

Annex C

Report of the Working Group on Whale Killing Methods and Associated Welfare Issues

Tuesday 22 May 2007, Anchorage, Alaska

The list of participants is given in Appendix 1. The Working Group was established to review information and documentation available with a view to advise the Commission on whale killing methods and associated welfare issues (*Ann. Rep. Int. Whal. Comm. 2000: 17*).

1. INTRODUCTORY ITEMS

1.1 Appointment of the Chair

Esko Jaakkola (Finland) was appointed as Chair of the Working Group.

1.2 Appointment of rapporteurs

Emily Lindow (USA) was appointed as rapporteur.

1.3 Review of documents

The Chair reviewed the list of documents available to the Working Group (see Appendix 2) and drew attention to specific documents to be addressed under Agenda Items 3, 4, and 5.

2. ADOPTION OF THE AGENDA

The agenda given in Appendix 3 was adopted by consensus.

3. DATA PROVIDED ON WHALES KILLED

Documents presented under this agenda item were provided to meet the request of IWC Resolutions 1999-1 and 2001-2.

Denmark offered a summary of activities related to the Action Plan on Whale Killing Methods (IWC/59/WKM&AWI3) specific to the 2006 minke and fin whale hunt. They also presented a portion of the White Paper on Hunting of Large Whales in Greenland (IWC/59/ASW8rev) related to animal welfare issues. This document provided information regarding the methods of whaling in Greenland, time to death, instantaneous death and loss rates, and measures utilised to reduce animal suffering. There were no comments on this report.

Norway presented a summary of minke whaling in 2006 (IWC/59/WKM&AWI 6). The weapons used to hunt these whales were 50mm and 60mm harpoon guns equipped with Norwegian penthrite grenades. Rifles with a full metal jacket and round nosed bullets with a minimum calibre of 9.3mm were used as backup weapons. In 2006, 546 animals were taken from 28 vessels. Four whales were reported lost after they were dead, and no whales were reported to have escaped wounded. At sea-inspection was carried out by the Electronic Trip Recorder. Four inspectors from the Directorate of Fisheries were also present at sea and on land to monitor whaling activities. No violations of national regulations were reported.

The UK expressed disappointment that many countries did not provide complete data sets as recommended by IWC Resolution 1999-1, but noted that it was appreciative of the Russian Federation submission. It asked whether other countries intend to present time to death for each animal killed. On the subject of the Norwegian report, the UK expressed concern regarding the inability of the 'blue box,' or the Electronic Trip Recorder, to provide information on time to death and welfare issues. They acknowledged the existence of random checks at sea by Norwegian personnel, but pointed out that information regarding the frequency or results of those checks had not been provided to the IWC. The UK also expressed concern regarding the Norwegian statement that the average time to death of two minutes potentially included periods where the animal may have been unconscious or already dead. It considered that some animals may still be sensible and stressed the need to review the time to death criteria as a matter of urgency.

Norway responded that they have been conducting research on hunting and whale killing methods since 1981. From 1992 to 2003, 26 extensive reports and publications with results from the hunt have been presented to and discussed in five workshops organised by the IWC, as well as in annual meetings. Norway expects that results from the 2000-2002 hunts will be published this year or early next year. Norway noted that the results from each of the three years are consistent and that it is no longer necessary to collect information on each hunt on a regular basis. As in other activities where animals are killed, for example the slaughter of farm animals, common practice is that once a given killing method has been approved and implemented on the basis of scientific scrutiny there is no longer any need for continuous monitoring. Periodic checks are used.

Iceland noted the importance of continually improving whale killing methods, but expressed concern that the IWC has not been a neutral forum in which to discuss these matters. They expressed the position that the North Atlantic Marine Mammal Commission (NAMMCO) has been a functional platform for such work, and that they intend to continue to utilise NAMMCO for that purpose.

Japan expressed agreement with the views expressed by Iceland and Norway. It drew attention to page 78 of last year's IWC Annual Report, which expresses their position on this topic. It noted that it submitted data to the recent NAMMCO workshop, at which constructive discussions took place. Japan also reminded the group that all data submitted to NAMMCO is public and available.

Denmark reported that they have been submitting documents on this topic for many years. However, given the previous misuse of Greenland data last year, they are still considering whether or not to continue submitting data on whale killing methods to the IWC. Denmark noted that

they are actively participating in associated activities within NAMMCO and agreed with the remarks of Iceland.

Germany called upon all IWC member countries to submit data on this topic, noting that the data is essential to the work of the IWC. Australia agreed with the comments of Germany, asserted the primacy of the IWC on these matters, and noted that NAMMCO is not an alternate competent body.

The Russian Federation noted that it works to provide all the information required under the new procedures for managing the resource, but it is understandable that not all countries are able to provide all of the data. The Russian Federation noted that the submission of this data is done on a voluntary basis. It reminded members that the information it submits is not exact since considerable estimation occurs during the data collection process. The relevant Russian Federation data under this agenda item are contained in IWC/59/ASW5 and in IWC/59/WKM&AWI5. In 2006, 129 whales were harvested: 88 with a darting gun, 109 with a rifle, and all whales with a harpoon and a float. Five whales were struck and lost. The 129 whales included 5 inedible 'stinky whales'. The Russian Federation noted that it did not consider those whales to be part of their quota, since they were lost for nutritional purposes. It noted that even with very experienced hunters and good equipment, a short time to death cannot be pursued if human life is at stake.

The United States noted that last year prior to the St. Kitts Workshop on Whale Killing Methods and Associated Welfare Issues, aboriginal hunters from the countries of Denmark (on behalf of Greenland), the Russian Federation and the United States met for the first time to share information on whale killing methods and animal welfare issues. The hunters agreed at that meeting to four major points:

- (1) subsistence hunting is for food to meet cultural and nutritional needs, to guarantee the sustainable survival of the native people, and the human health of native peoples depends on the consumption of traditional marine mammal products;
- (2) the safety of his crew is a whaling captain's most important responsibility;
- (3) with safety assured, achieving a humane death for the whale is the highest priority; and
- (4) efforts to modernise native whaling equipment and practices can be made only within the context of each community's economic resources and the need to preserve the continuity of Native hunting traditions.

The United States also presented data under this agenda item contained in IWC/59/WKM&AWI9. They noted that 39 bowhead whales were struck and 31 were landed in 2006. Of those struck, 35 were taken using the traditional hand-thrown darting gun harpoon, with the traditional shoulder gun used as the secondary killing method. Four whales were taken using the penthrate projectile. Eight whales were struck and lost in 2006, with a rate of efficiency of 79.5%. This rate was slightly lower than last year's rate of 81%, but weather and ice conditions play a significant role in determining the efficiency of the aboriginal bowhead whale hunts.

Eugene Brower, Chairman of the Alaska Eskimo Whaling Commission (AEWC) Weapons Improvement Committee, provided a description of the AEWC hunt in the United States. He noted that aboriginal subsistence

whaling takes place in ten communities in Alaska. Many of these villages are extremely remote, and depend on the land and sea for sustaining their populations. There are 8 villages that hunt in the spring, and 3 villages that hunt in the autumn. Barrow is the only village that hunts in both the spring and autumn. The primary weapon used by the hunters is the harpoon, and the secondary weapon is a shoulder gun. He noted that they hunt whales to feed families and the community - it is not a sport or a commercial hunt. They do everything possible to ensure that the whales die quickly, both in order to prevent suffering of the animal and to protect the whaling crew. He reminded members that whaling is very dangerous, and fatalities are sometimes a tragic part of the hunt. They have undertaken a programme to improve hunting methods, and appreciate the help of Dr. E.O. Øen from Norway for his help in the weapons improvement programme. They have also developed a training manual for captains and crew for use of the new weapons. Sweden asked if the United States had a timeline for when the penthrate projectile would replace the use of black powder in the Alaska hunt. Brower responded that there have been some problems regarding procurement of the delayed fuse of the projectiles that had resulted in a temporary setback. He noted that Norway has helped to address this issue, and they are in the process of ordering 100 projectiles that they hope will be ready for the autumn hunt.

New Zealand introduced IWC/59/WKM&AWI8, which focuses on the results of a 2006 NAMMCO workshop held to address the issue of struck and lost in whales in marine mammal hunting. New Zealand pointed out the workshop acknowledgement that struck and lost is a serious problem in marine mammal hunts, and that better data are needed. They noted that Japan, Norway and Iceland had announced at IWC58 that they would no longer provide struck and lost data to the Commission. New Zealand also noted that a number of countries have provided information related to struck and lost in documents submitted to the IWC Scientific Committee, and that the data should also be reported to this Working Group. It noted that there are disincentives for hunters to report true rates of struck and lost, however they believed that a full and frank discussion is in everyone's best interests. New Zealand pointed out that the NAMMCO workshop provided a great deal of useful information, including steps that can be taken to mitigate struck and lost rates. They stressed the importance of data being provided in a standardised format and noted that the IWC Working Group on Whale Killing Methods and Associated Welfare Issues is the competent body over this issue. Contracting Parties were urged to provide such data to the IWC Secretariat for discussion by the Working Group.

Norway thanked New Zealand for referring to the NAMMCO workshop. It clarified that the workshop was not just focused on whales, but included several marine mammals. The outcome of the workshop was 24 recommendations concerning the hunting of marine mammals; 6 recommendations of a general nature; and 16 specific recommendations for seals, walrus, small whales and large whales. All the recommendations were accepted by consensus. Some of the quotations New Zealand referenced were not specifically made for large whales. In response to a question from the USA, Norway also noted that the title of the paper was misleading since the NAMMCO workshop included commercial and scientific

whaling as well as aboriginal subsistence hunting. The UK noted that the NAMMCO workshop provided important information, and the IWC should be focused on improving struck and lost rates. Denmark noted that several quotes in the paper were taken out of context since they applied to species other than whales. The Chair directed members to the NAMMCO website (www.nammco.no), where they could obtain a copy of the workshop report.

4. INFORMATION ON IMPROVING THE HUMANENESS OF WHALING OPERATIONS

Denmark presented a portion of their White Paper on Hunting of Large Whales in Greenland (IWC/59/ASW/8rev), which outlines the steps that Greenland has taken to improve the humaneness of whaling methods following IWC Resolution 1997-1. They noted the mandatory courses used to train hunters on the handling and use of the Norwegian penthrith grenade. The harpoon cannons are also checked every other year by persons that have taken a course on mounting and renovation of harpoon cannons.

The UK expressed appreciation toward Greenland for implementing these measures, noting that they have resulted in decreased times to death. The UK questioned whether information from their experiences, together with those of Iceland and Japan with hunting larger whales, particularly fin, were available. It noted concern that the killing of larger whales, which can take longer to die, raises welfare concerns that have not been properly addressed. Denmark responded that the relevant information was contained in its document. Iceland referred to its earlier statement (see section 3). In response to a question from the UK, Japan confirmed that it would not be providing welfare data from its JARPN II programme to IWC.

Norway presented information from IWC/59/WKM&AWI6 related to research on improving whale killing methods. It noted that it has been conducting research since 1981, and has collected data for more than 5,550 whales. It has provided 26 extensive reports and publications to the IWC in addition to annual reports. These studies have found that the average time to death in the Norwegian hunt was more than 11 minutes when cold harpoons were utilised. However, the results from the 2000-2002 hunt with the new penthrith grenade showed at least 80% of the whales were rendered unconscious or dead instantaneously. Norway noted that the collaborative nature of its work has resulted in the transfer of technology and methods to improve hunting methods in a number of other countries. Norway stated that it intends to continue such work. It also noted that NAMMCO does not differentiate between subsistence and commercial whaling.

The United States presented a Report on Weapons, Technologies, and Observations in the Alaskan Bowhead Whale Subsistence Hunt (IWC/59/WKM&AWI4), which

was accompanied by a PowerPoint presentation describing the AEWK whaling killing methods and weapons.

The Netherlands noted that the Dutch Minister of Agriculture, Nature and Food Quality had received a question from the Parliament regarding reports of a hunting method used in Taiji, Japan for dolphins consisting of the use of underwater sound to herd them into drive nets, followed by the live transport of the dolphins to a site where they are killed. The Netherlands noted that this hunting method could cause unnecessary injury and stress to the dolphins. They asked Japan to clarify whether this was an accurate description of the hunt. The Netherlands stressed that if it is accurate, their view would be that the hunt was not ethical from an animal welfare perspective. They also asked Japan to improve the hunting method in order to limit the suffering of the dolphins as much as possible by shortening the time of distress. The Netherlands also noted appreciation for the ongoing attempts to improve whale killing methods for animal welfare reasons. Japan responded that this was an issue of small cetaceans over which it believes the IWC does not have competency. It therefore requested that The Netherlands redirect its question to the Government of Japan in a bilateral fashion.

5. OTHER

Norway referred to a paper entitled, 'Fatally entangled right whales can die extremely slowly' (IWC/59/WKM&AWI7) co-authored by a number of US scientists. Norway noted that during the last 20 years, 66 North Atlantic right whales have been entangled. The paper estimated 5.6 months to death for those animals that were entangled, and asserted that these data represent one of the grossest abuses of wild animal sensibility. Norway believed that it is the responsibility of the US Government to deal with this issue since it is occurring in their waters, and recommended changing fishing practices or increasing disentanglement efforts. Norway urged that entangled animals should be euthanised, rather than allowed to suffer. The United States responded by noting that they have made significant efforts to improve fishing gear, have a strong disentanglement programme, and that any decision regarding euthanasia would be made on a case-by-case basis. The United States indicated that they will develop a paper on their efforts to prevent entanglements and disentangle whales for presentation during Plenary. Australia pointed out that this problem was not confined to the United States, and was instead a global problem. Australia noted that they are currently looking at incentives and disincentives to deal with derelict fishing gear, and suggested that the matter could be examined under the Conservation Committee.

6. ADOPTION OF THE REPORT

The report was adopted 'by post' on 24th May 2007.

Appendix 1

LIST OF PARTICIPANTS

Argentina

Miguel Iñiguez

Australia

Donna Petrachenko
Philip Burgess
Zena Armstrong
Lesley Gidding
Pam Eiser
Andrew McNee

Austria

Michael Stachowitsch
Andrea Nouak

Belgium

Alexandre de Lichtevelde

Brazil

José Truda Palazzo
Régis Pinto Lima

Chile

Ximena Alcayaga Claussen

Denmark

Maj Fris Munk
Ole Heinrich
Fernando Ugarte
Amalie Jessen
Leif Fontaine
Mads Lunde
Ole Samsing

Finland

Esko Jaakola (Chair)

Germany

Marlies Reimann

Iceland

Stefán Ásmundsson
Gísli Víkingsson

Italy

Riccardo Rigillo
Caterina Fortuna
Federico Cinquepalmi

Japan

Minoru Morimoto
Joji Morishita
Shigeki Takaya
Jiro Hyugaji
Ryoichi Nakamura
Hiroshi Hatanaka
Kayo Ohmagari
Saemi Baba (I)

Republic of Korea

Chiguk Ahn
Yong Rock An
Hyun Jin Park

Luxembourg

Pierre Gallego

Mexico

Lorenzo Rojas-Bracho

New Zealand

Geoffrey Palmer
Jan Henderson
Michael Donoghue
Indra Prasad

Norway

Turid Eusébio
Halvard Johansen
Hild Ynnesdal
Lars Walløe
Egil Øen
Jan Skjervø

Portugal

Marina Sequeira

Russian Federation

Valentin Ilyashenko
Rudolf Borodin
Igor Mikhno
Nikoley Etyne
Alexsey Ottoy
John Tichotsky (I)
Olga Ipatova (I)

Saint Lucia

Vaughn Charles

South Africa

Herman Oosthuizen

Spain

Carmen Ascencio
Renaud de Stephanis

Sweden

Bo Fernholm

UK

Richard Cowan
Trevor Perfect
Paul Dolder
James Gray
Laurence Kell
Panayiota Apostolaki
Mark Simmonds
Jennifer Lonsdale
Douglas Kerr

USA

Doug DeMaster
Cheri McCarty
Roger Eckert
Shannon Dionne
Mike Tillman
Rollie Schmitten
Bob Brownell
John Field
Heather Rockwell
Micah McCarty
Keith Johnson
John Arum
Brian Gruber
Anne Renker
Stanley Speaks
Harry Brower
Edward Itta
George Noongwook
Merlin Koonooka
Raymond Hawley
Eugene Brower
Emily Lindow (rapporteur)

Secretariat

Nicky Grandy

Appendix 2

LIST OF DOCUMENTS

IWC/59/WKM&AWI

- 1 Draft Agenda
- 2 List of documents
- 3 Summary of Activities Related to the Action Plan on Whale Killing Methods (based on Resolution 1999-1) submitted by Denmark (Greenland)
- 4 Report on weapons, techniques, and observations in the Alaskan bowhead whale subsistence hunt (submitted by the USA)
- 5 Summary of Activities Related to the Action Plan on Whale Killing Methods (based on Resolution 1999-1) submitted by the Russian Federation
- 6 Norwegian minke whaling 2006 (submitted by Norway)
- 7 Fatally entangled right whales can die extremely slowly (submitted by Norway)
- 8 'Struck and Lost' whales in commercial and special permit hunting (submitted by New Zealand)
- 9 Summary of Activities Related to the Action Plan on Whale Killing Methods (based on Resolution 1999-1) submitted by the USA

IWC/59/ASW

- 5 Aboriginal harvest of gray and bowhead whales in Russian Federation in 2006 (submitted by the Russian Federation)
- 8 rev White paper on hunting of large whales in Greenland (submitted by the Greenland Home Rule Government)

Appendix 2

AGENDA

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Introductory items <ol style="list-style-type: none"> 1.1 Appointment of Chair 1.2 Appointment of rapporteurs 1.3 Review of documents 2. Adoption of Agenda | <ol style="list-style-type: none"> 3. Data provided on whales killed 4. Information on improving the humaneness of whaling operations 5. Other 6. Adoption of the Report |
|---|--|
-