



WWF®

POSITION PAPER

IWC 64

2012



## WWF POSITION STATEMENT

64<sup>th</sup> International Whaling Commission (IWC) Meeting  
Panama 2-6 July 2012

WWF's goal is to ensure that viable populations of all cetacean species occupy their historic 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.

### CONSERVATION AND THE IWC

The marine environment has never before been under such heavy cumulative pressures. Bycatch, ocean noise, chemical pollution, habitat destruction, unsustainable fishing, oil and gas exploration and development, shipping, aquaculture, marine debris and climate change are all taking their toll on cetaceans and their habitats, and in turn, are threatening the local communities, which depend on coastal environments for their livelihoods and survival. In order for the IWC to fulfill its purpose, it must tackle these growing pressures to cetaceans and their habitats. This will be a challenge, but also presents an opportunity for the IWC to become a world leading body in marine conservation. Continued resistance within the IWC to deal with conservation issues, when almost all multilateral agreements concerned with management of natural resources are moving in the opposite direction, will further erode the IWC's relevance and ability to achieve its mandate.

The IWC has already made considerable progress on cetacean conservation, through its Scientific Committee, Conservation Committee and through numerous Commission resolutions. **WWF strongly urges all IWC Contracting Parties – whatever their views on whaling - to strengthen the IWC’s conservation agenda. Specifically, WWF urges Contracting Parties to take proactive leadership on priority cetacean conservation issues, and provide increased funding for the conservation work of the IWC Scientific Committee, the Conservation Committee and its programmes of work. WWF urges all Contracting Parties to address as a priority the threats to cetaceans both in their waters and on the high seas.**

## OCEAN NOISE

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Ocean noise is an increasing threat to cetaceans, animals that depend on sound to navigate, communicate, find food, find a mate and avoid predators; in short to survive. Anthropogenic sound from increasing human activities in the ocean, including oil and gas exploration and shipping, can disrupt these vital behaviors. WWF notes with concern the mounting evidence of the severe impacts to marine mammals caused by activities including seismic testing associated with oil development and geophysical surveying and by commercial shipping. WWF applauds the efforts of the Scientific Committee to better understand the impacts of anthropogenic noise on cetaceans and to make recommendations for further research and management. WWF notes as well the commendable progress on this issue made by other international organizations, including the International Maritime Organization (IMO), ACCOBAMS<sup>1</sup>, ASCOBANS<sup>2</sup> and the UN General Assembly, and would encourage cooperation and information sharing on this issue.

**WWF strongly urges all IWC Contracting Parties to implement the recommendations of the Scientific Committee on ocean noise, including mitigating anthropogenic noise impacts from commercial shipping, seismic surveys, and other industrial activities, encouraging the development of quantitative frameworks for assessing cumulative impacts from noise and other stressors, and collaborating with the IMO. In addition, WWF urges IWC Contracting Parties to take proactive leadership in the establishment of a Working Group on Ocean Noise under the auspices of the Conservation Committee.**

## SOUTH ATLANTIC WHALE SANCTUARY

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WWF strongly supports the proposal from Brazil, Argentina and Uruguay to establish a whale sanctuary in the South Atlantic, a region in which whale-watching has been steadily increasing, providing ecotourism income, benefits for local communities, and research opportunities. **WWF urges all IWC Contracting Parties to support this proposal.**

## SOUTHERN OCEAN WHALE SANCTUARY

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The Southern Ocean Whale Sanctuary is critical to ensuring the recovery and viability of whale populations in the southern hemisphere. It provides the feeding grounds needed to sustain most southern hemisphere baleen whales, which provide income and livelihoods to coastal communities from Australia to Latin America to Africa through whale watching tourism. Most of the Southern Ocean’s whale species were driven to near extinction by uncontrolled commercial whaling in the 20<sup>th</sup> Century, and many species are still severely depleted. Whales in the Southern Ocean now face an increasing range of threats, including ship strikes, potential overfishing of key

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<sup>1</sup> Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic Area

<sup>2</sup> Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas

prey species, and most importantly, climate change.<sup>3</sup> In order to strengthen the resilience of Southern Ocean whale populations as they face this new range of threats, it is of paramount importance to prevent any losses due to whaling. Furthermore the Southern Ocean is an existing sanctuary, as noted in the IWC Schedule: “... commercial whaling, whether by pelagic operations or from land stations, is prohibited in ... the Southern Ocean Sanctuary.”

**WWF believes it is therefore an unquestionable responsibility of all Contracting Governments to the IWC to ensure that the Southern Ocean Whale Sanctuary is respected and that no takes of any cetacean species, including through ‘scientific research’, are authorized in this zone.**<sup>4</sup>

## ICELAND FIN WHALE HUNT

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WWF notes that the Icelandic Marine Research Institute recommended an increased quota of 216 minke whales for 2011 and 2012, and while we are aware that there have been conflicting reports as to whether fin whaling will take place this year, WWF remains deeply concerned that the fin whale hunt could resume. Iceland’s previous fin whale quota of 150 animals a year is more than three times the catch limit that would be recommended by the IWC’s approved quota calculation method if the commercial whaling moratorium was not in place. Fin whales are listed as an endangered species by IUCN. Iceland’s commercial whaling is conducted under a reservation to the moratorium on commercial whaling, thus without IWC supervision and control. Iceland’s reservation to the moratorium was not registered at the time when the moratorium went into effect, thus is not recognised by many IWC Contracting Parties.

President Obama of the United States stated in a message to Congress<sup>5</sup> of September 2011 that Iceland’s fin whale hunt was of “particular concern to the United States,” and that “Iceland's actions threaten the conservation status of an endangered species and undermine multilateral efforts to ensure greater worldwide protection for whales.” Iceland remains certified under US domestic legislation for undermining the effectiveness of the IWC.

**WWF urges the Government of Iceland to adhere to the internationally agreed moratorium on commercial whaling and publically commit to permanently halting its fin whale hunt.**

## ARCTIC CETACEANS

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Arctic cetaceans face a raft of threats, arguably the greatest being those resulting from climate change, expanding oil and gas exploration and operations, and increased shipping. Arctic cetaceans are also critically important to the Arctic peoples for cultural and subsistence purposes, and declines in Arctic cetacean populations due to anthropogenic impacts such as oil and gas exploration would have severe implications for Inuit communities.

WWF welcomes the commitment made by Contracting Governments at IWC62 to undertake a workshop on anthropogenic impacts on Arctic cetaceans, under the auspices of the Scientific Committee. WWF has a large Global Arctic Programme, and is currently active in most Arctic countries, including Canada, Denmark, Finland, Norway, Russian Federation, Sweden, and the United States.

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<sup>3</sup> For a full scientific review of the impacts of climate change on Southern Ocean whales, see [http://wwf.panda.org/what\\_we\\_do/endangered\\_species/cetaceans/cetaceans/iwc/resources/?165561/Whales-set-to-chase-shrinking-feed-zones](http://wwf.panda.org/what_we_do/endangered_species/cetaceans/cetaceans/iwc/resources/?165561/Whales-set-to-chase-shrinking-feed-zones)

<sup>4</sup> For a report on the importance of strengthening the Southern Ocean Whale Sanctuary, please see [http://wwf.panda.org/about\\_our\\_earth/all\\_publications/?193792/Save-the-Whale-Save-the-Southern-Ocean](http://wwf.panda.org/about_our_earth/all_publications/?193792/Save-the-Whale-Save-the-Southern-Ocean)

<sup>5</sup> <http://www.whitehouse.gov/the-press-office/2011/09/15/message-president-congress>

One anticipated outcome from the workshop would be identification of critical cetacean habitats in the Arctic, and agreement on conservation recommendations for those areas. In particular, given the increased threat posed by shipping and oil and gas exploration and development to Arctic cetaceans, WWF encourages the workshop to identify management measures required to limit the impact of these industrial activities on Arctic cetaceans.

An important consideration in determining critical cetacean habitats and management measures is the issue of climate change – i.e. how critical habitats for Arctic cetaceans may shift with the predicted impacts of climate change, and how oil and gas exploration and development and shipping is likely to expand and alter in light of the predicted reductions of sea ice extent. Consideration of this issue during the workshop, building on the outcomes of the IWC Scientific Committee's 2009 and 2010 workshops on climate change and cetaceans, would be extremely valuable.

**WWF encourages all Contracting Governments, particularly those in the Arctic or with Arctic territories, to provide the technical and financial resources necessary to ensure the effectiveness and success of the Arctic anthropogenic impacts workshop. WWF would also encourage a focus not only on recommendations regarding scientific research, but primarily on conservation recommendations. Finally WWF urges all Arctic governments to commit to rapidly implementing the recommendations of this workshop, thus safeguarding Arctic cetaceans and the communities that rely on them.**

## **WESTERN NORTH PACIFIC GRAY WHALES**

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The IWC has repeatedly addressed and made recommendations on the conservation of the critically endangered 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.<sup>6</sup> WWF is extremely concerned about upcoming oil projects and their impact on WGW, in particular 2 new proposed platforms, one adjacent to the WGW near-shore feeding area, one adjacent to the WGW offshore feeding area.

- Near-shore: WWF strongly opposes the construction of a 3<sup>rd</sup> platform as part of Sakhalin II directly adjacent to the WGW near-shore feeding habitat.<sup>7</sup> Twenty NGOs have signed a Statement of Concern<sup>8</sup> opposing the platform, which could have a potentially devastating impact on the whales. Original plans for the Sakhalin II project required only two platforms to develop the field, and we strongly believe those agreed plans should be adhered to, as no reasonable explanation for an additional platform has been given. **WWF calls on the Russian government to reject plans for a 3<sup>rd</sup> platform under Sakhalin II.**
- Offshore: Exxon Neftegas Ltd (ENL) plans to construct a new platform (Arktun Dagi) adjacent to the WGW's offshore feeding area this summer. Due to the platform's close proximity to the whales, negative impacts are likely. However, ENL have not submitted their project details to the Western Gray Whale Advisory Panel (WGWAP), who could provide the best scientific recommendations for mitigation measures, as well as assess the cumulative impacts with other projects. **WWF calls on the Russian government to prevent the construction of this platform so close to the WGW feeding ground, at least until the cumulative impact has been assessed, and to require ENL and all other companies operating around Sakhalin to provide advanced information on their activities and monitoring data to the WGWAP.**

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<sup>6</sup> See IWC resolutions 2005-3, 2004-1, 2001-3

<sup>7</sup> Visit the following link for more information [www.thelast130.org](http://www.thelast130.org)

<sup>8</sup> See

[http://cmsdata.iucn.org/downloads/wgwap\\_10\\_inf\\_1a\\_ngo\\_statement\\_of\\_concern\\_sakhalin\\_ii\\_march\\_2011.pdf](http://cmsdata.iucn.org/downloads/wgwap_10_inf_1a_ngo_statement_of_concern_sakhalin_ii_march_2011.pdf)

In May 2011, the Russian government imposed a seasonal restriction requiring developers of a newly available concession to conduct activities only from late November to late May, when the whales are away from their feeding grounds around the island. **WWF calls on the Russian government to expand this regulation to all other projects that are in the vicinity of critical feeding habitat for the whales.**

**WWF calls on all Contracting Governments to implement similar time-space closures for oil and gas operations in their own waters where overlap with cetacean habitats occurs.**

### CRITICALLY ENDANGERED SMALL CETACEANS

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WWF is extremely concerned about the conservation status of several species of small cetacean worldwide, in particular the impact of bycatch on these animals. Bycatch is estimated to kill 300,000 whales, dolphins and porpoises each year. Two critically endangered small cetacean species, both threatened by bycatch, require particularly urgent attention:

- Maui's dolphins, a subspecies of Hector's dolphins, are endemic to the west coast of the North Island of New Zealand and are critically endangered with only about 55 animals over the age of one year remaining. Scientists have identified entanglement in gillnets (monofilament nylon mesh nets) and capture by inshore trawl fisheries, as the greatest threats to these dolphins. Significant population declines have been associated with the rapid and widespread expansion of these industries since the early 1970's. **WWF acknowledges the positive steps taken to date, but given the urgent conservation situation, we call on the New Zealand government to act immediately to further protect Maui's dolphins by banning the use of gillnets and inshore trawling throughout the dolphins' entire current and historic range and to guarantee compliance for all vessels operating within their habitat.**
- The vaquita is the world's most critically endangered marine cetacean species and lives only in an area of roughly 5,000 square kilometers in the Upper Gulf of California, Mexico. Despite significant government efforts the vaquita population is still declining and now likely consists of fewer than 200 individuals. The Vaquita Refuge protects only about half the population and gillnet fishing continues both inside (illegally) and outside the refuge. **WWF commends the government of Mexico for positive steps taken to date, and further calls on Mexico to enforce a complete ban on gillnet use within the entire habitat of the vaquita.**

### HIGHLY MIGRATORY CETACEANS AND OCEAN GOVERNANCE

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Many cetaceans are highly migratory, with species requiring the territories of multiple nations as well as the high seas to survive. It is imperative that they are protected from threats across their range, not only for their own survival, but also to allow continued non-lethal use of cetaceans by many developing countries; whale watching is estimated to be worth US\$2.1 billion per year worldwide.<sup>9</sup> In particular, there are large catches of highly migratory species of cetaceans within the Southern Ocean Whale Sanctuary by Japan, which are not regulated by any international forum.

**WWF strongly urges IWC Contracting Parties to support Resolution IWC/64/11, which calls the attention of the international community to the circumstance that massive unregulated catches of highly migratory species of cetaceans continue to take place beyond the effective control of the IWC, including within the IWC Southern Ocean Sanctuary.**

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<sup>9</sup> O'Connor, S, Campbell, R., Cortez, H., and Knowles, T. 2009. Whale watching worldwide: tourism, numbers, expenditures and expanding economic benefits, a special report from the International Fund for Animal Welfare, Yarmouth, MA, USA. Prepared by Economists at Large.



## ABORIGINAL SUBSISTENCE WHALING QUOTAS

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

WWF advocates that aboriginal subsistence quotas be judged on their merits and that these quotas be quickly resolved at IWC64, so that the meeting can focus on the numerous critical conservation issues facing cetaceans in the 21<sup>st</sup> century.

## QUORUM

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The long delays caused by the quorum breaking walk-out of Japan and several other countries at IWC63 meant that many agenda items were not discussed at all; this included many conservation related matters that required urgent attention. It is imperative that such a situation does not occur again.

The matter of what constitutes quorum can be resolved through the suggested text within Annex B of the draft recommendations from the Intersessional Group of the Quorum (IWC/2012/IG-Q3). **WWF strongly urges IWC contracting governments to resolve the matter of quorum in the Finance and Administration Committee, and subsequently in plenary, as quickly as possible, if necessary through a simple majority vote.**

## CONCLUDING REMARKS

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IWC64 provides a significant opportunity to bring the IWC up to date with modern standards by strengthening its conservation agenda. IWC64 should have a particularly strong conservation focus given that many key conservation topics were not given time for discussion at IWC63. WWF strongly urges all Contracting Governments to work together in this effort, and as the world's largest conservation organization, WWF stands ready to offer its full support.