

## **NEW ZEALAND POSITION ON JAPAN'S PROPOSAL FOR SMALL TYPE COASTAL WHALING (QUESTIONNAIRE)**

New Zealand considers that the proposal by Japan for small type coastal whaling can only be addressed in the context of a wider resolution of the key issues that continue to divide the IWC membership, including whaling in the Southern Ocean.

The International Court of Justice in the Whaling in the Antarctic case was clear that whaling that falls outside scientific whaling (Article VIII of the Convention), or aboriginal subsistence whaling (paragraph 13 of the Schedule), is subject to the various prohibitions in the Schedule, including the moratorium on commercial whaling under paragraph 10(e). Japan's small type coastal whaling proposal in effect amounts to a new category of exemption to the moratorium on commercial whaling. The fundamental purpose of paragraph 10(e) was, and remains, to establish a moratorium on commercial whaling. As a member of the Commission, New Zealand has not agreed, and is not in a position to agree, to modify the provision. New Zealand does not consider that conditions currently exist for such a new category.

New Zealand reiterates its concerns previously expressed as to the impact on stocks proposed to be taken under this proposal, specifically the depleted "J stock", which is classified as a Protection Stock by the Commission.

New Zealand reiterates its concerns in relation to the killing methods used for all forms of whaling. New Zealand submits data on an annual basis on euthanized whales and dolphins. Not all countries, however, submit full data sets on time to death. This lack of transparency has limited the ability of the Working Group on Whale Killing Methods and Associated Welfare Issues to conduct its work and, inter alia, hinders any endorsement of particular killing methods used in whaling operations.

30 April 2015