

## **Chair's Summary Report of the 62<sup>nd</sup> Annual Meeting, Agadir, Morocco, June 2010**

The 62<sup>nd</sup> Annual Meeting of the International Whaling Commission (IWC) took place at the Centre de Congrès, Les Dunes d'Or, Agadir, Morocco from 21-25 June 2010. In the absence of the Chair of the IWC (Ambassador Cristian Maquieira, Chile), the meeting was chaired by the Vice-Chair Ambassador Anthony Liverpool (Antigua and Barbuda). The meeting was attended by 73 of the 88 Contracting Governments and observers from 7 intergovernmental organisations and 51 non-governmental organisations were also present. The associated meetings of the Scientific Committee and Commission sub-groups were held at the same venue in the period 30 May to 17 June.

A brief report of the outcomes of the main agenda items is provided below. A full report including details of Commission discussions will be available in the Chair's Report of the 62<sup>nd</sup> Annual Meeting.

### **1. INTRODUCTORY ITEMS**

Opening addresses were given by the Deputy Mayor of Agadir and the Secretary General of the Moroccan Ministry of Marine Fisheries speaking on behalf of the Minister of Agriculture and Marine Fisheries.

### **2. ADOPTION OF THE AGENDA**

The Chair drew attention to the Annotated Provisional Agenda and asked for its adoption.

Japan stated that this was an important meeting for the IWC and that it was ready to make its utmost effort to solve the issues ahead. It noted that in the past it had made proposals for some agenda items to be deleted, and that although its basic position on those issues had not changed it would not be making similar requests at IWC/62. This decision was based on a desire to support the improved spirit of co-operation which had emerged during discussions on the future of the IWC.

The agenda was adopted by the meeting.

### **3. THE FUTURE OF THE IWC**

At IWC/60 in Santiago the Commission established a Small Working Group (SWG) to 'make every effort to develop a package or packages for review by the Commission' in order to assist it 'to arrive at a consensus solution to the main issues it faces'. Despite three SWG intersessional meetings, at IWC/61 in Madeira the Commission recognised that the work was not yet complete and agreed, by consensus, to extend the time allocated to the SWG until IWC/62. The Commission also agreed to open the SWG to observers and to establish a Support Group to assist the Chair of the Commission in providing direction to the process and guiding the submission of material to the SWG. After IWC/61 and prior to IWC/62 the Support Group met four times, and the SWG once. On the basis of discussions held at those meetings the Chair and Vice-Chair of the Commission developed a 'Proposed Consensus Decision to Improve the Conservation of Whales (IWC/62/7rev)' for discussion at IWC/62.

Structured discussions on the merits of the proposed consensus decision took place in open session over a two day period during the sub-committee week prior to the opening of IWC/62. During IWC/62 discussions on the proposed consensus decision continued as a series of small, private 'one to one' meetings between groups of contracting governments. At the end of these meetings it became clear that despite the enormous amount of effort and resources used in recent years, the Commission was not in a position to adopt the proposed consensus decision at IWC/62. Deep differences still remained on several important issues including the question of the moratorium, the numbers of whales that might be taken, special permit whaling, indigenous whaling and trade. At the same time, the Commission also recognised the increased level of trust and improved understanding which had resulted from the process and agreed that a pause and period of reflection was warranted prior to IWC/63.

### **4. STATUS OF STOCKS**

This section briefly summarises the work of the Scientific Committee on a number of whale populations. The Commission adopted the report of the Scientific Committee on these matters.

#### **4.1 Antarctic minke whales**

As in previous years, the Scientific Committee continued to work on obtaining agreed abundance estimates for Antarctic minke whales. Data on abundance have been collected from the IDCR/SOWER cruises (1978/79 to 2003/04), and these have been split into three circumpolar series known as CPI, II and III. Analysis of the data have been undertaken using two different methods (a standard hazard probability model and a spatial model). These methods give estimates of minke whale abundance that are quite different, but both show an appreciable decline in estimated abundance between CPII and III.

The Scientific Committee discussed the differences between the two abundance estimate techniques as well as the apparent decline between CPII and III. It developed a work plan to resolve the differences between the two abundance estimates by the 2011 Annual Meeting along with a contingency plan if the planned work is unsuccessful. Work continues on examining the causes for the appreciable decline in the estimates.

#### **4.2 Southern Hemisphere humpback whales**

The Scientific Committee has been undertaking in-depth assessments of Southern Hemisphere humpback whales since 1992. Seven breeding stocks are recognised of which four have been assessed thus far.

This year the main focus was on the breeding stock which uses waters off the western coast of Africa. The Committee developed a work plan to conclude the assessment of this breeding stock by next year.

Although a Northern Hemisphere population, under this item the Scientific Committee also highlighted its great concern over the status of the Arabian Sea humpback whale population that may number as few as 82 individuals.

#### **4.3 Southern Hemisphere blue whales**

The Scientific Committee recently completed a circumpolar assessment of Antarctic blue whales which indicated that, whilst still severely depleted, blue whales are increasing at around 8% annually. This year, the Committee examined new methods of estimating abundance including photographic, genetic mark-recapture methods and acoustic techniques.

#### **4.4 Western North Pacific gray whales**

Special attention was paid to the status of the critically endangered western North Pacific gray whale, whose population numbers only about 130 animals and which faces anthropogenic threats from oil and gas development activities on its feeding grounds and entanglements in fishing gear throughout its range. The Scientific Committee strongly endorsed a draft of a conservation plan for this population which includes 11 focussed actions related to co-ordination, public awareness, conservation research, monitoring and mitigation and commended this to the Commission and range states. The Committee recommended that the plan be broadly distributed and used as a model for the development of other cetacean conservation plans.

The Committee also (1) strongly recommended the postponement until next year of a seismic survey planned by the company Rosneft for 2010 in a high density area of western gray whales and (2) re-emphasised its support for continuation of the work of the IUCN western gray whale advisory panel.

#### **4.5 Southern Hemisphere right whales**

A long-term monitoring programme along the southern Australian coast estimated an annual increase rate of around 7.5% for the period 1993 to 2009 and a total Australian population of around 3,000 southern right whales.

The report of a workshop to investigate the causes of the high mortality of particularly first year calves around Peninsula Valdes, Argentina was discussed by the Scientific Committee. These mortalities had been brought to light under a long-term monitoring programme. Three leading hypothesis emerged: (1) reduced food availability for adult females; (2) biotoxins; and (3) infectious disease. A number of recommendations to improve understanding of the cause or causes were made, of which continuation of the long-term monitoring programmes is the highest priority followed by continuation of the necropsy programme.

A long-term monitoring programme for South African right whales estimated an annual growth rate of around 7% and a population size in 2006 of about 4,100 animals. However, the Committee was concerned to hear of potential natural gas developments in the South African region which is home to about 75% of the cow-calf pairs in the spring time. It recommended that all permits issued should contain mitigation measures to avoid disturbance to the right whales.

A workshop will be held in Argentina in September 2011 to provide updated assessments of southern right whales. The Committee re-emphasised the importance of long-term monitoring programmes and endorsed a proposal to establish a Southern Ocean right whale photo-identification catalogue.

#### **4.6 Other stocks of right whales**

##### *North Atlantic right whales*

This small stock (around 400 individuals) is critically endangered and is vulnerable to ship strikes and entanglements. Recent studies from a long-term monitoring programme suggested some growth in the population and this, along with successive years of improved calf production and the introduction of new management measures, provided the Scientific Committee with grounds for cautious optimism. However, it also repeated its previous recommendation that every effort should be made to reduce human induced mortalities to zero.

##### *North Pacific right whales*

This extremely small stock (probably less than 100 individuals) is critically endangered and the Committee considered it a matter of absolute urgency that further research be conducted on these right whales, including identifying current sources of human-induced mortality.

#### **4.7 Research cruises (SOWER and North Pacific)**

The final IDCR/SOWER cruise took place in 2009/10 and had two main objectives: (1) to undertake a sightings survey in collaboration with the Australian Antarctic Division aerial survey and (2) to continue research on the priority species which are southern right, blue, fin and humpback whales. The Committee recognised that the data collected during the programme which began in 1978/79 provides an unparalleled source of information on Antarctic cetaceans.

The Committee established a work plan to develop a proposal for a medium to long term co-operative research programme to provide information relevant for whale conservation and management in the North Pacific. The Committee recognised the importance of obtaining biopsy samples to any North Pacific programme and recommended that investigations into the use of institutional CITES permits begin immediately.

### **5. WHALE KILLING METHODS AND ASSOCIATED WELFARE ISSUES**

The Working Group on Whale Killing Methods and Associated Animal Welfare Issues did not meet so as to allow extra time for discussions on the future of the IWC. Instead the Commission plenary received reports ranging from information on the most appropriate methods for euthanasia of stranded animals to information on killing methods and hunting.

The Commission also received and endorsed the report of an IWC workshop on welfare issues associated with euthanasia and the entanglement of large whales that was held in Maui, Hawai'i, in April 2010. Entanglement of large whales is an increasing global problem and IWC member nations were urged to intensify efforts to determine the extent of entanglements and to find effective mitigation measures. The establishment of trained disentanglement response teams, particularly in areas where depleted populations are found, was recommended. A decision tree was developed to assist in determining whether disentanglement or euthanasia is the most appropriate option. For stranded large whales, euthanasia is usually the most humane option if it can be done safely and humanely.

### **6. ABORIGINAL SUBSISTENCE WHALING**

The Commission received the report of its Aboriginal Subsistence Whaling Sub-Committee that reviewed *inter alia* the Scientific Committee's work on (1) developing an aboriginal subsistence whaling management procedure for Greenlandic hunts and (2) advice on catch limits using methods agreed by the Commission. The Scientific Committee also endorsed the recommendations of a scientific group established by the Commission to review conversion factors from whales to edible products for the Greenlandic hunts.

At the 2008 and 2009 annual meetings of the Commission Denmark, on behalf of Greenland, requested a take of humpback whales from the West Greenland stock. In 2009, the Commission agreed to leave open the decision on Greenland's request until an intersessional meeting, by which time the report from a small scientific group established to investigate conversion factors (referred to above) would be available to facilitate discussions. However the intersessional meeting was inquorate and so no decision could be taken. Accordingly Denmark again presented its request on behalf of Greenland to the Commission during IWC/62.

The request (which was in accord with scientific advice on sustainability) was initially for 10 humpbacks annually for 2010, 2011 and 2012 and was combined with a reduction in the number of minke whales to be struck from the West Greenland stock from 200 to 178. After discussions within the Commission at the annual meeting, the request was modified to 9 humpbacks annually for 2010, 2011 and 2012. Denmark on behalf of Greenland also agreed to a reduction in the number of fin whales to be struck from the West Greenland stock from 19 to 16. Additionally Denmark, on Greenland's behalf, agreed to voluntarily reduce further the catch limit for the West Greenland stock of fin whales from 16 to 10 for each of the years 2010, 2011 and 2012. The Commission entered into an extensive discussion on this request which will be comprehensively reported in the Chair's full report of IWC62. The outcome of the discussion was that the Commission agreed, by consensus, to Denmark and Greenland's modified request.

As a result of the changes agreed at IWC/62 the full set of catch limits (all within Scientific Committee advice on safe limits) are:

*Bering-Chukchi-Beaufort Seas stock of bowhead whales (taken by native peoples of the USA and the Russian Federation):* A total of up to 280 bowhead whales can be landed in the period 2008-2012, with no more than 67 whales struck in any year (and up to 15 unused strikes may be carried over each year).

*Eastern North Pacific gray whales (taken by native peoples of the USA and the Russian Federation):* A total catch of 620 whales is allowed for the years 2008-2012 with a maximum of 140 in any one year.

*Caribbean humpback whales (taken by St Vincent and The Grenadines):* For the seasons 2008-2012 the number of humpback whales to be taken by the Bequians of St. Vincent and the Grenadines shall not exceed 20.

*West Greenland fin whales:* The number struck shall not exceed 16 in each year. However at IWC/62 in Agadir, Morocco, June 2010, Denmark and Greenland agreed to voluntarily reduce further the catch limit for the West Greenland stock of fin whales from 16 to 10 for each of the years 2010, 2011 and 2012.

*West Greenland common minke whales:* The number struck shall not exceed 178 in each year (and up to 15 unused strikes may be carried over each year).

*West Greenland bowhead whales:* The number struck shall not exceed 2 per year (and up to 2 unused strikes may be carried over each year). The quota for each year shall only become operative when the Commission has received advice from the Scientific Committee that the strikes are unlikely to endanger the stock.

*East Greenland common minke whales:* The number struck shall not exceed 12 in each year (and up to 3 unused strikes may be carried over each year).

*West Greenland humpback whales:* The number struck shall not exceed 9 in each of the years 2010, 2011 and 2012 (and up to 2 unused strikes may be carried forwards each year).

## **7. THE REVISED MANAGEMENT SCHEME (RMS)**

### **Revised Management Procedure (RMP) and the Revised Management Scheme (RMS)**

The RMP was designed by the Scientific Committee to set safe catch limits for commercial whaling for baleen whales according to the Commission's user and conservation objectives. It was adopted by the Commission in 1994. However, before the RMP can be used the IWC has agreed that measures must be in place to ensure that the agreed catch limits are not exceeded. It is this combination of scientific (under the RMP) and non-scientific factors (observation and inspection) that comprise the Revised Management Scheme.

At the 2006 annual meeting the Commission accepted that an impasse had been reached at Commission level on RMS discussions. Accordingly there were no specific discussions on the RMS at IWC/62, and instead the RMS was included as part of the discussions on the future of the organisation. In the meantime work has continued within the Scientific Committee to refine and further develop the RMP.

### **Continued development of the RMP**

#### *General issues*

The Scientific Committee continued its review of MSYR rates and agreed to complete it next year. Discussion of possible amendments to the RMP cannot be completed until then. The Committee also agreed on a number of technical improvements to the RMP specifications and annotations.

### *The Implementation Process*

An *Implementation* is the RMP process the Scientific Committee follows for a given species and region to ensure that the key scientific uncertainties are adequately addressed. Strict guidelines and timelines exist for *Implementations* (or the regular *Implementation Reviews*). A number of *Implementations* or *Implementation Reviews* are ongoing:

#### **WESTERN NORTH PACIFIC BRYDE'S WHALES**

In completing the *Implementation* in 2007, one of the presented options by the Scientific Committee was only acceptable if accompanied by an agreed research programme to examine the underlying stock structure hypothesis. An iterative review of a research proposal is underway.

#### **CENTRAL NORTH ATLANTIC FIN WHALES**

A similar situation occurred for the *Implementation* for central North Atlantic fin whales and again an iterative review of a research proposal is underway.

#### **WESTERN NORTH PACIFIC COMMON MINKE WHALES**

This year, the Scientific Committee completed its *pre-Implementation Assessment* for North Pacific common minke whales and a set of stock-structure hypotheses were developed to take forwards to the *Implementation Review*. A substantial amount of work is required to complete the *Implementation Review* on time (i.e. by the 2012 Annual Meeting) and a detailed workplan was developed.

#### **NORTH ATLANTIC COMMON MINKE WHALES**

The Scientific Committee agreed revised stock boundaries and abundance estimates for use in the RMP for North Atlantic common minke whales.

#### *Estimation of bycatch and other human-induced mortalities*

The RMP estimates a safe limit for all human-induced deaths not simply commercial whaling. It is therefore important to estimate the numbers of whales removed from the population by indirect means (e.g. through bycatches and ship strikes). This year the Committee focussed on the mortality of large whales in longline fisheries and on possible ways to estimate a time series of bycatches for western North Pacific common minke whales. The latter is important for the *Implementation Review* (see above).

The Committee also reviewed relevant information from the IWC Workshop on Welfare Issues Associated with the Entanglement of Large Whales (see also Item 5 above). The Committee made several recommendations relevant to member countries including: (1) the establishment of adequate programmes to monitor entanglement of whales and of entanglement response programmes where applicable; (2) improved reporting via National Progress Reports; (3) standardisation of data collected to maximise their usefulness; and (4) when examining whale carcasses, to record (at a minimum) whether fishing gear is present and whether fresh scars are visible, and (5) to facilitate necropsies on all large whales whenever possible.

Scientific Committee discussions of ship strikes are given Item 17 below.

## **8. SANCTUARIES**

No new sanctuary proposals were submitted to the Scientific Committee this year.

The Conservation Committee received the full report of the First International Conference on Marine Mammal Protected Areas (ICMMPA) which was held at Maui, Hawai'i in April 2009. France will host the second ICMMPA in Martinique in November 2011. France also provided updated information on its plan to census marine mammals and other pelagic megafauna by aerial survey in the French EEZ of the tropical Atlantic, Indian and South Pacific Oceans. Surveys were conducted in the Atlantic in 2008 and in the Indian Ocean in 2009/10.

CCAMLR has adopted a Marine Protected Area within its Convention area south of the South Orkney Islands and has more MPAs under consideration.

The proposed South Atlantic Whale Sanctuary was included as an integral part of the proposed Consensus Decision (see Item 3 above). Argentina re-stated the importance of the proposed South Atlantic Sanctuary, and requested that it be retained on the Commission's agenda for further consideration at forthcoming meetings.

## **9. SOCIO-ECONOMIC IMPLICATIONS AND SMALL-TYPE WHALING**

For many years, Japan has referred to the hardship suffered by its four community-based whaling communities since the implementation of the commercial whaling moratorium. Accordingly Japan reserved its right to propose an amendment to paragraph 10 of the Schedule to provide a quota for small type whaling should the process surrounding the future of the IWC ultimately fail (see Item 3 above).

## **10. SCIENTIFIC PERMITS**

The issue of special permit catches has been central to discussions on the future of the IWC (see Item 3 above).

The Scientific Committee has agreed a process for reviewing scientific permit proposals which was applied to the results of the Japanese programme in the North Pacific (JARPN II). The review was reported to the Commission last year. The Committee has been discussing whether the process needs modification, especially in regard to the selection of experts for the review panel and the admission of observers. Given that there was no need to establish a review panel in the forthcoming intersessional period the Committee noted that when it does decide to open 'Annex P' for review the revisions should be limited to just these aspects of the Annex. It is expected that a final review of the Icelandic special permit programme completed in 2007 will be initiated at next year's meeting.

The Japanese research programmes in the Antarctic (JARPA II) and North Pacific are continuing on the basis of existing long-term plans (although Japan is not taking humpback whales in the Antarctic in order to facilitate discussions on the future of the IWC).

## **11. SAFETY ISSUES AT SEA AND THEIR IMPLICATIONS**

Japan reported that Sea Shepherd Conservation Society protest activities against the JARPA II research vessels in the Southern Ocean had escalated in the last 12 months, despite a number of consensus Resolutions and statements<sup>1</sup> by the IWC. Japan stated that the action taken posed a serious threat to the safety of its vessels and crew and also referred to resolution MSC.303(87) of the 87<sup>th</sup> Maritime Safety Committee of the International Maritime Organisation 'Assuring Safety During Demonstrations, Protests or Confrontations on the High Seas'. Japan also welcomed recent steps taken by flag and port states relevant to Sea Shepherd vessels, and requested continuing co-operation from these states.

Contracting Governments, while continuing to support the right to legitimate and peaceful forms of protest, expressed deep concern regarding the further escalation of the confrontations and hoped that the matter could be resolved. The responsibility of the relevant Flag and Port States in this regard was noted and the respective governments involved reported on the actions they are taking.

## **12. ENVIRONMENTAL AND HEALTH ISSUES**

The IWC's Scientific Committee reports annually on research progress on environmental concerns, while Contracting Governments can report annually on national and regional efforts to monitor and address the impacts of environmental change on cetaceans and other marine mammals.

### **Climate change**

The second IWC workshop on climate change made recommendations in three areas: (1) Arctic, (2) Southern Ocean and (3) Small cetaceans.

The Arctic working group has established three study themes being: (a) single species-Regional contrasts, (b) trophic comparisons and (c) distributions shifts. To address these themes the Arctic working group plans to compare physical indicators of climate change with available data on two Arctic bowhead whale populations.

The Southern Ocean working group is investigating climate change as one of the possible reasons for the recent die off of southern right whales off Argentina.

A workshop on Small Cetaceans and Climate Change is planned for November 2010 that will focus on: (1) restricted habitats, (2) range changes and (3) Arctic regions.

### **POLLUTION 2000+**

The Scientific Committee completed Phase I of its POLLUTION 2000+ programme to examine pollutant cause-effect relationships in cetaceans in 2007 and has now agreed a Phase II programme that will develop an improved understanding of the relationship between PCB concentrations upon the reproductive and survival rates of whales. It will include work on new biomarkers and work to further understand the links between molecular biology, physiology and population level effects.

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<sup>1</sup> Resolution 2006-2 on the Safety of Vessels Engaged in Whaling and Whale Research-related Activities; Resolution 2007-2 on Safety at Sea and Protection of the Marine Environment; the statement issued by the Commission at its intersessional meeting in March 2008.

The Committee received an overview of the oil spill in the Gulf of Mexico which started on 20 April 2010 when the 'Deepwater Horizon' drilling rig caught fire and subsequently sank. The Committee commended all groups that responded to the impacted marine mammals and turtles in the region and made a number of recommendations relating to the need for adequate environmental baseline data and the ability to assess impacts of oil spills.

The USA provided a further update on the Deepwater Horizon oil spill to the Commission.

In discussion, the Commission also recognised the unique nature of the Arctic environment for cetaceans, and requested that the IWC's Scientific Committee make preparations for a workshop to be held, as soon as is practicable, to examine the impacts of anthropogenic usage of the ocean, including oil and gas exploration and shipping in the Arctic.

### **State of the Cetacean Environment Report (SOCER)**

The SOCER provides an annual non-technical summary of events, developments and conditions in the marine environment related to cetaceans. The 2010 SOCER focused on the Arctic and was based on research papers published between 2008 and 2010. The biggest issue for the Arctic was climate change. In addition the Arctic Monitoring and Assessment Programme (AMAP) provided a review of pollutant levels in the Arctic. SOCER also covers global issues, and over the past year underwater noise received the most attention, especially disturbance from boat traffic, impacts of sonar on beaked whales and the acoustic impacts of windfarms. Next year's SOCER will focus on the Southern Ocean.

### **Anthropogenic sound**

This year the Scientific Committee's Standing Working Group on environmental concerns focused on 'masking sounds'. These are of concern because the increase in anthropogenic low-frequency noise in the ocean can interfere with whale communication. The Committee made several recommendations, including quantification of the effects of acoustic disturbance on the small population of Arabian Sea humpback whales.

The Scientific Committee also received plans for seismic surveys in the Russian Far East including the Sea of Okhotsk, the Chukchi Sea, the US Chukchi and the US-Canadian Beaufort Sea region. A number of endangered species are found in those waters including off western Kamchatka, where seismic surveys are anticipated to start in the summer of 2010. The Committee recommended that baseline cetacean data be collected and that potentially disturbing activity be planned for times of lower cetacean abundance. The Committee also encouraged industry led research into vibroseis which may provide quieter alternative to seismic surveying.

The Scientific Committee reviewed the conclusions from a workshop on 'Cumulative impacts of underwater noise with other anthropogenic stressors on marine mammals' and recommended that member governments develop a quantitative approach for assessing cumulative impacts of sound on cetaceans and their prey.

The Scientific Committee also noted the recent progress within the IMO on reducing low frequency sounds from shipping and recommended that: (1) the goal of noise reduction from shipping advanced in 2008 be actively pursued, (2) designs to reduce noise from ship propulsion be advanced within the goals of the IMO, and (3) the IWC and IMO continue to work collaboratively.

### **Other environment related issues**

The Scientific Committee also: (1) received an update on intersessional work by its Cetacean Emerging and Resurging Disease (CERD) working group; (2) discussed issues related to the global *One Health* approach to medicine; (3) discussed issues related to the rapid expansion of marine renewable energy devices; (4) received information on French and Italian studies that will be correlating cetaceans with specific habitat features; and (5) noted that there had been limited progress on the Madagascar Mass Stranding Event since 2008.

### **Ecosystem modelling**

The Scientific Committee's Ecosystem Modelling Working Group focussed on a review of publications and ecosystem models relevant to the Committee's work and encouraged collaboration with a project that was developed to analyse tuna populations in an ecosystem context.

### **Health issues**

There was a discussion in the Commission regarding possible human health issues associated with the consumption of pollutant contaminated cetaceans. Several Contracting Governments requested the Secretariat to contact the World Health Organisation in regard to this issue.

### **13. CONSERVATION MANAGEMENT PLANS**

The Scientific Committee discussed the conservation management plan for western gray whales introduced at Item 4.4 above. It had previously agreed an approach for developing such plans and noted that the gray whale conservation plan followed this approach. It also agreed that the approach should form a standard for identifying appropriate populations/regions and the development of future plans (Arabian Sea humpback whales were identified as one potential candidate). In commending the gray whale plan to the Commission via the Conservation Committee, the Scientific Committee noted that its overarching goal is to reduce mortality from anthropogenic activities to zero as quickly as possible. The need to engage all stakeholders in refining the plan was recognised by the drafters of the plan. It comprises 11 actions for the conservation of this critically endangered population, the most important being the appointment of a broad-based but focussed Steering Committee and of finding funds for, and appointing, a full-time Co-ordinator.

A small specialist group of the Conservation Committee was established last year to look at how to further the issue of conservation management plans within the Commission; it recognised the guidelines and approach adopted by the Scientific Committee. Its report was adopted by the Conservation Committee and identified further potential candidates for conservation management plans including the Chile-Peru population of southern right whales, and also, in the light of the recent die-off, for southern right whales in Argentina. The question of small cetaceans was also raised in the context of such plans.

A discussion followed within the Commission on conservation management plans and the remit of the IWC to deal with issues relevant to small cetaceans; other possible candidate populations/regions were suggested.

### **14. WHALEWATCHING**

The Scientific Committee reported on progress to further the ‘large-scale whale watching experiment (LaWE)’ proposed to assist in describing effects of whalewatching, to improve understanding of mechanisms and to develop mitigation measures. As part of its overall review of whalewatching the Committee reiterated its concern over the critically endangered Irrawaddy dolphin population inhabiting the Mekong River, and urged the Cambodian Government to reduce the exposure of these dolphins to vessel based tourism.

Considerable progress has been made on a database for world-wide tracking of commercial whalewatching and associated data collection, which should be ready to go on line prior to next year’s annual meeting. The compendium ‘Whalewatching Guidelines and Regulations around the World’ is in the process of being updated and will be available through the IWC’s website shortly.

The Conservation Committee’s Standing Working Group (SWG) on Whalewatching presented its main priorities for the next five years. There were three key elements: (1) research and assessment; (2) management and (3) capacity building and development. The SWG aims to provide guidelines for member states seeking to identify the potential for whalewatching to contribute to growth of their communities and to exploit that growth through a sustainable and precautionary approach.

A workshop will be hosted by Argentina in November 2010 to identify the goals and products to be achieved under the five year plan. It will have a practical focus and will identify effective ways to respond to questions from countries seeking support. Financial support for the workshop was offered by the USA and Australia.

### **15. CO-OPERATION WITH OTHER ORGANISATIONS**

Co-operative arrangements have continued and been strengthened with a number of other organisations including CCAMLR (Commission for the Conservation of Antarctic Marine Living Resources), ICES (International Council for the Exploration of the Seas), the Lima Convention (Convention for the protection of the marine environment and coastal area of the south east Pacific), ASCOBANS (Agreement on Small Cetaceans of the Baltic and North Seas), the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region, NAMMCO (North Atlantic Marine Mammal Commission), PICES (North Pacific Marine Science Organisation), CITES (Convention on International Trade in Endangered Species), IMO (International Maritime Organisation), ICCAT (International Commission for the Conservation of Atlantic Tuna), IUCN (International Union for the Conservation Nature) and ACCOBAMS (Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic Area).

## **16. OTHER SCIENTIFIC COMMITTEE ACTIVITIES, ITS FUTURE WORK PLAN AND ADOPTION OF THE SCIENTIFIC COMMITTEE REPORT**

### **Small cetaceans**

The priority topic for the Scientific Committee this year was to review the status of small cetaceans of north-western Africa and eastern tropical Atlantic waters. Of the 22 species in this region the IUCN Red List status for all but one species is either Least Concern or Data Deficient. The overall scarcity of information prevented the Committee from being able to make a reliable evaluation of the status of any species in the region, although nearly all species are either taken directly or as bycatch. The Committee expressed serious concern over one species, the Clymene dolphin, due to ongoing observed landings in Ghana. The Committee expressed concern over anthropogenic threats to the Atlantic humpback dolphin in many parts of its range. The Committee made a number of recommendations for further work in the region and expressed concern over information from 12 West African countries that suggests conditions there may lead to unregulated direct hunting.

In reviewing past recommendations the Scientific Committee (1) reiterated its grave concern about the fate of the vaquita despite measures taken by the Mexican Government, (2) reiterated its concern over the critically endangered Baltic harbour porpoise population and recommended extension of EU regulations, (3) drew attention to the vulnerability of the recently identified isolated Iberian population of harbour porpoises, (4) welcomed further research being undertaken on franciscanas in Brazil but noted that the current estimated incidental mortality rate of 3.3-6.2% is probably unsustainable, (5) expressed its grave concern about the rapid and unexplained decline of the critically endangered Irrawaddy dolphin in the Mekong River despite commending efforts by the Cambodian government and WWF-Cambodia and (6) expressed concern about small cetacean bycatches in the Machalilla National Park in Ecuador. The Committee was pleased to receive encouraging news about the abundance of narwhals in Canadian and Greenlandic waters.

The Committee developed a procedure for funding high priority conservation projects from the IWC Small Cetacean Research Fund, and commended a proposal on franciscanas for funding.

### **Regional non-lethal research partnerships**

The Committee received reports on intersessional progress with the Southern Ocean Research Partnership (SORP) which included: (1) holding a workshop in December 2009 to develop the partnership, (2) conducting the first cruise of the joint Australia-New Zealand Antarctic Whale Expedition, (3) identifying 7 proposed projects that are consistent with SORP objectives and would benefit from large scale, multiregional participation.

The Committee also discussed and endorsed a process for evaluating requests for funding under the IWC/SORP research fund.

### **Other activities**

Other issues addressed by the Scientific Committee included progress with work on stock definition (including guidelines for genetic data and comparison of population structure methods); the report of the DNA testing working group; and suggestions for improved working methods.

### **Scientific Committee Future Work Plan**

The Commission adopted the report from the Scientific Committee, including its work plan for 2010/11 as illustrated on pages 80–82 of IWC/62/Rep 1.

## **17. CONSERVATION COMMITTEE**

The Conservation Committee reviewed progress on the areas listed below in addition to Sanctuaries (see Item 8), Conservation Management Plans (see Item 13) and Whalewatching (see Item 14). No progress was reported this year on the subject of inedible ('stinky') gray whales caught by Chukotkan aboriginal subsistence hunters.

### **Ship strikes**

The Ship Strikes Working Group reported intersessional progress on: (1) collaboration with the IMO; (2) national legislation or initiatives developed by Argentina, Chile, New Zealand, Spain and the USA; (3) preparations for the joint IWC/ACCOBAMS workshop in September 2010; (4) raising awareness; (5) the adoption of a Whale and Dolphin Action Plan under the CMS MoU for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region; (6) an ASCOBANS led study on ship strikes; and (7) the IWC ship strikes database.

A number of Contracting Governments reported on national activities regarding ship strikes on cetaceans.

### **Southern right whales in Chile and Peru**

Chile highlighted the critical status of the Chilean population of southern right whales, estimating that it probably consisted of less than 50 mature whales and noted the importance it attached to the development of a conservation management plan.

### **National reports on cetacean conservation**

The Conservation Committee reviewed voluntary national reports from Australia, USA, New Zealand, UK, Brazil, Argentina, Chile and France.

## **18. CATCHES BY NON MEMBER NATIONS**

No issues were raised under this item.

## **19. INFRACTIONS, 2009 SEASON**

In order to increase the time available for discussions on the future of the IWC, the material usually dealt with by the Infractions Sub-committee was handled directly by the plenary.

The Commission received: (1) infractions reports from Denmark/Greenland, Iceland, the Republic of Korea and the USA for 2009, including any penalties imposed and follow-up on earlier reports; (2) the extent of surveillance of whaling operations; (3) information reported as required or requested under Section VI of the Schedule (e.g. date, time, species, position, length, sex, length and sex of any foetus if present, killing method and number of struck and lost animals); and (4) the submission of national laws and regulations.

A summary of catches by IWC member nations in the 2009 and 2009/2010 seasons is provided in the Annex to this report.

## **20. NGO ADDRESS**

Eight NGOs, broadly representing the full spectrum of views on whaling, addressed the plenary meeting. Those organisations chosen by their peers to address the plenary were: WWF International, Concepesca, NOAH, Species Management Specialists, Eastern Caribbean Coalition for Environmental Awareness (ECCEA), Global Guardian Trust, Cousteau Society and Greenpeace Japan.

## **21. ADMINISTRATIVE MATTERS**

Items relevant to the financial and administrative affairs of the Commission were first considered by the Budgetary Sub-committee and the Finance and Administration Committee.

### **Implications of discussions on the future of the IWC**

The Finance and Administration Committee considered the administrative and financial implications of possible outcomes of the work related to the future of the Commission and the outcome is considered under Item 22.

### **Amendments to the Rules of Procedure and Financial Regulations**

The Commission adopted an amendment to Rule of Procedure J which covers Schedule amendments, recommendations under Article VI and Resolutions. The purpose of the amendment was to allow the adoption of consensus Resolutions that may arise during a Commission meeting.

### **Website ([www.iwcoffice.org](http://www.iwcoffice.org))**

The Secretariat reported on (1) the progress with the partial translation of the Commission's website and (2) progress with re-building the website. The redesign and rebuild of the website is currently underway and will go live by the end of 2010. The new site will be database driven and use a multilingual content management system. This will speed up delivery of information to users and allow for the website's continued expansion and increased popularity.

### **Carbon-neutral study**

At IWC/60 the Commission agreed that the Secretariat should undertake a study on the feasibility and associated costs of off-setting carbon emissions of the operation of the Secretariat and the meetings of the IWC to become carbon-neutral. The Secretariat reported that due to pressure of other work related to the future of the IWC it had been unable to complete the feasibility study, although some measures are already being taken.

### **Review of the Commission's rules and procedures**

The Commission agreed to an F&A Committee recommendation that the Secretary be asked to review the Commission's rules and procedures, including its financial rules and procedures, in comparison with other intergovernmental organisations and submit a report to the Committee at IWC/63.

## **22. FORMULA FOR CALCULATING CONTRIBUTIONS AND RELATED MATTERS**

The 'Interim Measure' for calculating financial contributions takes account of: (1) membership; (2) whaling activities; (3) the size of delegations to the Commission's Annual Meeting; (4) a country's capacity to pay; and (5) the position of 'Very Small Countries'.

### **Due date for financial contributions**

To minimise the effect of conflicts between the 28 February due date for financial contributions and some national budgetary cycles, the Commission adopted an amendment to F.1 of the Financial Regulations which removed the imposition of the 10% penalty charge for late payment. However the suspension of voting rights for late payment remains in place.

### **Procedure to take account of exchange-rate fluctuations**

To minimise the effect of fluctuations in currency exchange on paying financial contributions, the Commission adopted a footnote to Financial Regulation F.2 which provides for a short-term concession of up to 500 pounds sterling to be given to any Contracting Government to take account of remittances sent to cover annual payments, including any interest due, that falls short of the balance owing by up to that amount.

### **The Interim Measure and assessment for St. Vincent and The Grenadines**

The Commission agreed to a proposal to modify the 'Interim Measure' by St. Vincent and The Grenadines' to make more equitable the way it was treated with respect to its small aboriginal subsistence catches.

## **23. FINANCIAL STATEMENTS AND BUDGETS AND OTHER MATTERS CONSIDERED BY THE BUDGETARY SUB-COMMITTEE**

The Commission approved the Provisional Financial Statement for 2009-2010 subject to audit and took note of the Secretary's statement on the collection of financial contributions.

The Commission agreed to a budget that made provision for annual meetings in both 2011 and 2012. It also agreed to review the timing of a move to biennial meetings at the 2011 meeting.

The Commission's approval of the budget included the scientific research budget and an increase in the media fee from £60 to £65 per organisation for 2011. The fee for non-member governments and intergovernmental organisations remains unchanged at £800 per individual. NGO fees will increase from £505 to £520 for the first observer and from £253 to £260 for each additional observer.

The lease on the Secretariat's premises in Cambridge, UK had been renegotiated for a 10 year period.

Martin Krebs (Switzerland) was elected to serve as the Vice-Chair of the Budgetary Sub-committee for a one year period to replace Thomas Schmidt (Germany).

### **Funding of work on conservation**

The Commission adopted an F&A Committee recommendation that a small group be formed to work by correspondence to examine ways on how to integrate conservation funding into the overall budget.

## **24. ADOPTION OF THE REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

The Commission endorsed and adopted the report and the supplementary report of the Finance and Administration Committee.

## **25. DATE AND PLACE OF ANNUAL AND INTERSESSIONAL MEETINGS**

No offers to host the next meeting of the Commission (IWC/63) were received. Accordingly the Chair set a deadline of 1 September 2010 to receive any final offers from Contracting Governments to host the next meeting, after which time the Secretariat would make suitable arrangements for a full meeting of the Scientific Committee, the Commission and its subgroups in 2011. The Chair also stated that the date and duration of the next meeting would be announced when the Secretariat had located a suitable venue.

## 26. ADVISORY COMMITTEE

The Commissioner for Guinea was elected onto the Advisory Committee for two years to replace the Commissioner for Côte d'Ivoire. The Commissioner for Portugal was unable to continue serving on the Advisory Committee and was replaced by the Commissioner for Belgium for the remainder of the term (one year).

The Advisory Committee therefore now comprises the Chair (Chile), the Vice-Chair (Antigua and Barbuda), the Chair of the F&A Committee (Australia), the Commissioner for Guinea and the Commissioner for Belgium.

## 27. SUMMARY OF DECISIONS AND REQUIRED ACTIONS

The Chair of the Commission referred to the daily reports provided by the Secretariat and posted on the IWC's website ([www.iwcoffice.org](http://www.iwcoffice.org)). There was no further discussion under this item.

## 28. OTHER MATTERS

At the close of the meeting the Commission rose in ovation for the outgoing Secretary to the Commission, Dr Nicky Grandy. The Commissioners unanimously praised her tireless energy, efficiency, warmth, wisdom and good humour whilst running the Secretariat for a decade. Dr Grandy responded by recognising the growth in membership of the Commission and the greatly improved working atmosphere which had developed during her tenure. She will be missed by all and provided a tremendous example for the incoming Secretary, Dr Simon Brockington.

### Annex

#### Catches by IWC member nations in the 2009 and 2009/2010 seasons

	Fin	Humpback	Sei	Bryde's	Minke	Sperm	Bowhead	Gray	Operation
<b>North Atlantic</b>									
Denmark									
(West Greenland)	10 <sup>1</sup>	-	-	-	164 <sup>2</sup>	-	3	-	Aboriginal subsistence
(East Greenland)	-	-	-	-	4	-	-	-	Aboriginal subsistence
Iceland	125 <sup>3</sup>	-	-	-	81 <sup>4</sup>	-	-	-	Whaling under reservation
Norway	-	-	-	-	484 <sup>5</sup>	-	-	-	Whaling under objection
St. Vincent & the Grenadines	-	1	-	-	-	-	-	-	Aboriginal subsistence
<b>North Pacific</b>									
Japan	-	-	101 <sup>6</sup>	50	165 <sup>7</sup>	1	-	-	Special Permit
Korea	-	-	-	-	16 <sup>8</sup>	-	-	-	-
Russian Federation	-	-	-	-	-	-	-	116 <sup>9</sup>	Aboriginal subsistence
USA	-	-	-	-	-	-	38 <sup>10</sup>	-	Aboriginal subsistence
<b>Antarctic</b>									
Japan	1	-	-	-	507 <sup>6</sup>	-	-	-	Special Permit

<sup>1</sup> Including 2 struck and lost and 1 reported as an infraction.

<sup>2</sup> Including 11 struck and lost and 1 reported as an infraction but omitting one caught as bycatch.

<sup>3</sup> Including 2 reported as infractions.

<sup>4</sup> Including 3 struck and lost and 1 reported as an infraction.

<sup>5</sup> Not including one which was trapped and died in a salmon cage at a fish farm.

<sup>6</sup> Including 1 struck and lost.

<sup>7</sup> Including 3 struck and lost.

<sup>8</sup> The Republic of Korea reported the taking of 16 minke whales as infractions.

<sup>9</sup> Including 1 struck and lost and 6 'stinky' whales.

<sup>10</sup> Including 7 struck and lost and 2 reported as infractions.