

Non-Binding Resolutions

by Harm Dottinga*

The International Whaling Commission (IWC) held its 51st Annual Meeting in St. George's, Grenada, from 24–28 May 1999. The Meeting resulted in the adoption of 9 (non-binding) resolutions.

As in previous years the IWC upheld the moratorium on commercial whaling and rejected for the twelfth consecutive time the proposal made by Japan for an interim relief allocation of 50 minke whales to be taken by Japanese coastal communities. Proposals made by Japan and Norway, which were supported by the Caribbean members, to ease restrictions on commercial whaling were defeated by a large majority of the delegates present at the Meeting when put to the vote. Japanese proposals to conduct voting in the IWC by secret ballot and to reopen the Southern Ocean Whale Sanctuary to whaling activities met with a similar fate.

Norway continues its whaling activities under the formal objection it lodged to the 1982 IWC decision to set all catch limits for commercial whaling at zero. This year Norway established a quota of 753 minke whales, which is the highest quota since it resumed whaling in 1993. The IWC once again requested Norway to stop all whaling activities conducted under its jurisdiction.

Breaking the stalemate

The members of the IWC discussed a compromise proposal, which had been introduced by Ireland at the 49th Meeting of the IWC in order to break the stalemate existing

between Governments opposing resumption of whaling and those in favour. This proposal is based on the completion and adoption of the Revised Management Scheme (RMS); establishment of a worldwide sanctuary for whales, combined with permission for closely regulated and monitored coastal whaling within 200 mile zones by traditional whaling communities; a prohibition on international trade in whale products; and termination of scientific whaling. Although the proposal was accepted by most of the States present at the meeting as an adequate starting point for negotiations, no agreement was reached on this issue. The proposal will be discussed again at next year's meeting.

Revised Management Scheme

The IWC affirmed that before the RMS – which was accepted and endorsed by the IWC in 1994 – can be put into operation, the work on an inspection and monitoring system will have to be completed. An extended working group meeting was announced to be held before next year's meeting.

A resolution was adopted on DNA testing, a technology that is considered as one of the most promising technologies for inspection and monitoring under the RMS of commercial whaling and trade in whale products. The Scientific Committee was requested to include the issue on its agenda and to provide information and advice to the Commission.

IWC/CITES

One of the most notable results of the meeting was the adoption of a resolution on cooperation between the IWC

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and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). It was adopted in view of the next CITES Conference, which will be held in April 2002 in Nairobi. Japan and Norway are expected to request at this Conference to lift the ban on trade in products originating from certain minke whale stocks to allow them to buy and sell such products. The resolution reaffirms that the IWC is the "universally recognized competent international organization for the management of whale stocks." It also states that CITES has an important role in "supporting the conservation of whale stocks and the IWC's management decisions." This is a clear message to CITES that the IWC has primary responsibility for the conservation and management of large species of whales and that the Parties to CITES should await decisions of the IWC before lifting the trade ban. The Resolution directs the IWC Secretariat to advise the CITES Conference, when requested to comment on proposals to downlist certain whale species or stocks, that it has not yet completed the work on the RMS and that the moratorium on commercial whaling is still in force for all species of whales managed by the IWC.

Aboriginal subsistence whaling

No major changes were made in the catch limits agreed upon in 1997, which were established for the period up to 2002. The only change was the extension of the annual catch of two humpback whales by St Vincent and Grenadines for the seasons 2000–2002. The development of an Aboriginal Subsistence Whaling Management Procedure continues within the Scientific Committee.

Highly endangered whales

The IWC adopted a resolution regarding several highly endangered populations of grey, bowhead, right and blue whales. Some of these stocks have recently been affected by ship strikes, fisheries (by-catch) and a direct taking outside IWC regulation. Governments are called upon to refrain from authorizing further takes until more is known about the effects of such takings on the recovery and survival of the populations. The status of these populations will be considered by the Scientific Committee at next year's meeting.

Special permits for scientific research

Two resolutions were adopted on special permits for scientific research. The first requests the Scientific Committee to examine if the information that is sought through research conducted pursuant to a special permit is necessary for the purposes of management of the species or stock involved and if non-lethal alternatives are available. The second resolution called on Japan to refrain from issuing special permits in the 1999/2000 seasons for the taking of minke whales in the Southern Ocean Whale Sanctuary and the North Pacific Ocean.

This year Japanese vessels caught 389 minke whales in the Antarctic under special permits issued for scientific research (out of a quota maximum of 440). In the western North Pacific 398 minke whales were taken by

Japan over the last 5 years under special permits (the annual quota is set at 100 for the Pacific).

Environmental threats

The IWC continues to support research by the Scientific Committee and the Standing Working Group on Environmental Concerns on "all priority areas for assessing the impact of environmental change on cetaceans." The research of the Working Group and the Scientific Committee concentrates on pollution and contaminant issues and climate change and habitat, but also includes other issues such as noise, ozone depletion and habitat degradation. The IWC adopted a resolution endorsing two priority research programmes dealing with baleen whale habitat and prey studies (SOWER 2000+) and chemical pollutants (POLLUTION 2000+). It provided basic funding for these projects and requested IWC members and other interested parties to provide additional funding and assistance.

The Commission also adopted a resolution on the issue of health effects resulting from the consumption of cetacean products containing contaminants. It calls on relevant countries to "take measures to reduce pollution that may cause negative health effects from the consumption of cetacean products." It requests the Scientific Committee to keep data on the contaminant loads in cetaceans under review.

Humane killing of whales

Prior to the IWC meeting a workshop was organized on Whale Killing Methods. The outcome of this workshop was an 11 point Action Plan, which was subsequently approved by the IWC. The resolution that was adopted to this end encourages the submission of relevant information to the annual meetings of the Working Group on Whale Killing Methods and the development of more accurate indicators to determine the time of death other than through the cessation of movement. It also encourages Contracting Parties to provide technical assistance to reduce time to unconsciousness and death in all aboriginal subsistence whaling.

Small cetaceans

The final resolution passed at the conference addressed the concern that was recently reiterated by the Scientific Committee over the status of exploited stocks of Dall's porpoise, a small cetacean species caught on a sizeable scale by Japan. The resolution directs the Scientific Committee to review the status of the impacted stocks in the 53rd meeting. It encourages Japan to provide necessary data for this review and invites Japan to reconsider the level of its domestic quota.

Cooperation with Other Organizations

The IWC continues to cooperate with a large number of international organizations that play an important role in the conservation of cetaceans. These include the institutions established under the Convention on the Conservation of Migratory Species of Wild Animals and the

Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas; the Convention on the Conservation of Antarctic Marine Living Resources; the Convention on International Trade in Endangered Species of Wild Fauna and Flora; the North Atlantic Marine Mammal Commission; the International Council for Explora-

tion of the Seas; the Inter-American Tropical Tuna Commission; the United Nations Food and Agricultural Organization; and the Southern Ocean GLOBEC.

Next year's Meeting will be convened in Adelaide, Australia, from 3–6 July 2000. □