
2006: IWC58 in St. Kitts and Nevis

JUNE 9, 2006 - PRE-MEETING

The 58th International Whaling Commission (IWC) meeting takes place in the Caribbean island nation of St. Kitts and Nevis. AWI's Susan Millward is currently attending the sub-committee discussions that take place from June 9th through June 13th. She will be joined by AWI's Wildlife Biologist, D.J. Schubert for the IWC plenary meeting which is scheduled to take place from June 16 through 20, 2006.

The sub-committee meetings include the conservation committee where topics will include a global review of ship strikes and voluntary reports on cetacean conservation measures by member countries. Infractions by member nations will also be discussed during the sub-committee meetings, as will the Revised Management Scheme. Aboriginal Subsistence Whaling is also on the agenda as well as Whale Killing Methods. Susan will be reporting back from the discussions and the Plenary as the meetings progress.

Readers of the *AWI Quarterly* will be aware that this year's IWC meeting is being anxiously awaited by both sides of the whaling debate. This year could be the first year since before the moratorium came into effect that the pro-whaling nations have secured enough allies to ensure them a simple majority. While this will not be sufficient to overturn the moratorium on commercial whaling which came into effect two decades ago, the meeting will be a substantially different one if those in favor of killing whales outnumber those trying to protect them. A cursory look at the proposed agenda for this year's meeting gives the reader an indication of the intentions of the pro-whaling bloc unfortunately the rules of procedure for the IWC preclude AWI from quoting or paraphrasing the intended plans, but readers may read the proposed agenda for themselves by downloading the document from the IWC website.

The United States

AWI has been paying close attention to the actions of the United States delegation to the International Whaling Commission in recent years. Some may remember that the US was the champion of the whales in the years leading up to the moratorium. Sadly the US is a leader no longer. We are concerned that in an attempt to halt the expansion of scientific research whaling by the Japanese whalers, the US may be willing to enter into compromises which will have far-reaching consequences for the world's whales. In March 2006, we wrote (/sites/default/files/uploads/documents/IWC58-Letter_to_Hogarth_Apr_26_06-1240256518-11150.pdf) to the US delegation to the IWC expressing our concern over the US position and outlining instances that we have witnessed which demonstrate the US' shift away from a position of whale protectionism. The response (/sites/default/files/uploads/documents/IWC58-Hogarth_Response_05-06-1238161606-10610.pdf) we received in May has not allayed our concerns.

JUNE 16, 2006 - DAY 1

The day of the plenary opened with a press conference by the Japanese Alternate Commissioner, Joji Morishita advocating the 'normalization' of the IWC whereby Japan proposes to bring the IWC back to what it says it was originally set up to be a whalers club. This was followed by a press conference by the US, New Zealand, the UK, Australia and Brazil which covered many items including a proposal by Brazil for a South Atlantic Whale Sanctuary and 'modernization' of the IWC rather than 'normalization', to bring it in line with other international treaty organizations.

The actual meeting opened with the usual ceremony from the host nation followed by opening statements by new member countries which included Mali and Israel. Proceedings were briefly interrupted by a silent and peaceful demonstration by Ric O'Barry of One-Voice France who walked calmly into the meeting wearing a body cam showing the brutal Japanese drive fisheries. After the security personnel promptly marched Mr. O'Barry out of the building closely followed by the press, the meeting resumed.

Adoption of Agenda

All ears and eyes were anxiously awaiting the outcome of the first vote Japan's proposal to have small cetaceans the very animals One-Voice was demonstrating over- struck off the agenda. The vote was close, but failed by a two vote margin with Denmark abstaining in a key move. Guatemala and Senegal were not present.

Secret Ballots

This vote was followed by a Japan proposal to bring voting secret ballot to the IWC. New Zealand stressed the importance of transparency within the IWC, a view supported by several countries including Australia, Morocco, Sweden, Italy, Germany, Brazil, South Africa, India, and the US. This vote against transparency was also close, with 30 countries voting in favor of the secret ballots and 33 voting against, and again Guatemala and Senegal were not present.

Before the day closed, the Secretariat announced that two countries, Gambia and Togo, now had their paperwork and dues in order and had their voting rights approved. Both countries are expected to vote alongside Japan.

The rest of the day one passed with a report from the Scientific Committee on whale 'stocks' including the Antarctic minke whales, the North Pacific minke whales, southern hemisphere humpback whales, and the critically endangered western north pacific grey.

So at the end of day one, and despite two crucial victories, things are still very tense as we face the next crucial issues of the Revised Management Scheme and 'Normalization' of the IWC.

JUNE 17, 2006 - DAY 2

After a successful opening day, spirits were high for conservationists. And quite the opposite for pro whalers such as Japan, who threatened to withdraw its support from the International Whaling Commission if restrictions stop it from partaking in regulated commercial hunts. The head of the Japanese delegation, Joji Morishita, even went as far as to say that, "the whole meeting is a waste of time". Although, day one proved in favor of conservationists, there is still a chance that Japan may soon have the majority of votes. Senegal and Gambia, both pro-whaling nations, are expected to vote tomorrow.

The day commenced with a discussion on aboriginal subsistence whaling and a report from the chair of the aboriginal subsistence whaling sub-committee. The Greenland hunt was described many times and Denmark announced that it plans to add endangered bowhead and humpback whales to the Greenland hunt which already includes minke and fin whales.

The RMS was the next item on the agenda and after much discussion; the item was laid to rest with no agreement on a way forward.

"Normalization"

In the afternoon, Japan introduced its much-anticipated proposal for 'Normalization' of the IWC. This is an attempt to take the IWC back to its inception in 1946 and the near collapse of the world's whale populations. The document advocates sustainable whaling and refers to cetaceans as 'marine living resources available for harvesting'. After a good deal of discussion and calls for the 'modernization' and 'harmonization' of the IWC, debate ceased and the document turned out to be a marker for later revelations that came on the third day. The agenda item was left open until beyond Day Three.

Japan's Coastal Whaling

Later the talks were dominated by discussions on 'small type' whaling in Japan and the related socio-economic implications. Japan insists that four whaling communities in Japan (Abashiri, Ayukawa, Wadaura and Taiji) are suffering because of the moratorium. Japan made their standard proposal for 150 Okhotsk minke whales. The vote failed to get even a simple majority in favor of the measure. 30 nations were in favor of the proposal and 31 were against it. Interestingly, China, Korea, Kiribati, and the Solomon Islands abstained. The final hours of an exhausting day were spent with commentaries and presentations by inter-governmental organizations, including the UNEP Caribbean Environment Programme, NAMMCO, ECCO, European Commission, UNEP/CITES, CARICOM, and ASCOBANS.

And thus ends day two. Another vote in favor of the whales, albeit a close vote.

JUNE 18, 2006 - DAY 3

The primary item of business today was sanctuaries. Brazil opened the day with a proposal to establish a South Atlantic Sanctuary. With the co-sponsorship of Argentina, Brazil once again eloquently made its case for a safe whale haven well beyond its shores. The US professed its whole-hearted support for the idea and announced the recent Presidential proclamation naming the Northwestern Hawaiian Islands as a National Monument under the National Antiquities Act. Discussions in support of and in opposition to Brazil's proposal continued until the proposal was withdrawn by Brazil.

Next, came Japan's proposed schedule amendment to abolish the Southern Ocean Sanctuary that was created in 1994. When put to a vote, the majority that was needed for the proposal to pass was luckily not achieved and again the pro-whaling bloc failed to achieve even a simple majority. 28 nations voted in favor of the proposal and 33 opposed it, with 4 abstentions and two absentees this time the Ivory Coast was absent along with Guatemala. Korea, Morocco, Tuvalu, St Vincent and the Grenadines abstained.

Finally, under the Sanctuaries agenda item, Ms. Madeleine de Grandmaison, Vice-President of the Martinique Regional Council, made a brief presentation on the recent establishment of a marine mammal sanctuary in the French West Indies in the Caribbean.

Scientific Permits

There was also a presentation by Japan on its Jarpa II and Jarpn II 'research' programs. The 'Science' presented included a graph showing a decrease in fish populations and an increase in minke whale populations with the ignorant conclusion that the former must have been caused by the latter. A slide of a minke whale next to a fishing vessel was also shown as 'proof' that minke whales are competing with fisherman for fish. Japan who explained 'ecosystem' management approach, whereby it champions killing whales to facilitate restoration of fish populations and to achieve an "optimum balance" of the marine environment between whales and fish.

Japan also received severe criticism and derision over its 'research', with Australia stating that it found it hard to take the presentation seriously and calling the "whales are eating all the fish" argument as "close to farcical". Brazil called it "nonsense". Norway congratulated Japan on its efforts, calling it important research that should continue.

The US stated that it was deeply opposed to lethal scientific whaling programs and that scientific whaling must be phased out as a solution to the RMS negotiations.

Finally, and on the same topic, Australia gave its presentation on its own non-lethal research and a critique of the Japanese lethal programs. This again was followed by much debate with no meaningful outcome.

St. Kitts Declaration

The Commission then returned to its discussion of Agenda Item 19- 'Normalizing the IWC'- that was left over from yesterday. The much awaited St Kitts Declaration (https://awionline.org/sites/default/files/uploads/documents/IWC58-St_Kitts_Declaration-1240256743-11154.pdf) was introduced. This document, though not a resolution, was phrased in a similar manner to a resolution and contained preamble language that initially called the moratorium no longer valid and claimed that fish were being eaten by whales. This language was later revised to declare that the moratorium was 'no longer necessary' and merely claimed that whales are eating fish, and thus making the issue a matter of food security for coastal natives. This overly rhetorical declaration called for the 'normalizing' of the functions of the IWC based on the forms of the International Convention for the Regulation of Whaling. After a lively discussion including calls of 'foul' by conservation-minded nations who claimed the declaration had been discussed in a pre-meeting private commissioners meeting and had been preserved as innocuous and uncontroversial, through to charges of being a deliberate attempt to create discord by New Zealand, the declaration was put to a vote. The final vote was close, just like the previous ones, except this time the pro-whalers had the majority and the declaration passed. Many cited Denmark as the swing vote, since it had reportedly asked for the word 'invalid' to be substituted by 'unnecessary' with regard to the moratorium. The final vote was 33 in favor and 32 against, with China abstaining and Guatemala still absent.

All of the countries that voted against the declaration, including Australia, Italy, Monaco, New Zealand, the United Kingdom and the United States, disassociated themselves from the declaration following the vote. The St. Kitts and Nevis Declaration is very controversial and there are questions as to its legitimacy. The Commissioner of Brazil challenged the

vote on the grounds that it was a declaration and for this reason, Iceland's vote was not valid due to their controversial re-entry into the Commission in 2002.

This declaration will most likely do nothing since it is not a legal document and therefore is not binding. However, it gives Japan, Norway and their pro-whaling counterparts, the majority. The declaration does little more than serve as a wakeup call to the IWC and the public that the majority of the IWC members are in favor of a lifting of the moratorium. Thus, the fight for the whales just gets a little bit more difficult.

So ended the hump-day of the meeting with a victory for the pro-whaling bloc. At a meeting with the US delegation later, Dr. Hogarth and Dr. DeMaster denied that the conservation-minded countries had dropped the ball and said that they had been blindsighted by the text of the declaration. This is hard to believe since the text had been circulated at least 24-hours beforehand.

JUNE 19, 2006 - DAY 4

Yesterday's grueling day marked the pro-whaler's first victory since the inception of the moratorium in 1982. Many conservation-minded organizations condemned the declaration to news outlets around the world. AWI circulated a press release (/sites/default/files/uploads/documents/IWC58-Declaration_Press_Release-1240256651-11152.pdf) denouncing this ridiculous and damaging declaration. The mood on the fourth day was grim with the swing of the votes in favor of the pro-whaling nations.

Environmental Concerns

Although many were still furious, it was time to push through the remaining agenda items. The report on the two-day seismic workshop held prior to the Scientific Committee meeting was presented at the beginning of the day. AWI has particular interest in this human-induced noise threat to cetaceans. Seismic noise is generated by oil and gas companies as they survey the ocean floor and by scientific research vessels who map the sea floor. Seismic noise can seriously harm whales, dolphins and other marine species. We were encouraged that Mexico, Chile, Brazil and the UK all spoke up in favor of the report. The IWC called for 'risk-averse mitigation' to protect whales and fish from the damages caused by air guns.

Military sonar was also discussed under this agenda item. Dr. Antonio Fernandez of the University of Las Palmas de Gran Canaria had presented a paper to the Scientific Committee on the "gas embolic syndrome" whereby whales have been found to suffer from a form of decompression sickness after exposure to military sonar. The recent stranding of four Cuvier's beaked whales in Southern Spain was mentioned in his presentation, as well as the stranded whales near the Canary Islands. The Scientific Committee concluded that naval sonar was in use during these strandings.

Other Environmental Concerns presented to the Plenary meeting included ecosystem modeling pollution, sea ice, the State of the Cetacean Environment Report, diseases and entangled cetaceans. This section of the scientific committee report was adapted by consensus.

Whale Watching

Whale watching was the next topic up for discussion. The US, Australia, New Zealand and the Netherlands presented a resolution on 'Safety of vessels engaged in whaling and whale research-related activities'. The Scientific Committee explored the possible negative effects tourist vessels may have on cetacean populations. Japan used this as an opportunity to endorse whaling once more and stated that whaling and whale watching are not mutually exclusive and that both activities rely on ample stocks. The Commission adopted the report of the Scientific Committee.

Interference with Whale Research

This agenda item refers to Greenpeace's campaign in the Antarctic during the Japanese whale hunts and the Japanese claims that Greenpeace vessels interfered with the research efforts. There had been speculation that Greenpeace would be thrown out of the meeting as the group Sea Shepherd had been several years ago. However, there had been obvious work behind the scenes to smooth out this issue and a resolution was offered to the Plenary with Japan, New Zealand, the US, Netherlands and Australia. The resolution eventually said that the issue was outside the mandate of the IWC and was an International Maritime Organization issue. The resolution was adopted by consensus with a reservation being lodged by St. Kitts.

Whale Killing Methods

The bulk of the afternoon encompassed discussions regarding 'humane' whale killing practices. The chair of the Whale Killing Methods workshop presented the workshop's report which included methods of reducing ship strikes, data collection from aboriginal hunts, efficient whale killing, and reducing the time of death. Notably the US, after reiterating the importance of hunter safety for the aboriginal subsistence whalers, welcomed the work done on time of death and the improvements in whale killing methods that had been made in commercial whaling. In the Whale Killing Methods workshop, the US had only spoken up to stress the difficulties facing aboriginal subsistence whalers in trying to make advances in whale killing methods and reducing the time of death of whales. It is still unacceptable that the US is not more active over the welfare issue as it relates to whale killing methods. For example, St. Vincent and the Grenadines said that they 'reduced' the time of death to 20 minutes, which is still highly objectionable. Workshop members agreed on 11 recommendations for improving whale killing methods. These recommendations ranged from the proper maintenance of equipment to the sufficient training of whalers.

Thus, the penultimate day came to a close as the Whale Killing Methods workshop report was adapted. Delegates then were treated to a 'cultural extravaganza' at Brimstone Fortress, a former British military fort and UNESCO World Heritage Site. Despite high winds and sheets of rain, spirits were high as attendees got together socially for the last time before the next IWC meeting.

JUNE 20, 2006 - DAY 5

The final day was devoted to dealing with an awkward request in the form of a resolution from St. Kitts for \$ 370, 340 to cover unexpected expenses that it incurred as (volunteer) host country. After the discussion dissolved into a colonial debate, the resolution was put to a vote. The voting came out as a tie and therefore it was not adopted. Denmark, India, Kiribati and Morocco abstained and the Ivory Coast and Panama were not present. The US agreed to make contributions (\$30,000) to help St. Kitts defray its costs and encouraged other nations to do the same.

To close out the last day of meetings, 10 Greenpeace protesters landed on the beach in inflatable boats and attempted to plant 863 cardboard whale tails in the sand, each one representing a whale caught by Japanese whalers in the Sanctuary. This peaceful protest was interrupted when the police arrested the activists for not having permission from the government of St. Kitts to dock.

And so ended the 58th IWC which celebrated its 60th year in existence. Many fear what next year may have in store for whale conservation due to the declaration and the newly elected chair, United States Commissioner William Hogarth, and vice chair, Japan Commissioner Minoru Morimoto, for next years IWC meetings in Anchorage, Alaska. We are concerned that the bowhead whale quota will be up for renewal. The bowhead whales are hunted by the aboriginal subsistence whalers of Alaska. One wonders to what lengths the US will go to make sure it isn't embarrassed and/or defeated on home soil.
