

## ADDRESSING SPECIAL PERMIT WHALING AND THE FUTURE OF THE IWC

Submitted to the IWC61 Discussions on the Future of the IWC  
by the Government of Australia

The International Whaling Commission (IWC) is the primary forum for the conservation and management of cetacean populations worldwide. In order for the Commission to deliver as effectively as possible against this important mandate, its operating processes and mechanisms should be strategically focused, collectively managed and represent contemporary best-practice.

Over the past few decades the IWC has assumed a leadership role in the science of cetacean conservation and management. The Scientific Committee comprises a unique collective of expertise and each year works through a crowded and rapidly expanding agenda of urgent science issues. The high standard and value of the collectively derived recommendations of the Scientific Committee are central to the Commission's successful role.

At a time when the future of the IWC is being collectively addressed Australia believes that it is essential that we take stock of our scientific successes and, in so doing, consider how we might seek improvements and efficiencies in our overall approach to science and research. Fundamental to this will be a consideration of an improved, collectively agreed resolution to the controversial and unresolved issues around special permit whaling. Equally importantly, a consideration of our scientific process will provide a context and a mechanism by which our overall scientific needs can be determined, prioritised, addressed and our progress monitored.

To initiate this process, Australia believes we can reach agreement on a number of key principles that would guide the discussion on our approach to science and provide a modern, best-practice basis for how IWC science should be undertaken. While these principles should, in spirit, apply to the IWC-related scientific activities of all members, our intention is to focus the Commission's attention on the core, IWC-related science that may be seen to have a potential impact on cetaceans, affect the workings and agenda of the Commission and its committees, or research initiatives directly linked to delivering against the IWC core mandate.

### Principles for a reformed approach:

- the key scientific priorities of the IWC that require resolution should be agreed collaboratively by the Commission
- these priorities should be focused towards outcomes that deliver effective conservation and management of whales
- scientific activities should respond to these agreed priorities
- scientific activities should be based upon a precautionary approach
- in all cases the potential impact on whale populations should be assessed and minimised and where invasive techniques are proposed, research design should employ internationally recognised humane animal experimentation techniques (reduction, replacement and refinement)
- the proposed methods, scope and objectives of a research program should require the approval of the Commission
- research programs should be transparent, inclusive and collaborative; and encourage and enhance engagement from scientists from developing countries
- research results should be public and the data made available to promote additional research and analysis
- effective processes to ensure the communication of complicated technical issues to a non-science audience should be developed and maintained
- scientific activities should be subject to a formalised, transparent and agreed process of periodic review and performance appraisal; including a requirement for research proponents to respond to review recommendations
- approval and the review of research should not be conducted by the proponents of the research.

These principles are basic elements of integrity and transparency and represent a best-practice approach. Many of the scientific activities undertaken within the IWC already adhere to some of these principles. Consequently, a process that includes all core IWC-focused scientific activities, and which is developed by agreement between members, would strengthen the Commission by increasing collaboration and focusing and prioritising an already busy science agenda. Equally importantly, such a process would contribute to removing the most serious source of tension that presently impedes the Commission's work.

Special permit whaling has been the most controversial issue within the IWC for many years. All members have recognised that divisions over this form of whaling must be resolved. In particular, it is essential that any agreement or package on the future of the IWC includes a specific commitment that resolves the dispute over special permit whaling. Without such a commitment, one of the IWC's most controversial issues would remain a divisive problem, effectively weakening the Commission's core mandate.

In order to resolve the divisions over unilateral special permit whaling, Australia proposes that IWC members agree a principle-based approach to all scientific research under the authority of the Commission. Governments should commit to activities only when authorised by the Commission.

In order to implement such a process, three steps would be required:

1. a consensus-based approach to determining key knowledge gaps, priorities for research that address these gaps in a practical and outcome-focused manner, and mechanisms by which that research will be delivered. These research needs should be directly relevant to agreed management and conservation objectives of the IWC;
2. a process for assessing all science activities against the approach outlined in (1);
3. a mechanism for the Commission to reach a decision on outcomes and recommendations derived from (1) and (2). Countries would agree not to undertake scientific activities without Commission approval.

The details of this process would need to be developed cooperatively by IWC members and agreed by consensus. This process would ensure that any scientific activity would be collectively agreed, would have strong scientific underpinnings, would be outcome-focused against agreed priorities, would receive appropriate independent peer review and would support the conservation and management objectives which have been agreed by the Commission.