

IWC/61/OS Member Governments

Contents:

IWC/61/OS	Argentina, Brazil, Chile, Costa Rica, Ecuador, Mexico, Panama, Peru and Uruguay
IWC/61/OS	Australia
IWC/61/OS	Austria
IWC/61/OS	Cambodia
IWC/61/OS	Czech Republic
IWC/61/OS	Denmark
IWC/61/OS	Ecuador
IWC/61/OS	India
IWC/61/OS	Japan
IWC/61/OS	New Zealand
IWC/61/OS	Poland
IWC/61/OS	Republic of Korea
IWC/61/OS	UK
IWC/61/OS	USA

International Whaling Commission – 61st Annual Meeting
Funchal, Madeira, Portugal
June 2009

Opening Statement by Argentina, Brazil, Chile, Costa Rica, Ecuador, Mexico, Panama, Peru and Uruguay

We would like to express our great appreciation to the National Government of Portugal and the Regional Government of Madeira, especially to the people of this beautiful Island, for hosting the 61st Meeting of the International Whaling Commission and for making all necessary efforts to facilitate our work.

We appreciate and recognize the important role played by our Chair, Dr. Bill Hogarth, in the discussions on the future of the IWC. We also appreciate the strenuous efforts by Dr. Hogarth and the SWG Chair, Ambassador de Soto, in trying to develop a set of options with a view to move the IWC forward. We reaffirm our full support to the ongoing discussions on the future of the Commission.

Although the SWG has fallen short of developing a “package or packages” to solve the impasse faced by the Commission, we believe that this process has resulted in very important and concrete progress. We have improved the atmosphere and spirit of the discussions, and dialogue has taken place in an open and respectful manner. As the Chair has stated, we have been successful in identifying, categorizing and narrowing down the issues that all member countries have identified as important to the future of the IWC.

During the work of the SWG, member countries were able to advance in the consideration of some of the most controversial issues we currently face. However, we feel that much work still has to be done with regard to the very difficult matter of scientific whaling. Without a solution to this issue, we believe that it will not be possible to have a final agreement on the future of the IWC.

We reiterate that the non-lethal use of whales and the establishment of a South Atlantic Whale Sanctuary, as well as the respect for existing sanctuaries, are issues of utmost importance to our countries and, therefore, should also be adequately contemplated in any package. An agreement on the future of the IWC should also allow for the development of a responsible and active participation of civil society inside the Commission.

We believe that it is important to maintain a positive atmosphere for discussions in the following intersessional period of the Commission. In this sense, we are of the view that countries should refrain from taking unilateral actions that could jeopardize the negotiating process, such as the resumption of the international trade of whale products and the further increase of catch quotas.

Our countries are strongly committed to this process, having invested much time and resources in its successful development. We reiterate our willingness to continue to work with all Parties in finding a consensus agreement that ensures the conservation of whale species for future generations.

GOVERNMENT OF AUSTRALIA

Opening Statement

61st Annual Meeting of the International Whaling Commission Madeira, Portugal

The world has changed dramatically in the 60 years since the original signing of the Convention for the Regulation of Whaling. Now it is time for the International Whaling Commission to also evolve into a modern organisation, equipped to protect and support the recovery of whale populations and to address the many threats to whales in their environment. This is a journey that Australia has been on since we ourselves brought an end to our history as a whaling nation only 30 years ago.

Last year, at its 60th annual meeting, the Commission agreed to embark on an unprecedented and important process to ensure the current organisation truly reflects the views and priorities of its membership while embracing the concepts of modern oceans management.

This is a process that Australia takes very seriously. Australia has engaged constructively and intensively in the Small Working Group (SWG) process on the future of the IWC over the past year because we want reform of the IWC. Australia attends this 61st annual meeting of the Commission determined to accelerate progress and with a real hope and a reasonable expectation that all members are likewise genuinely engaged in the search for a solution. We remain hopeful that the meeting will provide genuine reason to believe that progress will be made if further negotiations are agreed.

Australia's position has been consistent throughout: we believe the Commission should be modernised, we believe the moratorium remains essential for the recovery of whale stocks and we urgently want to see progress toward an end to unilateral scientific whaling.

For over 20 years, special permit whaling has been the most controversial and divisive issue within the Commission. The Small Working Group has identified research under special permit as one of three key issues to be addressed. Unless we address the issue of special permit whaling, the Commission's credibility and its ability to operate effectively in the future will be lost. To this end, Australia wants to see practical outcomes in relation to addressing the problem of special permit whaling. For Australia, whale conservation is an urgent task and we cannot commit to a continuing negotiation process if it does not produce results.

In the interests of trying to find a way forward on this issue, Australia believes that the Commission should look at this question in the context of the Commission's overall scientific needs. Australia's proposal would reinforce that whale research activities be underpinned by a genuine scientific research need, should adhere to agreed, modern, best practice principles and should be brought under the authority of the Commission.

Australia's proposal also provides that all scientific research is undertaken in the most humane and ethical way, because the use of animals in the name of science, including outside the laboratory setting, carries with it a responsibility to take all reasonable steps to prevent unnecessary death and suffering.

Australia believes it is reasonable to expect that any modern and effective international organisation that directs research must do so based on best-practice scientific principles; this is a benchmark against which the institutional credibility of the Commission will be judged in the future.

In the past 18 months, Australia has put forward a number of well-developed and constructive new proposals to help the Commission's discussions to move forward together. We have submitted papers on the future of the IWC, on cooperative research partnerships, on collaborative conservation management plans, and on the reform of IWC science.

We have also emphasised that we are willing to consider proposals of other countries that may assist in reaching consensus and shared understanding. It is extremely important that any proposal before the Commission receives rigorous and transparent policy and scientific scrutiny.

Australia advances this new proposal in the spirit of stimulating discussion towards a consensus solution to the dispute over scientific whaling. It may not be the only proposal, and we would welcome the suggestions of others. We urge all Commission members to be part of this discussion and put forward their own constructive ideas towards an agreeable solution.

Opening statement by

AUSTRIA

to the 61st Annual Meeting of the IWC, Funchal, Portugal, June 2009
in support of and in addition to the EU-Statement

The Austrian delegation is pleased to participate in the 61st Annual Meeting of the International Whaling Commission and thanks Portugal as well as Madeira for their hospitality.

We welcome the intensified IWC cooperation with **international organizations**, especially with the IMO on ship-strikes, the FAO on bycatch, the IUCN on Western North Pacific gray whales as well as with CMS and CITES, to mention only a few.

Austria attaches great importance to the **ship strikes and bycatch issues** and continues to look forward to receiving the first report of the EU on its efforts to reduce bycatch based on EU regulation 812/2004.

In light of the deeply regrettable **extinction** of the Baiji dolphin, we call again on the secretariat of the IWC, in cooperation with the Conservation Committee and in line with Scientific Committee recommendations, to urge Member States and other identified addressees to seriously take immediate steps to counter the impending extinction of endangered cetacean species and populations (e.g. Vaquita, Western North Pacific gray whales, North Atlantic and North Pacific right whales, Southeastern Pacific right whales).

We are grateful for the results of the **climate change** workshop and thank those countries who supported it financially. This has helped make the IWC the foremost authority on the issue of climate change and cetaceans. We are looking forward to welcoming the next intersessional workshop considering climate change and small cetaceans on 25-27 November 2009 in Vienna, Austria.

We are pleased to note that the results of the deliberations of the Scientific Committee on **Whale Watching** are being included into national legislation and guidelines on whale watching worldwide as well as in establishing Marine Protected Areas. We expect carefully designed and coordinated scientific research projects on whale watching to provide valuable insights and yield management measures that reduce potential disturbance to a minimum.

In view of the detrimental effects of the deteriorating marine environment on whales and dolphins, Austria welcomes the compilation of this year's **State of the Cetacean Environment Report - SOCER** with its regional (2009: Pacific Ocean) and global sections. SOCER underlines that the IWC is in full accordance with modern research in promoting environmental and conservation concerns in its agenda. We encourage Member States, scientists, as well as international organizations to continue to provide information and support for this report (2010 regional topic: Arctic Ocean).

**OPENING STATEMENT
OF THE KINGDOM OF CAMBODIA
61ST ANNUAL CONFERENCE, INTERNATIONAL WHALING COMMISSION
JUNE 22-26, 2009
MADEIRA, PORTUGAL**

Mr. Chairman,
Honorable IWC Commissioners,
IWC Secretary,
Ladies and Gentlemen,

The Kingdom of Cambodia welcomes the opportunity to attend this very important IWC Annual Conference with discussions underway on the Future of IWC and normalizing this intergovernmental organization. As stated in its report dated May 18, 2009, the Small Working Group (SWG) recommended the IWC extend the effort for another year. The Kingdom of Cambodia appreciates the Chair's initiative and the progress made thus far by the SWG under the chair's leadership. The Kingdom of Cambodia therefore supports this recommendation in principle on the basis that some compromises and trusts should be involved from both sides.

For the sake of IWC normalization, in addition to IWC intersessional meetings, three SWG meetings had been conducted in the past e.g. at Florida, USA in September 2008, at Cambridge, UK in December 2008 and at Rome, Italy in March 2009. Furthermore, critical items identified by the SWG, as core issues; namely "Research whaling" and "Japanese Small Type Coastal Whaling" have been discussed between Japan, the USA, Australia, Brazil, the Czech Republic and New Zealand in San Francisco, USA in April 2009. I am of the view that time is now ripe for IWC to normalize this intergovernmental organization as mandated by the ICRW.

I think the root cause of the problem results from a misunderstanding and misinterpretation of the ICRW, that have developed over time as a consequence of intensive lobbying campaigns by hard line NGOs. Debates have been based on emotional and political sensitivities rather than the scientific evidence. This, in turn, has led to the IWC making decisions not following the spirit of scientifically based approaches, with some Contracting Governments facilitating unlawful acts by some NGOs to interfere with the legitimate research activities of another member country.

Cambodia is of the view that, both sides should better respect and trust each other in the spirit of mutual understanding in an effort to reach the common goal of effectively conserving and managing whale resources. In so doing, I believe that, based upon the progress made by the group during the past year, we can move forward in more speedy steps by establishing the Chair's support group and holding open-ended discussions on core issues and adopt a package (a third alternative) that is acceptable to all at IWC62 in 2010 at the latest.

Finally, Mr. Chairman, Cambodia would like to express its sincere gratitude to the Government of Portugal for the excellent arrangements for the Conference and the hospitality it extended to our delegation during the IWC61 Annual Meeting on this beautiful island of Madeira.

Thank you very much for your kind attention!

61st Annual Meeting of the International Whaling Commission 22-26 June 2009, Funchal, Madeira, Portugal

Opening Statement by the Czech Republic on behalf of the European Community and its Member States

The Czech Republic on behalf of the European Community and its Member States (hereinafter: the EU)* expresses its appreciation to the Government of Portugal, the Regional Government of Madeira, and the City of Funchal for hosting the 61st Annual Meeting of the IWC and wishes to thank them for their kind hospitality. We would also like to welcome all new members of the IWC. We hope to work together for the benefit of whales. The EU, working through its Member States that are Contracting Parties to the IWC, wishes to participate in the process of discussing the future of the IWC in a constructive manner.

We highly appreciate the initiative and hard work done by the Chair Dr. Hogarth, Ambassador Alvaro de Soto and the members of the Small Working Group on the future of the IWC. We know well that their work was extremely difficult and complicated. While we understand that the Small Working Group has not yet been able to agree on a package or packages on the future of the IWC, we believe that its efforts have laid the foundation for a successful outcome which could move us out of the difficult situation in which the IWC has found itself over the past years. We urge all Parties to keep up the momentum that has been gained over the past months and to continue work in a

* The European Community has 27 Member States, 24 of which are Contracting Parties to the IWC: Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden and United Kingdom.

constructive spirit. On our side, we are ready to cooperate in this respect and explore concrete possibilities for moving this process forward in an even more effective way, based on the best scientific knowledge and advice.

The overarching objective of the European Union in relation to the IWC is to ensure an effective international regulatory framework for the conservation and management of whales that guarantees a significant improvement in the conservation status of whales in the long term and that brings all whaling operations under IWC control. In this context, the moratorium on commercial whaling will remain a key tool.

The EU is concerned about the continuation of scientific whaling under special permit. We encourage the responsible Parties to cease such activity and facilitate the current negotiations on the future of the IWC. We believe that all whaling activities have to follow sound scientific advice and to be conducted under complete control of the IWC.

We would be willing to consider proposals regarding new types of whaling, currently not envisaged in the Convention. Such proposals, however, should involve only local consumption and foresee a role for scientific advice by the IWC. Furthermore, any proposals regarding new types of whaling should also guarantee a significant improvement in the conservation status of whales in the long term and contribute to bringing all whaling operations by IWC members under IWC control.

We recognise the sovereign rights of Contracting Parties to share the benefits of whale resources non-lethally in their own regions. At the same time we recognise the right of aboriginal communities to utilise the whales, provided that the conservation of the relevant stocks is not compromised, having due regard to the precautionary principle and the advice of the Scientific Committee, and that whaling operations are properly regulated and all whaling catches remain sustainable within the scope of subsistence needs for local use.

While we fully understand the need to first agree on a core package, we would also like to recall that among the further items identified, there are substantial issues which we need to discuss in order to improve the functioning of the IWC.

For example, we are concerned about increased human-induced mortalities inflicted upon small cetaceans including expanded hunting. Many of the hunts are unreported and insufficiently or poorly regulated. By-catches in some fisheries are too high worldwide. Little or no account is taken of the welfare of the animals or of the scientific advice regarding the target populations.

We support the establishment of new whale sanctuaries that we believe could protect vulnerable whale populations.

The EU supports the continuation of the work of the Conservation Committee and urges that this work should be allowed to continue with the constructive collaboration of all Contracting Parties to the IWC. We regard the protection of whales from threats stemming from human activities, such as by-catch, eutrophication, noise and chemical pollution, whale-ship collisions etc., as the legitimate concern of the Conservation Committee.

* * *

Throughout this meeting, the Czech Republic, which currently holds the Presidency of the Council of the European Union, will be speaking on behalf of the EU, i.e. the European Community and its Member States, on the basis of an agreed position, on matters of Community competence. During this meeting, individual EU Member States may also take the floor to further explain and complement the EU position, as appropriate. Furthermore, Greenland and the Faroe Islands are Danish Overseas Territories but not European Community territories. Therefore, insofar as divergences may arise between the interests of the European Union and those of Greenland and the Faroe Islands, Denmark may intervene to pursue the interest of these overseas territories.

Opening Statement. IWC 61

Denmark

The Kingdom of Denmark supports the sustainable use of all living resources of the sea, based on the best available scientific advice. This applies to fish as well to whales. Within the Kingdom of Denmark whaling is confined to the waters of the Faroe Islands and Greenland in the North Atlantic, where marine mammals have long been – and continue to be – valuable renewable resources and an important part of the cultures and needs of the Faroe Islands and Greenland.

For the Kingdom of Denmark an important decision to be taken by the IWC this year relates to the catch quota for humpback whales and minke whales of Greenland. The history of whaling in Greenland is as long as the history of Greenlanders. Greenland of today still depends to a large extent on the hunting of large whales as the needs estimates clearly demonstrates. Not to catch whales is simply not an option.

Fortunately, the IWC Scientific Committee last year approved estimates of abundance for humpback whales of West Greenland. This information demonstrates that a new quota of humpback that will be requested this year clearly lies within the limits, as specified by the Scientific Committee. We will at the same time request an adjustment of the quota of minke whales in order to respect the findings of the Scientific Committee.

The future of the IWC is yet again the focus at this meeting. The IWC has been polarized to an extent that makes it nearly impossible to take any decision that requires more than a simple majority. If this continues then IWC might collapse in the future. Denmark wants the IWC to function and believe that organization has the potential to conserve and manage whale stocks but also to develop other issues relating to the utilization of whales.

If we want the IWC to survive as a relevant and responsible conservation and management organization we should all be prepared to give and take in order to reach a common ground. Denmark, which continues to remain in the middle of IWC, would like to see, as a result of this meeting, a pledge from all parties to be prepared to reach a compromise on essential matters next year.

INTERVENCION DE LA DELEGACION DEL ECUADOR

SESION INAUGURAL DE LA 61 COMISION BALLENERA INTERNACIONAL.

El Ecuador participa en la 61 reunion de la Comision Ballenera Internacional con un espiritu altamente constructivo, en el entendido de que las Partes deben analizar a conciencia el futuro de la CBI, con amplitud y en procura de consensos que privilegien la conservacion de las ballenas, sus ecosistemas y las poblaciones que se benefician de esos cetaceos para su desarrollo social y economico.

El Ecuador considera que la Comision Ballenera Internacional debe constituirse en una instancia mundial seria y bien estructurada, a traves de la cual los Estados proveamos de informacion y transparentemos las experiencias para que la proteccion de las ballenas sea una realidad, y no la fuente de debates y distanciamiento entre los paises.

La investigacion en torno a las ballenas y sus ecosistemas debe orientar los trabajos serios y bien concentrados de la Comision Ballenera Internacional, teniendo en cuenta que las amenazas a los cetaceos no provienen unicamente por graves actividades humanas, sino por impactos en el medio ambiente en general, el cambio climatico, la degradacion de los ecosistemas, la acumulacion de contaminantes y la contaminacion acustica, el transporte maritimo, operaciones militares y otros.

El Ecuador favorece la moratoria global a la caza commercial de ballenas; reconoce el uso no letal de los cetaceos y su aprovechamiento sustentable; favorece el respeto a las santuarios de ballenas y la creacion de nuevos santuarios; apoya la regulacion efectiva de la caza de subsistencia y el establecimiento de procedimientos claros para la asignacion obligatoria de cupos y distribucion de productos provenientes de las ballenas, en el marco de CITES; apoya la suspension de la caceria cientifica indiscriminada, aborigen o commercial, en pequena o gran escala.

El Ecuador acoge el asesoramiento tecnico y cientifico par a las labores de la CBI, que requiere de la voluntad politica de los Estados para el fortalecimiento del regimen para la conservacion de las ballenas, la proteccion de los recursos naturales y el mantenimiento de las especies en general.

Mi pais invita a los Estados a considerar los beneficios producidos por la observacion de ballenas, que redundan en el desarrollo de comunidades ancestrales del litoral ecuatoriano,, constituidas en su mayoria por personas de escasos recursos y con un alto indice de mujeres; ademas, el turismo de avistamiento de ballenas es actualmente una fuente importante de empleos y permite el desarrollo del ecoturismo sustentable, por lo que no podemos afectar todo este impulso con politicas agresivas a las poblaciones de ballenas y otros recursos naturales.

El Ecuador augura una session constructiva de la CBI y el trabajo a conciencia por los derechos de la naturaleza.

Gracias.

Madeira, 22-junio-2009

OPENING STATEMENT INDIA

Mr. Chairman,

The time of holding the 61st Meeting of the International Whaling Commission is very crucial especially when the clouds of impacts of Climate Changes and unmindful development are looming large all over the world. Situation has further worsened due to slowdown of economy all over the world effecting the conservation efforts negatively. There is an urgent need for human race to recognize and follow the virtues of “Conservation” in all walks of life.

As one of the oldest member of the Commission, India has always been committed for the principle of sustainability, which is the basis of any and every conservation effort. Therefore, we support only sustainable use of natural resources based on scientific research and knowledge. There cannot be any other approach for Whale Conservation also. It needs to be followed uniformly all over the world. Therefore, the Commission has enormous responsibility on its shoulders to achieve this laudable goal.

It brings into fore the urgent need of finalization and implementation of Revised Management Scheme for Whaling. Therefore, task before the Commission is daunting needing a very pragmatic approach during the deliberation to be held in the meeting. An approach of Mutual respect and understanding to each others views would lead to a fruitful outcome.

It is worth mentioning here that in India, all the cetacean species are fully protected under the Wildlife (Protection) Act, 1972.

We also take this opportunity to put our sincere thanks on record to the Government of Portugal for hosting the 61st Annual meeting at this beautiful place and extending excellent hospitality.

Wishing all the success to the Meeting.

Dr. Anmol Kumar
Whaling Commissioner
India



**FISHERIES AGENCY
MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES,
GOVERNMENT OF JAPAN**

2-1-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8907, Japan TEL: +81-3-3502-2443 FAX: +81- 3-
3591-5824

**OPENING STATEMENT OF JAPAN
TO THE 61st ANNUAL MEETING OF THE
INTERNATIONAL WHALING COMMISSION**

The Government of Japan expresses its appreciation to the Government of Portugal for hosting the 61st Annual Meeting of the IWC and for the hospitality we have received.

Japan regards the Future of the IWC project as a laudatory attempt to achieve a consensus solution to the controversial issues of the IWC and thus to revive its role with respect to the conservation of whale stocks and the management of whaling. In this regard, Japan expresses its sincere appreciation to the efforts by all participants to the project, especially Dr. William Hogarth, Chair of the IWC and Ambassador Alvaro de Soto, Chair of the Small Working Group on the Future of the IWC (SWG).

While it is regrettable that the SWG has fallen short of the stated goal of reaching a package or packages on the Future of the IWC, which the Commission is supposed to review at this Madeira annual meeting, we share the assessment of the Report of the SWG dated 18 May 2009 which states that significant progress has been made over the past one year since the 60th Annual Meeting in Santiago. We believe that the momentum should not be lost. Therefore, Japan will continue to support the Future of the IWC process and to engage in the discussions constructively. Japan would like to emphasize that the process must see some resolution at IWC62. The Commission should not continue the abdication of its responsibilities as a conservation and management organization of whale resources by dragging out the process. The “vacuum” of appropriate conservation and management of whale resources is not a viable option.

However, if the IWC is to make further progress and reach a positive conclusion at IWC62 in 2010, it needs to reconfirm the guiding principles of the Future of the IWC process decided by the SWG, including the need to address not only the issues of high priority to some but the expressed concerns of all in order to obtain a consensus on a package or packages. The SWG also confirmed that compromise by all members is required if the difficulties clouding the Future of the IWC are to be overcome. We would like to emphasize that compromise needs to come from both sides and that outcomes must be fair and balanced.

We are concerned that recent discussions have increasingly turned away from these principles and focused solely on the issue of scientific whaling. Some discussions have been conducted from the viewpoint that all whaling is wrong and therefore should be discontinued

Japan strongly disagrees with this position. Like other living resources, whales can be utilized in a sustainable manner, when appropriate conservation and management measures, based on best scientific evidence and with the best available tools, are applied. Japan has expressed its willingness to accept such measures, including the placement of international observers on board whaling vessels, the deployment of satellite based real-time vessel monitoring systems (VMS), market monitoring with DNA “finger prints”, among others. There is no reason to treat whales in a different manner from other animals and to exempt whales from the universally accepted principle of sustainable use. Japan’s position is that whaling issues should be treated from a scientific rather than an emotional perspective.

Japan has already offered substantial compromises in the Future of the IWC process, including on such issues as scientific whaling and sanctuaries. We strongly encourage all members of the IWC to contribute to the process by making compromises so that a fair and balanced package or packages can be produced on a consensus basis at IWC 62 in 2010.

Concerning safety at sea, Japan views the dangerous attacks directed against Japan’s vessels conducting legal research activities in the Antarctic by the Sea Shepherd Conservation Society as a serious threat to the international maritime legal system. It is important for the IWC to share the information about the violent attacks against our research vessels in the Antarctic in order to take coordinated international actions against Sea Shepherd. Japan urges other IWC members to cooperate, especially the flag State and the port States, to take effective measures and prevent violent actions from happening again, noting previous resolutions and statement by the IWC on this issue. As this is a fundamental issue beyond positions on whaling, Japan will ask all member States to respond to this issue with strong commitments.

Again, Japan supports the realization of the management, conservation and sustainable utilization of whale resources. We believe that commercial whaling activities should be managed internationally with catch quotas calculated in a scientific manner and under a proper inspection and enforcement scheme. This idea is in line with Articles 64 and 65 of the UNCLOS.

Japan sincerely hopes that when we reflect on this annual meeting in the future, this year’s meeting should be remembered as one which rescued the IWC on the verge of collapse rather than one which determined its collapse. The delegation of Japan expresses its firm commitment to making every effort to realize this goal.

New Zealand

Opening Statement

**61st annual meeting of the International Whaling Commission
Madeira, Portugal, 22-26 June 2009**

New Zealand supports the focus of this year's meeting on setting a clear path forward for the future of the IWC. We believe that diplomacy is the best way to resolve the issues that divide this organisation. A successful resolution is not guaranteed, but with genuine engagement from all sides it is certainly possible.

The future of the IWC process has made considerable progress, for which we acknowledge the efforts of the Chairs, Bill Hogarth and Alvaro de Soto. Diplomatic methods of working are bearing fruit. Good work has been achieved but much more is required.

New Zealand supports the extension of the Small Working Group process for a further year. The road map going forward will need to be carefully planned to encourage real prospects for resolution of the issues. It will need strong leadership, a commitment from parties to engage fully, and definitive timeframes.

We want to help find solutions to core longer term issues such as the purpose of the IWC, special permit whaling, whaling under reservation or objection and methods of dispute resolution. We do not anticipate it will be easy, but New Zealand is committed to working constructively in the process.

New Zealand's strong pro-conservation position is well known. We support the moratorium on commercial whaling. We are firmly opposed to special permit or "scientific whaling". We value whale sanctuaries.

Whale conservation has the overwhelming support of New Zealanders. We remain concerned that many whale populations, particularly those in the Southern Hemisphere, have not recovered from large-scale commercial whaling last century. New Zealand is pleased to be supporting several new scientific research initiatives this year to study whale populations in the waters around New Zealand and the Southern Ocean to build our understanding for better whale conservation and management.

Finally, New Zealand wishes to take this opportunity to thank the Government of Portugal for hosting this important IWC meeting. The Madeira hospitality and scenery -like the wine- is spectacular.

New Zealand
20 June 2009

OPENING STATEMENT OF POLAND

Mr Chairmen, Distinguish Ministers, Commissioners, Members of Delegations of Contracting Parties and Observers; Ladies and Gentlemen!

Poland is honoured to become a member of the International Whaling Commission. My country believes, that worldwide cooperation and efficient implementation of international conventions and agreements can significantly help to achieve the target of the reduction of global biodiversity loss. In our opinion the IWC plays and can play in the future an important role in the conservation of one of the most fascinating groups of animals – cetaceans. Poland will make its efforts on the IWC forum to pursue this goal.

We know, that the IWC currently is facing some troubles. Poland have joined the Commission knowingly and willfully. We hope, IWC will solve its internal problems successfully. As a Member of the European Union, Poland in cooperation with other EU countries will try to support this process.

Last but not least, Poland would like to thank the Government of Portugal and the Regional Government of Madeira for hosting the 61st Annual Meeting of the IWC. We believe, that this meeting and the subsequent work of the Small Working Group on the Future of the IWC, will reinforce the Commission and help to achieve a favorable conservation status of whales and dolphins populations.

Opening Statement

Republic of Korea Commissioner Chong-Guk Park

The 61st IWC Annual Meeting, Madeira, Portugal, June 2009

Mr Chairman, distinguished Commissioners, delegates from contracting parties, and observers from intergovernmental and nongovernmental bodies,

The Republic of Korea delegation feels very much privileged to attend this Annual Meeting in this beautiful island of Madeira. We therefore wish to extend our sincere gratitude to the Government and people of Portugal and the Regional Portuguese Government of Madeira as well as to the Portuguese delegation for playing host to this meeting and making available these superb facilities in this land of peace and beauty.

Taking this opportunity, the Korean delegation wishes to thank the IWC Chairman Dr. William Hogarth and the Small Working Group (SWG) Chair Amb. de Soto for their combined dedicated service. We appreciate the cooperative spirit and constructive contribution of each and every member of the SWG in this reform process. We offer special thanks to the entire staff of the Secretariat for their hard work and professional service.

Despite these concerted and extensive efforts for the past one year, we must note first of all, the SWG stopped short of producing a draft package or packages on the future of the IWC for the Commission's review and adoption. The Korean delegation would therefore like to support the extension of the SWG's terms of reference for another year to enable it to fulfill its mandate of coming up with consensus solutions.

Mr Chairman,

Each and every food culture is closely bound up with its own natural conditions, historical heritage and geographical environment. In the

Korean case, our people living along the east coast, endowed only with a high mountain ridge and little arable lands, had to resort to marine resources for subsistence. This is part of our dietary tradition established throughout history.

The southeastern Korean city of Ulsan, the venue for the IWC's 2005 Annual Meeting, was home to active whaling in our country until the 1986 moratorium. The prehistoric Bangudae Petroglyphs near Ulsan, estimated to have been engraved some 6,000 years ago, bears an eloquent testimony to our whaling tradition. The stone-engraved paintings vividly depict various whale species, whale catchers and whaling activities, etc.

In this regard, the Korean delegation feels it particularly relevant and appropriate for the Chief Administrator of the municipal Southern District of Ulsan to present on the history of whaling in our country and the socio-economic implications of the moratorium in the plenary. We would hope that the presentation would help the participants better understand the whaling tradition and the cultural identity of this region.

As such, the conservation of whale resources and their sustainable use are two different sides of the same coin. Conservation is the precondition to any sustainable use, while proper management should be based on the firm scientific basis. Proper management will also help promote the objective of maintaining their healthy populations. Thus, conservation and sustainable use should be pursued in a harmonious manner.

Mr Chairman,

What we have been mandated to do under the Convention is therefore to strike a right balance that will enable us to work out and implement an effective and transparent management scheme on the basis of scientific evidence. This would be the only proper way of managing whale species and stocks effectively for many generations to come. An indefinite moratorium can be neither a viable nor an ultimate solution.

For this reason, we believe that a review of Paragraph 10(e) of the Schedule is long overdue. Indeed, the review provision is a legal commitment by the contracting parties and, as such, should be honored by any international body and contracting parties alike. Any normalization process should therefore include, as a matter of priority, a

comprehensive reassessment of the effect and propriety of the moratorium.

The Republic of Korea delegation also believes that it is imperative to keep this process moving forward for the future of the IWC. In this process, it is also important for the Commission members to recognize cultural diversity based on mutual respect and understanding and to show willingness to reach a compromise solution.

Indeed, civil society is anchored on the recognition of cultural diversity. Likewise, it is equally important to seek a parallel pursuit of conservation and sustainable use. It would probably deserve mention to say that the Korean and regional governments are striving for ensuring a balanced development in different sectors of the whale-related industry, including whalewatching.

The Korean delegation is eager to see that the IWC will continue to function, through a stepped-up cooperation between its member counties, as a primary international body capable of fulfilling its mandate of an effective conservation and management of whale resources. In step with these, the Korean government is considering ways of establishing a legal and institutional structure that will be conducive to both effective conservation and lawful, sustainable and, above all, responsible use of whale resources.

Finally, on the threshold of reforming the IWC, the Korean delegation hopes that the on-going IWC reform process would not lose its momentum for producing a realistic and effective management scheme. It is also our sincere desire that the Madeira meeting would set another precedent in achieving the common goal in this direction in the spirit of cooperation and compromise.

Thank you very much, Mr Chairman.

**International Whaling Commission: 61st Annual Meeting, 13-26 June 2009,
Madeira, Portugal**

**Opening statement by the Government of the United Kingdom of Great
Britain and Northern Ireland**

The United Kingdom Government is very pleased to participate in the 61st annual meeting of the International Whaling Commission, and is most grateful for the hospitality extended by our hosts, the Government of Portugal, the Regional Government of Madeira, and the City of Funchal. We would also like to thank all those whose effort and hard work has made the meeting possible.

The UK strongly believes that the future work of this Commission lies in the continued protection and conservation of all cetaceans. Since the introduction of the IWC moratorium in 1985/86 there has been some improvement in a few whale populations. However, most have not recovered following past exploitation from commercial whaling and a large number of whales continue to be caught each year.

Added to this, whales and other cetaceans face many further pressures from climate change, increased trade in whale products, unregulated hunting and environmental threats, particularly pollutants. The long term effects of these additional threats are unclear, but it is almost certain they will become more diverse and severe in the future. Our concern is heightened by the fact that these threats include species recognised as vulnerable by the IUCN.

The UK again presses for a greater degree of welfare consideration in whaling operations and calls for an immediate improvement in the methods used to kill whales and the provision of welfare data by whaling nations.

In light of the continued unsustainable hunting of small cetaceans particularly the Dall's porpoises, the UK will continue to raise concerns about the way these hunts are carried out without any regard to scientific advice on the fragile state of the target populations.

The UK Government will strongly support and encourage conservation measures including the establishment of a Whale Sanctuary in the South Atlantic. Such a Sanctuary would give greater protection to whales in highly important areas for

breeding and feeding and provide opportunities for long-term, non-lethal research. We will also resist any moves to abolish existing sanctuaries as these have been legitimately established under the Convention.

The UK will continue to promote well-regulated whale watching as the only truly sustainable use of whales.

Finally, the UK would like to thank Dr William Hogarth, the Chair of the Commission for his continued hard work, as well as Ambassador Alvaro de Soto, the Chair of the Small Working Group whose efforts we welcome. Although it has not been possible to complete a “package” or “packages” we feel some progress has been made. We look forward to continuing to work together to move these issues forward.

Our hope is that in the drive to ‘reform’ the IWC we ensure the appalling mistakes of the past, when over hunting resulted in the near extinction of many whale species, are never repeated.

OPENING STATEMENT UNITED STATES OF AMERICA

The United States is honored to attend this meeting in picturesque Madeira, Portugal and is pleased to participate in the 61st annual meeting of the International Whaling Commission, the premiere international body for the effective conservation and management of cetaceans. We are very grateful to the Regional Government of Madeira and to our Portuguese hosts for providing such wonderful facilities for this meeting and for their hospitality.

The United States remains concerned about the future of the IWC. We fully understand the complexities of, and concerns regarding, this process and the key issues facing the IWC. Although the Small Working Group (SWG) was not able to agree on a consensus solution, the United States recognizes the achievements we have made over the past year. The process has been successful at bringing a respectful level of discourse among IWC members as we discuss these difficult issues that are facing the IWC.

The United States maintains its strong commitment to resolving international differences on whaling. The United States supports extending the “Future of the IWC” process until the 2010 meeting, but not beyond that time. The United States would like to see the IWC serve as the premiere international forum to resolve current and emerging whale conservation issues and coordinate critical research. In this context, conservation of whales is paramount to the United States.

The status of most whale stocks is unknown and concern remains regarding the inability of certain stocks to recover. Further, an effective, comprehensive conservation scheme for whales that will guarantee their survival has not yet been adopted by the IWC. The United States also strongly opposes lethal scientific whaling and considers it unnecessary for modern whale conservation and management, and continues to support the commercial whaling moratorium.

The United States is pleased to participate in the work of the Conservation Committee. Whales are subject to a variety of pressures that must be taken into account when considering actions on how best to conserve them. Conservation issues, such as climate change, are an increasingly important part of the IWC’s agenda. The United States strongly supports non-consumptive uses of cetacean resources and believes that valuable benefits can be derived from such non-lethal uses. Whale watching is a growing industry worldwide that allows these resources to endure for future generations.

The United States continues to support aboriginal subsistence whaling that fulfills the nutritional and cultural needs of native communities. We acknowledge the great contributions of the Alaska Eskimo Whaling Commission in supporting research that is used to manage its hunt for bowhead whales. This extensive research has resulted in the Bering-Chukchi-Beaufort Seas stock of bowhead whale being one of the best understood population of large whales.

Looking at recent events, the United States is concerned by repeated takes of fin whales by reservation. In addition, the United States has significant concerns over the resumption of international trade of whale meat with imports by Japan, and exports by Iceland and Norway. These actions, in our view, will only serve to undermine good-will among the Commissioners, and could hinder the “Future of the IWC” process.

Nevertheless, the United States is committed to furthering discussions of critical issues within the IWC because it is important for the Commission to be able to move beyond the current issues

surrounding whaling, and instead focus more of its attention on issues, such as climate change and pollution, that increasingly are detrimental to whale populations. The IWC should be a model for international cooperation on the conservation and use of a shared global resource. It is important for us to try to find common ground among IWC members, many of which are nations with whom we cooperate on other important environmental matters. The time to resolve these issues is over these next twelve months and it must be accomplished in a transparent manner. We will not agree to any resolution of outstanding issues, unless such resolution is based on sound science and results in a significant improvement in the conservation of the world's whales.