceans to their habitat and to environmental change in the Antarctic,

NOTING there exists a number of other programmes, including the Japanese Whale Research Programme under a Special Permit in the Antarctic (JARPA), which has as one of its objectives research investigating aspects that relate cetaceans to their habitat and to environmental change in the Antarctic;

RECOGNISING that the JARPA programme is an annual, multi-ship survey effort that constitutes a major resource for investigating the Antarctic ecosystem;

RECALLING that the IWC has adopted resolutions (IWC 1995-8 and 1995-9) expressing concern over lethal research under Special Permit and lethal research in the Southern Ocean Sanctuary;

RECOGNISING that the JARPA Programme is conducted in the course of the exercise of the rights of the Government of Japan under the terms of the 1946 International Convention on the Regulation of Whaling;

AWARE that many parts of JARPA involve the use of non-lethal means to elucidate the effects of environmental change on cetaceans;

COGNISANT that JARPA has been reviewed by the Scientific Committee, and several improvements have been made as a result of this interaction with the Committee;

ACKNOWLEDGING the high priority the IWC has given studies of climate change and the Antarctic ecosystem and the need for planning and coordination among the various research efforts so as to optimise environmental research in the Antarctic;

NOW THEREFORE: the International Whaling Commission, at its 50th Annual Meeting,

INVITES the Government of Japan to take full advantage of the existing mechanisms of cooperation between national research programmes and the Standing Working Group on Environmental Concerns, including the presentation of results from national research programmes to the Scientific Committee and full involvement in the planning of any IWC research initiatives on environmental matters.

IWC Resolution 1998-8

RESOLUTION ON COOPERATION BETWEEN THE IWC AND CITES

WHEREAS it is the purpose of the International Whaling Commission to provide for the effective conservation and management of whale stocks;

WHEREAS the IWC is the universally recognised competent international organization for the management of whales and whaling;

RECALLING that the IWC has passed resolutions welcoming the continuing cooperation between CITES and the IWC on the issues related to trade in whale meat, and urging all governments to continue to support IWC and CITES obligations with respect to this issue;

WHEREAS the Conference of the Parties to CITES recognised in Res. Conf. 2.9 the mandate of the IWC, and requested that the CITES secretariat consult with the IWC concerning proposals to amend the CITES appendices;

ACKNOWLEDGING that all species of whales in the Schedule to the IWC have been listed in Appendix I by CITES (with the exception of the West Greenland stock of minke whales which is listed in Appendix II by CITES) pursuant to and in recognition of the establishment of zero quotas for commercial whaling agreed by the Contracting Governments to the IWC, and other decisions of the IWC relating to the status of great whale Species;

WHEREAS CITES has recommended that Parties not issue any import or export permits for trade in any whale stocks for which the IWC has set zero catch limits;

WELCOMING the recent decision by the 10th Conference of the CITES parties to uphold Res. Conf. 2.9

NOW THEREFORE THE COMMISSION:

EXPRESSES its appreciation to the Conference of the Parties to CITES for its reaffirmation of the relationship between CITES and the IWC;

RECOGNISES the important role of CITES in supporting the conservation of whale stocks and the IWC's management decisions, and reaffirming the importance of continued cooperation between CITES and IWC;

REAFFIRMS the need for Contracting Governments to observe fully IWC resolutions (IWC Resolution 1994-7; IWC Resolution 1995-6; IWC Resolution 1996-3; IWC Resolution 1997-2) addressing trade questions, in particular with regard to the problem of illegal trade in whale products;

URGES all governments to provide the information specified in previous resolutions to file Commission;

DIRECTS the IWC Secretariat to forward this resolution, and this year's reports of the Infractions Sub-committee and the Scientific Committee to the CITES Secretariat.

IWC Resolution 1998-9

RESOLUTION ON DIRECTED TAKES OF WHITE WHALES

WHEREAS IWC Resolution 1992-3 expressed the Commission's concern that directed takes of white whales might not be sustainable, and invited all states having white whales in their waters to conduct further research on beluga;

WHEREAS at the sixth meeting of the Canada/Greenland Joint Commission on Conservation and Management of Narwhal and Beluga, its Scientific Working Group noted that in view of the uncertainty about the structure and abundance of the West Greenland population of white whales, there are doubts about the sustainability of the current harvest;

CONCERNED in the light of this to encourage a precautionary approach to the exploitation of this Beluga population;

Now THEREFORE the Commission:

INVITES the Greenland Home Rule Authority to take urgent steps to ensure that the catch of white whales in waters under its jurisdiction does not exceed a sustainable level;

WELCOMES the proposed review of the status of all white whales and narwhals by the Scientific Committee at the 51st Annual meeting;

ENCOURAGES all states having white whales in their waters

- to ensure that catch levels are properly monitored;
- to provide relevant scientific data; and
- to send experts to the Scientific Committee at the 51st meeting of the IWC to assist its discussions of stock structure and abundance estimates of white whale populations;

REQUESTS that the Secretariat transmit the text of this Resolution to the Government of Canada.

IWC Resolution 1998-10

RESOLUTION TO CONSIDER ESTABLISHMENT OF A MECHANISM TO IMPROVE COMMUNICATIONS BETWEEN THE COMMISSION AND ITS SCIENTIFIC COMMITTEE.

WHEREAS Article IV of the ICRW provides &at the Commission may (a) encourage, recommend, or if necessary, organise studies and investigations relating to whales and whaling; (b) collect and analyse statistical information concerning the current conditions and trend of the whale stocks and the effects of whaling activities thereon; (c) study, appraise, and disseminate information concerning methods of maintaining and increasing the populations of whale stocks,

WHEREAS the work of the Scientific Committee is vital to the functioning of the Commission in the execution of its mandate,

WHEREAS the Scientific Committee shall, in accordance with the Commission's Rules of Procedure, inter alia, consider such additional matters as may be referred to it by the Commission or the Chairman of the Commission,

WHEREAS there have been instances where incomplete communications between the Commission and its Scientific Committee have caused delays in the work of the Scientific Committee and subsequently that of the Commission, BELIEVING that increased and more effective communications between the Scientific Committee and the Commission will assist in the expeditious completion and implementation of the RMS and the AWMP,

COMMENDING the high quality of the work of the Scientific Committee on these issues,

NOTING the value of informal discussions between Commissioners and the Chairman of the sub-committee OF management procedures during the development of the RMP; and similar discussions between interested Commissioners and the Chairman of the Standing Working Group on the Development of the AWMP at this meeting,

NOW THEREFORE the Commission requests the Advisory Committee in close consultation with the Scientific Committee to:

- (i) recommend a process to improve communications between itself and the Commission, and
- (ii) report to the Commission, through its Finance and Administration Committee at its next annual meeting.

IWC Resolution 1998-11

RESOLUTION ON IWC CONCERN ABOUT HUMAN HEALTH EFFECTS FROM THE CONSUMPTION OF CETACEANS

WITH DUE REGARD to ICRW Schedule Article V.2 (d) stating that the Commission "shall take into consideration the interests of the consumers of whale products",

AWARE of scientific evidence indicating that some Arctic communities are currently faced with the threat of organic contaminants and heavy metals from the consumption of certain cetacean products;

NOW THEREFORE THE COMMISSION:

INVITES member and non-member governments directly affected

- to submit, when possible, reliable information to the IWC relating to possible human health effects resulting from the consumption of cetacean products;
- to encourage the World Health Organisation (WHO) and other appropriate agencies to put this issue on their own agenda;

REQUESTS further collaboration between the WHO and the IWC on this matter.

IWC Resolution 1998-12

RESOLUTION ON REVIEW OF OBSERVER STATUS

CONCERNED that the laws of some Contracting Governments have been violated by international organizations having or seeking observer status in the IWC.

CONCERNED that some Contracting Governments of the IWC, in particular small developing countries, have received threats of economic coersion and threats against individuals, due to the policies expressed in this organization.

AWARE of the fragile nature of the economies in small developing countries making them particularly vulnerable to threats of economic boycott.

WISHING to address the concerns voiced in a constructive and effective manner.

DECIDES that the Advisory Committee consider the following addition to the Rules of Procedure and report to the 51st Annual Meeting:

"The accreditation of an international organization referred to in [Rule of Procedure] C. I .(b) would be subject to immediate review and decision upon submission to the IWC by a Contracting Government of legal evidence that such an organization has violated the laws of the Contracting Government or has threatened any individual; or upon submission of documentation that such an organization has caused economic hardship to the Contracting Government because of participation or views expressed in the IWC."

IWC Resolution 1998-13

RESOLUTION ON CANADIAN MEMBERSHIP TO THE IWC

WHEREAS Canada withdrew from the International Whaling Commission (IWC) in 1982, stating "it no longer has any direct interest in the whaling industry or in the related activities of the IWC;

NOTING that Canadian representation has been limited to Observer Status at annual TWC meetings since then;

WHEREAS Canada issued its first license to take one bowhead whale in 1991 in the western Arctic from, the Bering-Chukchi-Beaufort bowhead whale stock and then has continued to issue such licenses on a regular basis;

WHEREAS Canada issued its first license to take one bowhead whale in 1996 from the Hudson Bay-Foxe Basin stock and one whale was landed;

WHEREAS the Nunavut Wildlife Management Board has again requested that the Government of Canada authorize the landing of one bowhead whale from the Davis Strait/Baffin Bay stock;

NOW THEREFORE TO COMMISSION:

Reaffirms its opposition to all whaling not conducted under the International Convention for the Regulation of Whaling (ICRW);

Invites the Government of Canada to rejoin the IWC and, in the meantime, not to issue further licenses for any whaling not conducted under the ICRW.

Appendix I

TERMS OF REFERENCE FOR THE WORKSHOP ON WHALE KILLING METHODS

(i) consider all methods of killing currently in use in whaling or known to be in development;

(ii) assess the methods, their efficacy and physiological effects;

(iii) evaluate the time to death achieved by the various methods;

(iv) review and evaluate all data, relevant too the Workshop, available through the IWC or held by national governments or organisations;

(v) complete a comparative analysis of the methods and consider revision of the Action Plan as appropriate, with a view to improving whale killing techniques and so minimizing times JO irreversible

insensibility and death, and therefore the risk of pain caused to the animal, while paying proper regard to practicalities and to the safety of the crew.

In addition IWC Resolution 1997-1 on improving the humaneness of aboriginal subsistence whaling specifically requested the next Workshop on Whale Killing Methods to review the data received by the Commission on this matter.