

(Submitted by New Zealand)

Chair's Summary

SYMPOSIUM ON THE STATE OF THE CONSERVATION OF WHALES IN THE 21ST CENTURY

26TH APRIL 2007

1. More than 60 people (see Annex 1) from around the world gathered in New York at the United Nations to analyze options for the conservation of whales, specifically exploring policies for resolving the current impasse over commercial and scientific whaling at the International Whaling Commission.
2. The Symposium was divided into four sessions, covering: 1) the status of whale stocks; 2) developments in oceans law since 1946; 3) the history of whaling diplomacy; and 4) possible ways forward.
3. A report of the discussions has been prepared by IISD Reporting Services, available online (in English and French) at <http://www.iisd.ca/ymb/whales/>. The Summary below therefore aims to capture the atmosphere of positive and creative thinking, and to focus on possible options for the future.
4. A number of possible approaches were identified:

5. MAINTAINING THE STATUS QUO

- Current policy settings may be the correct way to proceed. While it may be regrettable that the debate is so divisive within the IWC, and apparently deadlocked, there may be no other route available to guarantee the prevention / reduction of commercial and scientific whaling.
- Efforts should continue to further a conservation agenda within the IWC.

6. NEGOTIATING COMPROMISES WITHIN THE IWC

7. One idea would be to engage in negotiations for a protocol to the ICRW, which would include:
 - Removal or restrictions to the open-ended use of Article VIII of the Convention relating to Special Permit whaling;
 - Establishing a Compliance Review Committee that would have new powers of enforcement;
 - A new dispute settlement provision;
 - The stipulation that there can be no reservations to the new rules;
 - Preventing countries from opting out of IWC rules;
 - A management objective implementing the precautionary and ecosystem approaches (as recognised in other instruments) and including non-consumptive uses; and
 - Include provisions allowing amendment of the Convention.
8. Implicit in such an approach would be a requirement for conservation countries to provide incentives to whaling countries that would be sufficient for the latter to agree to the above compromises.

9. Other ideas include:

- Re-examining and introducing a revised version of the “Irish Proposal;”
- An RMS+ strategy with four fundamental components: 1) phasing out of lethal scientific research; 2) corresponding phase out of whaling in the sanctuaries; 3) lifting of the commercial whaling moratorium (paragraph 10e of the ICRW’s Schedule) upon completion of RMP modelling and Commission action on a case-by-case basis; and 4) prohibition on international trade of whale meat.

10. Exploring any of these options requires a more diplomatic atmosphere within the meetings of the IWC, and its Chair and Vice Chair should work with all parties to put an end to the use of derogatory language.

11. FINAL SETTLEMENT BY A “HIGHER” AUTHORITY

12. The February 2007 Tokyo Normalization Meeting made the observation that it may be time to “consider looking at Governments rather than Commissioners to resolve the situation.” For this approach to be able to help truly to resolve the issue, a binding agreement of some kind would be necessary. Options could include:

- An Independent World Commission on the Conservation of Whales, following the model of the Brundtland and other World Commissions, such as the Dams Commission, that would need to be vested with authority, most likely at the UN-level. This could be convened by two co-chairs representing the two different prevailing viewpoints;
- A Ministerial Summit on the 60th anniversary of the IWC (2009) – this would need to be broader than just the Ministers who have responsibility for IWC representation in each country, and would at a minimum have to include Foreign Ministries. Such a Summit could be asked to report to UNGA or to make a decision by some target date such as 2010 which is “the UN International Year of Biodiversity;”
- Some sort of mutually agreed, binding mediation or arbitration procedure;
- An International Diplomatic Conference under the auspices of the UN, requiring a resolution from the General Assembly (or for the matter to be raised on the UNGA agenda more generally);
- An independent group of qualified eminent persons to make recommendations;
- Bringing the IWC within the framework of the UN; and
- Integrating whale conservation as an issue into broader oceans, biodiversity and species protection agendas and instruments such as the annual UNGA oceans omnibus resolution, a possible UNCLOS Implementing Agreement for the Conservation of Biodiversity in Areas Beyond National Jurisdiction, and discussions about the reform of Regional Fisheries Management Organisations under the auspices of the UN FAO.

13. GENERAL RECOMMENDATIONS

- Further research could be conducted into the economics of whaling, and in particular the degree to which the industry is subsidized by governments. At a time when governments are working to phase out distorting and environmentally harmful subsidies, this issue should be explored. Overseas Development Aid has been provided as fisheries subsidies – this aspect of the subsidy question should be addressed as well.
- Ways must be found to ensure that the full story of whaling and whales is presented in Japan. Outreach programmes to raise awareness within the pro-whaling countries, including those which do not undertake whaling themselves, could be initiated.
- Improve dialogue through the establishment of a working group to find common ground comprised of a diverse mix of interests and views. In the meantime, the Chair of the Symposium should communicate with the Chair of the Normalization Meeting, with a view to ensure that both reports are presented to the 2007 IWC plenary in a non-confrontational manner, and to find mechanisms to promote further dialogue about the issues raised during the two meetings.
- New approaches to conflict management within the IWC should be explored.

14. SUMMARY OF DISCUSSION – SESSION 1

15. To start the proceedings, an analysis of the scientific issues underlying the adoption of the commercial moratorium suggested that the developers of the RMP had sufficiently addressed those concerns. Accordingly, the analysis concluded that, from a scientific perspective, the RMP would be a reasonable means for managing commercial whaling, should it ever resume.

16. Much of the ensuing discussion focused on the question of whether the IWC (including the RMP) is sufficiently robust to cover the full range of threats that whales face now and in the future, for example as a result of climate change. The scientists who spoke to this issue argued that although the RMP model is simple, it was tested against a wide range of complexities, including ecosystem effects. Other participants were less convinced and some argued that there are also moral and ethical considerations that should be taken into account.

17. One speaker raised the question of whether an opportunity had been missed in 1994 when the Commission failed to adopt the RMP into the schedule. In light of the fact that the RMP is now being used in ways that were not intended (e.g. by Norway), would it have been better to get it locked into place when it was possible to do so? Opinion was divided on this point. Some felt that an opportunity had indeed been missed, while others felt that even in hindsight it was the right thing to do. It was accepted that the RMP is a scientific tool, not a policy tool.

18. One scientist who had been involved in the development of the RMP argued that adopting it into the Schedule without adopting the RMS simultaneously would have been a mistake. The RMP was not designed as a stand-alone tool; its effectiveness is dependent upon the technical and regulatory requirements contained within an RMS and within the Convention itself. Some felt that on the basis of animal welfare alone, commercial whaling should cease and not be resumed. One speaker cautioned against throwing out the system and starting over – what would replace it?

19. In one presentation to the session, the speaker pointed out that a frequently used argument by whaling countries is that jointly, all species of marine mammals in the world's oceans consume three to four times the total global fisheries yield, thereby threatening food security. Whaling countries regularly claim that culling marine mammals, including whales, will therefore increase fish catches. However, the global fish catch has been declining for some years, and the catch per unit effort (CPUE) in EEZs has fallen by 80% since 1970. Non-lethal studies of 115 species of marine mammals (cetaceans and seals) show that while their prey consumption is significant, there is very little overlap in the area or type of fish taken by commercial fisheries. Where there is overlap it is the marine mammals that are generally disadvantaged. Because the major consumers of commercial fish species in the marine ecosystem are other fish, even killing all marine mammals would have no perceptible positive impact on fish catches. Only a very few major fishing countries catch fish outside waters under their jurisdiction, and their fleets and markets account for by far the greatest amount of fish. The main problem is not marine mammals taking fish from the fisheries of developing countries; it is developed countries whose fishing operations are largely supported by subsidies.

20. It was noted that whaling countries often purport to use “ecosystem-based” considerations in their calls for culling of whales, but that this is a misuse of the term. On a broader scale, the IWC has made little effort to assess the role of whales in the marine ecosystem, which is especially important in the Southern Hemisphere where the killing of 2 million whales in the 20th Century has probably resulted in profound ecosystem changes.

21. One participant asked how whale conservation can be reconciled with the facts that resonate most with people in the developing world. It was also noted that “sustainable utilisation of natural resources,” “food security” and the “whales-eat-fish” argument are issues that have encouraged many countries to join the IWC, while serious discussions of the value of non-consumptive uses have been avoided. The “whales-eat-fish” doctrine is being disseminated in developing countries, and while much information documenting this to be a fallacy exists, this information remains confined to a restricted audience and is not communicated where it is needed.

22. Finally, it was pointed out that there are different schools of thought regarding the ecosystem approach. The international community, for example at the WSSD, called for the ecosystem approach to be used to conserve biodiversity. Whaling countries on the other hand, have used a so-called ecosystem management approach to promote the culling of whales, purportedly to increase fisheries yields. It was agreed that ecosystem manipulation was not the purpose of the ecosystem approach. Understanding the role of whales in the ecosystem, rather than ‘ecosystem management’ should be a primary objective.

23. SUMMARY SESSION 2

24. Discussion in Session 2 focused on the question of how best to ensure the conservation of whales from a legal (and governance) perspective. Some in the group felt that the IWC – flawed as it is - provides the best option to conserve whales from the impacts of whaling. Others contended that it is important to look at other existing instruments, particularly given Article 65 of UNCLOS reference to “organizations” in the plural; or to think about the negotiation of an entirely new instrument. It was acknowledged that there are existing fora also working on cetacean conservation, most notably the UNEP Convention on the Conservation of Migratory Species (CMS). Advantages of continuing to work through the IWC include:

- It has jurisdiction over whaling within EEZs and territorial waters, covering all great whales (and at least some small cetaceans) in all waters.
- There is a moratorium in place under its authority.
- The CITES international trade ban is influenced by the decisions of the IWC.
- Diplomatic realities of achieving something better would require difficult trade-offs.
- Diplomatic realities of what it would take to get the issue onto the agenda e.g. of the UNGA are complex.

25. Disadvantages of keeping the issue within the confines of the IWC alone are:

- The status quo is resulting in cetaceans being killed without scientifically justified quotas or adequate observation and inspection.
- This forum has been deadlocked for a long time, and substantial resources are being invested just to maintain the status quo.
- Even the Scientific Committee is considered to be deadlocked, because of the problem of ‘scientific whaling’.

26. Whaling would continue to be addressed in the IWC context in isolation from broader international discussions of marine conservation and management.

27. One speaker argued that the IWC would not need to be discarded altogether, but could be augmented with other processes and fora such as the CMS, which could move the discussion forward. Such an approach would include not only collaboration with biodiversity-related conventions, but also other international bodies such as the IPCC, the IMO, etc.

28. A variety of alternative fora and processes for moving the debate forward were put onto the table, such as a World Commission, action in the UNGA, and a UN diplomatic process.

29. A suggestion was made for a modernized instrument to replace the IWC that would incorporate modern principles of international environmental governance including the precautionary principle, the ecosystem approach, robust decision making processes, no or restrained opt-out, dispute resolution procedures, effective compliance and enforcement procedures, amendment procedures and transparency.

30. Another speaker argued in favour of incremental but substantial, rather than wholesale, reforms to be considered, based, for example, on a specific approach to one vital component of reform such as compliance and dispute settlement. The speaker noted that good techniques already exist outside the IWC and that more use should be made of these.

31. With regard to the UN, several speakers referred to the need to break the apparent taboo of discussing whales in fora besides the IWC.

32. With regard to small cetaceans, it was suggested that it is not in the conservation interest of small cetaceans that they be used as a negotiating chip or political football for the two sides involved in the primary IWC disagreement over great whales. The CMS should be recognised as an appropriate, global Inter-governmental body for small cetaceans. It is a UN organisation and addresses issues in all parts of the world. The approach of

CMS to small cetaceans is conservation-oriented, and actively promotes non-lethal use such as safe wildlife watching under the Addis Ababa principles adopted by all Parties to the CBD.

33. The question of how to achieve change and for what purpose was raised by several people, with several options explored.

34. Two speakers advised IWC to look honestly and fully at the existing international legal framework. They noted that a general tendency of the UN is to focus on streamlining, synergy and effective implementation of existing global treaties affecting the environment, rather than creating new ones. If there are proposals to negotiate a new or substantially expanded successor to IWC as a UN treaty, it will be pointed out that there already exists a global UN Convention - the UNEP Convention on the Conservation of Migratory Species (CMS) - which has 102 Parties and covers cetaceans comprehensively, utilising all the standard apparatus of a modern Multilateral Environmental Agreement (MEA); CMS is complementary to UNCLOS and the CBD. There are extensive listings of great and small cetacean species on the CMS appendices. There are no disputes, whatsoever, within CMS about the legal vires of the Convention to cover small cetaceans.

35. SUMMARY SESSION 3

36. The third session of the Symposium addressed the question of why whaling diplomacy has failed, and examined the underlying dynamics of the politics within the IWC, and the influence of public opinion in IWC member states. Several analyses were presented by the invited speakers.

37. The first speaker noted that the reason that it has been so difficult to find an acceptable solution to the current impasse at the IWC is that no one has the will to seek a solution. The pro-whaling sector has little to gain through negotiations; Norway and Iceland are legally commercially whaling.

38. The current diplomatic approach to resolving the impasse at the IWC is to recruit new members in hopes of achieving a majority. Both pro-whaling and pro-whale blocs employ this diplomatic tactic.

39. The first speaker believed that using contemporary environmental treaties as positive examples of change on their own will not compel the IWC to change. Ministerial level meetings are not likely to lead to success because not all parties would/could participate, and new players with old philosophies are not likely to resolve long standing differences.

40. He suggested that in the short term whaling therefore is not going to stop. While the RMP is a scientific/policy success, its implementation awaits the completion of the RMS. In fact, it was argued that an 'RMS-Plus' strategy is needed, initiated under strong U.S. leadership while the U.S. holds the chairmanship of the IWC. A relatively few number of countries need to reach an agreement and this could result in a vote to change the Schedule language. The speaker suggested that there are four key, fundamental components to the RMS, including:

- 1) Phasing out of lethal scientific whaling; timing would depend on RMP modelling and Commission action.
- 2) Corresponding phase out of whaling in the existing IWC-agreed sanctuaries;
- 3) Lifting of the commercial whaling moratorium (paragraph 10-e of the Schedule) upon completion of RMP modelling and Commission action, or retaining 10-e and adding subparagraphs for catch limits other than zero based on RMP modelling (i.e. allowing exceptions on a case-by-case basis).
- 4) Prohibition on international trade of whale meat.

41. If successful, the speaker argued, such an approach would make the IWC functional, result in better-controlled whaling and would close the loopholes. Fewer whales would likely be killed under this scenario than in the present circumstances. In the longer term, perhaps within one generation, commercial whaling would likely cease as education, environmental awareness and outreach, and cultural changes take hold. Overall economic value is also likely to be enhanced with live whales through whale watching. It was emphasized that outreach should be undertaken by nationals of whaling countries, speaking their own languages.

42. A second analysis offered a perspective on the Japanese strategy and its underlying motivations.

43. This analysis suggested that the way in which Japan is portrayed in the whaling debate could be called a "Japan as loser" paradigm in which Japan is seriously trying to overturn the moratorium, but has failed every year. The speaker argued that this is not the case – if it were, one would have seen a serious, high level

confrontation between pro- and anti-whaling countries, but this has not happened. In order to understand the debate more clearly, the speaker argued that it should be put into the context of a “Japan as winner” paradigm. He posited that Japan’s intent is not to overturn the moratorium, but to continue so-called scientific whaling. The Japanese government has in fact never pursued the necessary strategies to overturn the moratorium. These would be:

- Create a suitable atmosphere for negotiations;
- Persuade anti-whaling countries that Japan respects science;
- Negotiate with anti-whaling countries; and
- Build a fallback strategy (e.g. pull out from IWC).

44. The speaker pointed out that none of these strategies has ever been attempted. There is little evidence to suggest that Japan will ever pull out of the IWC; the ICRW is the only vehicle to allow scientific whaling without conditions. As a result, the debate can be characterized as “harmonized and scheduled confrontation.” He also pointed out that the Japanese public eats whale meat very rarely, and they should not be seen as pro-whaling but rather anti-anti-whaling.

45. As a solution, the speaker proposed the following reforms:

- Get scientific whaling under control of international law; and
- No scientific whaling without consensus approval of IWC Scientific Committee and research plan devised by IWC scientists.

46. In the speaker’s view this can only be done by diminishing the Japanese public’s and politicians’ support for ‘scientific’ whaling.

47. He noted a number of obstacles to this approach, however:

- The confrontational activities of the anti-whaling NGOs offend Japanese people; and
- Some anti-whaling countries’ attitudes fuel support for ‘scientific whaling’.

48. The speaker therefore recommended a stop to activist tactics which could be perceived as ‘Japan bashing’ and advocated the introduction of a revised Irish Proposal, including a clause for scientific whaling to be fully controlled by the IWC Scientific Committee.

49. The third speaker presented an alternative approach which argued against the adoption of the RMS. She noted that the ICRW is unable to protect whales at present, and suggested two possible reasons for this. One is that the convention is outdated; the other could be that the ICRW is a good Convention that simply is not adhered to.

50. She pointed out that the ICRW contains many important conservation elements and is worth saving. However it needs modernizing, by strengthening it, amending it, or by making better use of its existing provisions.

51. She noted that:

- Currently no other Multilateral Environment Agreements (MEAs) have comparable jurisdiction;
- ICRW’s conservation mandate can be preserved and strengthened;
- Adopting an unenforceable and ineffective RMS is not the answer;
- Current RMS drafts do not reflect best practices;
- An RMS can be circumvented by an objection/reservation;
- An RMS cannot stop or regulate special permit whaling; and
- Acceptance of a limited resumption of commercial whaling may result in commercial whaling alongside Article VIII whaling.

52. The speaker emphasised the dangerous precedent set by Iceland re-joining the IWC with a reservation to a decision it had accepted in its earlier period of IWC membership.

53. The discussion that followed explored these analyses in depth, and can be summarized under the following topics:

54. Legal issues:

- Whether and how the loopholes can be eliminated; and
- Whether having the RMS in place would lead to other countries engaging in whaling and thus lead to a much larger commercial take than at present.

55. Political issues:

- Whether the whaling countries are even interested in a compromise outcome such as the Irish Proposal;
- Whether the most anti- of anti-whaling countries are willing to make the kinds of concessions that would be needed to reach a compromise;
- Whether it would be possible to push the issue higher up on the political agenda of countries; and
- Whether it is time to consider a whole new Oceans Convention which, for example, reduced the area of unregulated high seas by expanding coastal zones.

56. Economic issues:

- Whether the stockpiles of unsold whale meat will discourage continued whaling e.g. by Iceland;
- Whether the best economic use of whales is in fact non-lethal uses, in light of the substantial subsidies currently provided to whaling fleets;
- Whether whaling is a wasteful practice, as evidenced by the whale meat stockpiles, and particularly so if compared to the benefits of non-consumptive uses; the principle of “highest and best use” should be considered in this regard.

57. Social/ cultural perspectives:

- How to provide alternative views to the public in whaling countries, circumventing governmental public relations machinery. It was agreed that better outreach is needed in all of the whaling countries;
- The extent to which confrontational tactics of anti-whaling organizations may be counter-productive to winning the hearts and minds of the Japanese people;
- The issue for Japan appears to have little to do with whaling but with being told what to do and what not to do; this suggests a need to understand the underlying causes for Japan’s position; and
- Whether whales should be afforded special treatment as sentient beings.

58. SUMMARY SESSION 4

59. This session on ‘The Way Forward’ further explored many of the ideas that had been suggested so far, and offered a variety of perspectives on how to resolve the deadlock at the IWC.

60. The first speaker noted that the deadlock has nothing to do with ‘science’ and that its resolution has nothing to do with how many whales there are or what they eat. He recommended that ‘science’ not be used as a shield for political and policy issues. He suggested that there be open acknowledgment of the main outstanding political issues, namely coastal whaling in Japan and a whaling-free Southern Hemisphere. Negotiating ground would then need to be found for resolving these, including through a cool-headed evaluation of coastal whaling claims and their acceptability. The withdrawal of the ‘scientific’ whaling fleet from the Southern Ocean Sanctuary would be paramount, and like-minded countries need to maintain basic principles, though remain open-minded to suggestions if whaling countries were to show interest in a serious political negotiation. He proposed that whale conservation be addressed at a broader level than the IWC alone, including:

- Promoting the development of regional non-lethal use and cooperation through new policy instruments;
- Consider the replacement of the ICRW;

- Continue to promote non-lethal appropriation of whale resources and biodiversity sharing; and
- Maintain the international trade ban on whale products.

61. Finally, he proposed that the agenda of the IWC Plenary meetings should provide space for more detailed/open political discussion (though not at the expense of important issues), and that the IWC Chairman work with all parties to put an end to the derogatory language that characterizes these meetings. He suggested that there be more intersessional dialogue connected to IWC proceedings and with wide participation. He called for a high-level independent Commission or other body to monitor progress in the IWC negotiations and to evaluate global developments.

62. The second speaker spoke strongly about the no-win situation in which the debate is currently fixed. The 'I'm right, you're wrong' nature of discussions is characterized by a confrontational power struggle, with no shared objectives and different mutual perceptions of reality. She noted that global goods require more and better partnerships, in an environment where conflict is managed (recognizing that it may never be 'resolved').

63. She recommended that it was time now to build trust. The parties should agree that there is conflict, and agree on what to do. This will require some new faces, methodical evaluation and controls, accurate sources of information and safeguards for all parties. There is a need to break away from the 'Japan / West' deadlock.

64. She proposed the establishment of a high level Commission with two conveners / co-chairs representing the two main partners. It should aim for a consensus strategy characterized by reaching out to 'the others'. She pointed out that the Dams Commission was precedent setting in this regard.

65. The third speaker noted that there was no single fix for the whaling problem. No one is happy with the status quo, but there were differences of opinion on what changes were needed and how they should be made. There were many options that could be explored, including:

- Working to win a majority and regain momentum at the IWC to secure the space to drive a conservation agenda;
- Preventing a watering down of the definition of aboriginal / subsistence whaling, for example by preventing commercial coastal whaling operations to be encompassed by this definition;
- Looking inside Japan to create space for dialogue and change public opinion. This includes speaking to the Japanese people in Japanese;
- Exploring ways to get rid of lethal scientific whaling;
- Putting whales back into the oceans, i.e. inserting whale conservation as an issue in broader oceans and biodiversity protection agendas and instruments such as the annual UNGA oceans resolution; and
- Making a special effort to work with small island developing states to secure the importance of whale conservation as part of their agenda.

66. The discussion that followed these presentations focused on several main topics:

Dialogue

67. A variety of suggestions were made with regard to engaging in constructive dialogue:

- A working group could be established to find common ground, which would not be composed solely of the 'like-minded'. Rather those countries which are in the middle of the debate, not firmly in the camp of either side, could take the lead in such a process. One idea was to convene such a meeting as soon as possible within Japan, on neutral territory. Another was to aim to do this, or something like it, in Anchorage.
- An outreach programme could be initiated that aims to raise awareness within the whaling countries and the countries allied with them in the IWC.

- There was a suggestion for the Chair of this Symposium to communicate with the Chair of the Normalization Meeting, with a view to ensure that both reports are presented to the IWC plenary in a non-confrontational manner.
- An appeal was made in this and earlier sessions to enhance the capacity of developing states to be able to engage more thoroughly in whale conservation matters. Not all IWC countries have the same level of knowledge of cetaceans in their waters or of the technicalities of IWC debates. Smaller states don't have the resources to follow all of the conventions related to conservation and biodiversity.

Independent World Commission

68. This suggestion was discussed repeatedly in this session, and throughout the two days. How such a process would be established needs further thought, including whether there is a means of having such a process be sanctioned by the IWC and/or other relevant fora.

Mediation

69. Approaches to conflict management need to be explored. Binding arbitration was also suggested by several speakers though it was noted that this could be perceived as a threatening process, by both ends of the spectrum.

Putting Whales Back into the Oceans

70. Many speakers pointed to the need to broaden the discussion of the conservation of cetaceans, and one suggestion was to bring the issue under the umbrella of the existing push for RFMO reform under the auspices of the UNFAO and the General Assembly.

71. Other speakers suggested that greater integration with existing biodiversity and species related conventions was necessary and that perhaps this could become a function of the IWC Conservation Committee.

72. It was noted that there was remarkable degree of agreement amongst Symposium participants on a number of key points:

- Maintain Sanctuaries, and extend to encompass a whaling-free Southern Hemisphere;
- Close loopholes (scientific, objections);
- End subsidies;
- New enforcement, dispute mechanisms;
- Prevent international trade in whale products; and
- Constrain whaling (in terms of number of whales, species taken, and countries which conduct whaling).

73. CONCLUSION

74. The Chair concluded by summing up the discussions of the previous days and noted that his report would be posted first to an internal website to allow participants to add additional views, and then later onto the public website. The report would be made available to the Anchorage meeting of the IWC. An effort will be made to explore areas of common ground with the Chair of the Tokyo Normalization meeting with a view to facilitating orderly discussion on the future of the IWC. He thanked the organizers, the panel presenters and participants for the excellent discussions and good spirit.

Annex 1

List of Participants of the New York Symposium on the State of the Conservation of Whales in the 21st Century – 12-13 April, 2007

NAME	ORGANISATION
Mordur Arnason	Icelandic Parliament , Iceland
Scott Baker	Marine Mammal Institute, Oregon State University, USA
Claire Bass	World Society for the Protection of Animals
Nienke Beintema	International Institute for Sustainable Development Reporting Services (IISD)
Martine Bigan	Ministry of Ecology and Sustainable Development, France
Dan Birchall	International Institute for Sustainable Development Reporting Services (IISD)
Kitty Block	Humane Society International
Philippa Brakes	Whale and Dolphin Conservation Society (WDCS)
Wil Burns	Santa Clara University School of Law, USA
Leslie Busby	Consultant, USA/Italy
Juanita Castaño	UNEP
Richard Cowan	Department for Environment, Food and Rural Affairs (DEFRA), UK
Duncan Currie	High Court of New Zealand - International Law - Environmental Law, New Zealand
Andrew Darby	Journalist, Australia
Alexandre de Lichtervelde	Federal Public Service - Public Health, Food Chain Security and Environment International Affairs (DG5), Belgium
Mamadou Diallo	WWF WAMER (Western African Marine Ecoregion), Senegal
Mike Donoghue	Ministry of Conservation, New Zealand
Jaakola Esko	Ministry of Environment, Finland
Bo Fernholm	Swedish Museum of Natural History, Sweden
Arni Finnsson	Icelandic National Conservation Association, Iceland
Patricia Forkan	Humane Society International
J. Charles Fox	The Pew Charitable Trusts
Pierre Gallego	NMNH, Luxembourg
Leah Garces	World Society for the Protection of Animals
Alex García Wylie	The Varda Group
Emanuel Gonçalves	Unidade de Investiação em Eco-Etologia (Eco-Ethology Research Unit), Portugal
James Gray	Department for Environment, Food and Rural Affairs (DEFRA), UK
Brian Halweil	The Worldwatch Institute
Stellan Hamrin	Ministry of Environment, Sweden
Robert Hepworth	Convention on the Conservation of Migratory Species of Wild Animals (CMS)
Miguel Iñiguez	Fundación CETHUS, Argentina
Atsushi Ishii	Center for Northeast Asian Studies, Tohoku University, Japan
Yolanda Kakabadse	Former President of the IUCN-The World Conservation Union, Former Environment Minister of Ecuador, Chair of the Science and Technology Advisory Panel of the GEF (STAP / GEF)
Justin Kenney	The Pew Charitable Trusts
Kees Lankester	Scomber, The Netherlands
Sue Lieberman	WWF International
Atherton Martin	Exotica, Commonwealth of Dominica
David McNeill	The Independent, Japan/UK
Monica Medina	Legal Consultant, USA
Maria Teresa Mezquita Pessoa	Ministry of External Relations, Brazil
Matthias Mittag	Permanent Mission of Germany to the UN, New York.
Maaïke Moolhuijsen	Department of Nature, The Netherlands
Daniel Morast	Consultant

Laurel Neme	International Institute for Sustainable Development Reporting Services (IISD)
Conall O'Connell	Department of the Environment and Heritage, Australia
Ayako Okubo	Ocean Policy Research Foundation, Japan
Geoffrey Palmer	The Law Commission, New Zealand
Remi Parmentier	The Varda Group
Daniel Pauly	The Fisheries Centre, British Columbia, Canada
Dr. Ellen Pikitch	The Pew Institute for Ocean Science
Margi Prideaux	The Whale and Dolphin Conservation Society (WDCS)
Patrick Ramage	International Fund for Animal Welfare (IFAW)
Shane Rattenbury	Greenpeace International
Josh Reichert	The Pew Charitable Trusts
Kelly Rigg	The Varda Group
Lorenzo Rojas	Programa de Investigación de Mamíferos Marinos, Instituto Nacional de Ecología (INE), Mexico
Karen Sack	Greenpeace International
Junichi Sato	Greenpeace Japan
Howard Schiffman	Center for Global Affairs, New York University School of Continuing and Professional Studies
Rollie Schmitten	Former US Commissioner to the IWC
Roxana Schteinbarg	Instituto de Conservación de Ballenas, Argentina
Joth Singh	International Fund for Animal Welfare (IFAW)
Judge Tuiloma Neroni Slade	Former Judge of the International Criminal Court in The Hague; former Ambassador/Permanent Representative of Samoa to the United Nations.
Jim Sniffen	UNEP
Allan Thornton	Environmental Investigation Agency (EIA)
Michael Tillman	Center for Marine Biodiversity and Conservation, Scripps Institution of Oceanography, USA
Jose Truda Palazzo	Alternate Commissioner to the IWC, Brazil
Alexey Yablokov	Former Environment Minister of the former Soviet Union and the Russian Federation, IUCN Councillor, Russia.