Report of the Conservation Committee

Tuesday 22 May 2007, Anchorage, Alaska

The meeting was opened by Hyun-Jin Park (Republic of Korea), who welcomed participants. A list of participants is given in Appendix 1.

1. INTRODUCTORY ITEMS

1.1 Election of Chair
Hyun-Jin Park (Republic of Korea) was confirmed as Chair.

1.2 Appointment of rapporteur
Paul Dolder (United Kingdom) was appointed rapporteur.

1.3 Review of documents
A list of documents is attached at Appendix 2

2. ADOPTION OF THE AGENDA

The Agenda, as circulated, was adopted without change (see Appendix 2). The Chair suggested that the paper submitted by the Russian Federation detailing studies on the effect of sea ice in the East Siberian, Chukchi, Bering and Beaufort Seas (IWC/59/ASW4) be addressed under agenda item 7, 'Other Matters'.

3. FURTHER CONSIDERATION OF TERMS OF REFERENCE

In introducing this item, the Chair noted that the Terms of Reference were reviewed at IWC/57 and briefly addressed at IWC/58 last year. He noted that Terms of Reference had not yet been agreed and that some Contracting Governments continue to believe that there are some outstanding issues in relation to the establishment of the Committee that need to be resolved to enable all IWC members to participate. He invited comment from the meeting.

Iceland highlighted that approximately half the Commission were not present, that many countries found the basis of the Committee unacceptable and that Iceland was attending in good faith in a show of willingness to bridge gaps. It hoped to see signs during this meeting of a willingness to change the basis for the Committee to make it more broadly acceptable. When no comments were received on this statement, Iceland expressed disappointment. Brazil stated that, likewise, it is disappointed over the lack of participation but for different reasons. It was willing to bridge gaps on the pre-condition that non-lethal management of whales is accepted widely as a valid modern management regime, recognising that we are no longer living in 1946 when the Convention was agreed. It recognised that the basis for the work of the Committee does not include whaling, but noted that it includes all other issues related to the conservation of whales.

Australia supported the views expressed by Brazil. It considered that the Conservation Committee is an important and legitimate step in the evolution of the IWC into a modern international body. It noted that the creation of the Committee was in line with Article III (4) of the Convention, that it had been legally established and that its most useful role would be to focus on threats to whale populations other than whaling. Australia reiterated its view that the Terms of Reference should be addressed by the Chair of the IWC and not the Conservation Committee itself.

Iceland stated that it believed that no Contracting Government is against whale conservation, but considered that the Conservation Committee had been established as a deliberate attempt to divide the organisation. Iceland indicated that given the outcome of discussions so far, it would not take part in discussions on substantive items. It stressed that its silence should not be taken as acceptance of any further comment made or decisions reached, noting that no decisions of the Committee could be reported as being reached by consensus. In response to a question from the Netherlands on how Iceland would propose to change the basis for the Conservation Committee, it suggested that Resolution 2003-1 that established the Committee should be renounced and a new Resolution adopted. It regretted that the discussions at IWC/56 in Sorrento had not succeeded in developing terms of reference that were broadly acceptable. The Russian Federation stated views similar to those of Iceland. New Zealand commented that the Conservation Committee could not reconstitute itself and that, if this were to be done, it should be done by the Commission.

The Chair noted that the Terms of Reference of the Committee are a difficult issue to tackle and suggested that the item be left open and revisited toward the end of the meeting. He agreed with the view that it is a matter that should be properly dealt with by the Commission, noting that this does not prevent the Committee making recommendations to the Commission. On returning to the issue the Chair repeated his view and there were no further comments.

4. CONSERVATION AGENDA

4.1 Progress with ongoing work

4.1.1. Investigation of inedible 'stinky' gray whales

Report on progress

The Chair invited the Russian Federation and the USA to introduce their papers. The Russian Federation (IWC/59/ASW 7) recalled that at IWC/58 last year, it reported that in addition to chemical analyses on samples taken from 'stinky' gray whales, toxicological studies would also be carried out and the results reported to IWC/58. It noted that work has been done by a group of scientists from the Russian Federation, the USA, Japan, Norway and Mexico. The Russian Federation reported that the phenomenon of 'stinky' whales was first noticed in the late 1960s/early 1970s by hunters in Chukotka and that the number of these whales has been increasing. Hunters estimate that up to 10% of the stock could be comprised of 'stinky' whales. This phenomenon has also been noticed in the meat of ringed and Bearded seals, walruses, and cod, and in the eggs of murres. Those who have eaten 'stinky' meat have reported a number of short term medical problems including the numbing of oral cavities, skin rashes and stomach aches. No long term effects have been recorded.

The Russian Federation noted that the reason for the strong medicinal odour is unclear. The odour was sometimes detected in the blow of the whale, at other times it would not be noticed until heat was applied in cooking. Two hypotheses have been put forward as reasons for the smell:

- the presence of ketones, aldehydes and alcohols as a result of a change of diet. Large quantities of seaweed and some arctic cod had been found in stinky whales.
- the presence of a specific bacteria, fungus and/or biotoxin.

The Russian Federation reported that it is unclear whether there is a hereditary factor, whether the odour disappears after the winter or whether the smell is linked to a change in the gray whale diet. It has been observed by hunters that 'stinky' whales have seaweed and arctic cod in their stomachs which is uncharacteristic.

Due to the uncertainty over the issue of 'stinky' whales the Russian Federation requested two considerations to be discussed at next years' meeting to improve management options. Firstly, the need for a definition in the Schedule for 'stinky' whales; secondly a need for a proposal for how to account for 'stinky' whales that are landed but inedible for the hunting communities.

The USA introduced a joint USA/Russian Federation paper on toxicology studies of 'stinky' whales (IWC/59/CC15). The approach has been to collect samples from 'stinky' and 'non-stinky' gray whales and to submit them to several laboratories for analysis of the following: persistent organochlorines (OCs); polyaromatic hydrocarbons (PAHs); heavy metals; stable isotopes and volatile organic compounds (VOCs). The objective was to

compare chemical concentrations of 'stinky' and 'non-stinky' whale tissues for obvious differences to provide leads for further investigation into the cause of the offensive odour. Over 2003, 2004, 2005 and 2006 samples from 'stinky' and 'non-stinky' whales have been collected and analysed by laboratories in the USA and the Russian Federation. Results of chemical analyses from the Russian laboratory have been reviewed by Japanese and Norwegian toxicologists. In addition to this effort, the USA and Mexico have initiated a pilot project to evaluate the composition of gray whale breath in Eastern North Pacific gray whales in the breeding lagoons of Mexico for comparison with the samples taken in the Russian hunts.

Based on the samples evaluated so far, few differences were noted between the chemical compositions of 'stinky' whale tissues and 'non-stinky' whale tissues using OC, PAH and lipid analysis. Some PCB and DDT levels were found to be similar. Trace elements and stable isotopes in 'stinky' whale samples were not different to those found in 'non-stinky' whales. There were no detectable PAHs found in samples taken in the USA laboratories, but low concentrations were found in the samples analysed by the Russian laboratories. Blubber lipid percentage in 'stinky' whales was similar to that in 'non-stinky' whales.

Volatile organic compounds caused the most intriguing results with more than a hundred volatile compounds being detected in the tissues of the whales. However some of the compounds could have been as the result of repeated freezing of the samples or other handling issues.

The determination of what is responsible for the 'stinky' odour from gray whale tissues is not as conclusive as would be desired. No single chemical compound or process has been identified as being responsible and the results do not indicate an obvious anthropogenic source. Furthermore, there is no information available to determine whether the 'stinky' whale condition is indicative of a negative population effect. The USA noted that it would be informative to ensure that any further 'stinky' whale investigations are co-ordinated to evaluate environmental change and gray whale populations. To date there is no direct evidence of long-term health consequences of the consumption of 'stinky' whale meat.

Committee discussions and recommendations
Mexico thanked the USA and the Russian Federation for the reports and believed that of the two hypotheses, the first could be discarded due to the presence of this phenomenon appearing in other marine mammals. It considered that the second hypothesis is the most likely and that it should be pursued through increased sampling. In responding to a question from Belgium, the USA confirmed that the phenomenon had not been recorded in the western North Pacific gray whale, but had in other marine mammals and fish.

In response to a question from the UK, the Russian Federation confirmed that when a stinky odour was detected then the entire animal was discarded. This is in line with Russian Federation law. Even so, it noted that the meat from stinky whales is inedible, even as dog food. On responding to a question from Sweden on the stomach content of the stinky whales and the high levels of seaweed found, the Russian Federation confirmed that there had been no statistical analysis to compare with the level of seaweed found in non-stinky whales, although it was thought to be in small quantities. Further research would be undertaken on this. South Africa noted that this problem related to top predators and that it would be useful to investigate whether it applied to lower trophic levels also.

4.1.2. Ship Strikes
The Chair noted that in addition to the Second Progress Report from the Ship Strikes Working Group (IWC/59/CC 3) Australia and the USA had submitted documents relating to ship strikes. A relevant extract from the report of the Scientific Committee was also available. He suggested that these papers be dealt with first.

National reports
The USA introduced IWC/59/CC11 and explained that there were only 300 individuals left in the population of North Atlantic right whales and that ship strikes are the greatest threat to this population. The USA outlined a number of current and proposed efforts to mitigate the effects of shipping on this population, including realigning the traffic separation scheme serving Boston. This is expected to reduce right whale ship collisions by 58% in the area.

The USA also noted that there recommended shipping routes have been established in key aggregation areas for right whales off Cape Cod and off three ports in Georgia and Florida. Speed advisories recommending speeds of 10

knots or less are also issued to mariners in areas and at times where right whales occur. These advice bulletins are broadcast via weather radio reports, Mandatory Ship Reporting Systems, the US coastguard broadcast to mariners and other media. Further to this there are proposals to regulate shipping speed on the US East coast in areas where relatively high right whale and ship densities overlap and the US is developing a proposal to submit to the International Maritime Organisation to develop 'areas to be avoided' in critical right whale habitat.

The USA reported that it has developed a multi-media guide entitled "The Prudent Mariner's guide to Right Whale Protection" that is intended for mariners attending training at maritime academies across the US East Coast. This CD was made available to the Conservation Committee. In addition to these initiatives, the USA noted that there are ongoing aircraft surveys and right whale alerts and a Mandatory Ship Reporting System.

Spain outlined two significant steps that have been undertaken to avoid ship strikes; the separation of the traffic scheme due to high risk of collision and a notice to mariners in the Strait of Gibraltar to be radioed in the area. The aim is to raise awareness of the risk of ship strikes, encourage caution and reduce shipping speed to <13 knots. New Zealand viewed ship strikes as a prevalent and expanding problem and reported that a review had been undertaken of baleen whale deaths due to ship strikes in the Hauraki Gulf between 1997 and 2007. Of the 25 large whale deaths identified, 23 were Bryde's, 1 sei and 1 pygmy blue. The Hauraki Gulf is an area with significant maritime traffic and there have been noticeable impact wounds on whale carcases recovered. There is a population of 150-200 Bryde's whales in the Hauraki Gulf and it was at high risk. New Zealand commended the report from the USA which provided a great deal of valuable information that would assist in addressing this issue and indicated that they would welcome technical assistance, especially with guidelines for conducting necropsies.

Korea explained that in recent years it has become increasingly concerned about ship strikes with whales. Several ship collisions with unidentified objects, possibly whales, have been reported by the high speed jet foil ferry operator operating between the two ports of Busan, Korea and Fukuoka, Japan. In 2005, 14 whales were spotted and in 2006, 27 whales on the same sea route. During March 2006, three consecutive collisions with unidentified objects were reported. As a consequence, the Ministry of Maritime Affairs and Fisheries of the Korean Government conducted a study between July and November 2006 on how to prevent collisions with whales. Several mitigation measures were suggested. Among them was a proposal to establish a "vessel safety call center". The center would monitor the sea route as much as it could and notify the vessels operating on the sea route of any information on floating objects.

It was also suggested that whale detection equipment such as the Forward Looking Sonar be developed for use on vessels.

Ship Strikes Working Group (SSWG)

Alexandre de Lichtervelde from Belgium (Chair of the SSWG) drew attention to the second progress report from the Ship Strikes Working Group (IWC/59/CC3) and noted that in addition, the SSWG had met on Monday 21 May 2007, to review progress and to develop recommendations for further work for review by the Conservation Committee. The report of the 21 May meeting, including the further recommendations, is included as Appendix 4. He summarised the progress and recommendations which were supported by the Committee.

In addition to these reports, the SSWG Chair noted that the enforcement of endangered species legislation can be very strict: in a cruise line collision case of 2001 judged in Alaska in Jan 2007, a fine of 750,000 USD was applied for having failed to reduce speed in presence of humpback whales in Glacier Bay National Park, resulting in the death of one animal. Another serious case occurred in April this year, involving a fast ferry off South Korea, and resulted in the death of one passenger and 27 injured. The need to not underestimate the economic and human safety impacts of ship strikes was highlighted.

The expansion of the SSWG was welcomed, with Germany contributing to its work and increasing membership to 13 countries. Finally, the SSWG Chair thanked delegations having submitted a national conservation report that includes ship strikes information. Korea indicated that they would submit their own report next year.

Mexico congratulated Belgium on its hard work and noted that it would provide more information on its recent activities in this area to the group shortly. Brazil likewise was encouraged by the progress and highlighted the

importance of stranding networks in identifying ship strikes. Similarly, Australia, the UK, and Germany commended the work undertaken.

The Committee Chair asked whether it would be possible to raise the issue of ship strikes in the Maritime Safety Committee (MSC) of the IMO as well as the MEPC as it is clearly relevant. Belgium recognised the relevance of the MSC but considered that the MEPC is the primary body with whom IWC should make contact with at this point. Other IMO committees and bodies could be involved as appropriate in a second step. With respect to submitting a working paper to IMO, Belgium considered that more substantial information should be collected first so that a convincing case could be presented to IMO as to why the issue of ship strikes should be included on its agenda.

4.2 Other issues

On other issues, New Zealand suggested that the impact of climate change on cetaceans might be an appropriate area for the Conservation Committee to consider in future. It noted that the Scientific Committee is planning a major workshop on this topic and suggested that once this had been held, the Conservation Committee might consider what role it could play in this area that would add value to the work of the Scientific Committee. There was support for this approach.

Chile, supported by Belgium, Brazil, Mexico, USA, Argentina, Australia and the Netherlands proposed that work on the endangered eastern South Pacific southern right whale population off Chile and Peru be placed on the Committee's agenda. It noted that the last review of this stock was in 1998 and that there has been no observed increase in the population which is thought to be as low as 50 animals. The Chair asked Chile to develop a more detailed proposal of what work the Committee might do and this is included as Appendix 5.

Brazil requested that the management of whalewatching be included as a regular item on the Committee's agenda, recognising that whalewatching has its own challenges and impacts. It noted that scientific aspects of whalewatching have been addressed by the Scientific Committee for a number of years, but that it is not able to follow-up on recommendations relating to management of the activity. Brazil believed that the Conservation Committee was ideally suited to do this. This proposal was welcomed by the Committee and the chair requested Brazil to develop a more detailed proposal to which South Africa agreed to contribute (see Appendix 6). The Chair stressed the importance of not duplicating the work of the Scientific Committee.

5. WHALE SANCTUARIES

5.1 Update on whale protection measures in the Pacific region

Australia introduced its information paper (IWC/59/CC 5). It recalled that the proposal for a South Pacific whale sanctuary had been submitted several times before and that, whilst it is still in favour of the establishment of the sanctuary, it would not be bringing the issue to the plenary of IWC59. Instead it drew attention to the number of South Pacific Islands who have declared their Exclusive Economic Zones (EEZs) as protected. Australia commended the Memorandum of Understanding (MoU) developed in the region under the auspices of the Convention of Migratory Species (CMS) and detailed the need for future protection, especially considering the proposed take of vulnerable humpback whales under JARPA II. It reported that a proposal for a South Pacific Sanctuary would be put forward at a future IWC meeting.

New Zealand supported these remarks, with support from Brazil who noted that there is more than one whale management regime and that the Southern Hemisphere countries have adopted non-lethal management as their regime.

5.2. Other

France gave an update on its project for a marine mammal sanctuary in the French West Indies. It noted that currently the sanctuary only applies for the EEZs of French territories but hopes that it can be extended through the participation of other interested countries. It stressed the importance of keeping the sanctuary under review and that Martinique and Guadeloupe were jointly in charge and had formed the steering committee for the project. France considered that the Cartagena Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region could be a good forum for discussion the expansion of this initiative.

The UK welcomed the initiative and was supportive. However, it reminded the Committee of discussions during the IW/58 plenary and stressed the importance of ensuring other countries in the region are involved and supportive. France reported that it would provide an update on this at the plenary.

France also introduced a paper (IWC/59/CC 8) on the Sanctuary in the Mediterranean (the Pelagos Sanctuary) that was established in 1999 and came into force in 2002. This is a joint venture by Monaco, Italy and France with the objective of protecting marine mammals against all types of disturbance by human activity. Its objective is to reconcile the harmonious development of socio-economic activities with the necessary protection of habitats and species.

6. NATIONAL REPORTS ON CETACEAN CONSERVATION

National cetacean conservation reports had been submitted by Australia, France, New Zealand, USA, Argentina, Italy, Brazil, the UK and Mexico. As in previous years, such reports were welcomed by the Committee and other countries were encouraged to submit them in future.

7. OTHER MATTERS

The Russian Federation introduced its paper on the study of Sea Ice Condition in the East Siberian, Chukchi, Bering and Beaufort Seas (IWC/59/ASW4). It explained that the paper was distributed as an overview of the topic. Climatologists had looked at the distribution of sea ice over the past hundred years and also looked at the likely future projections. They have suggested that this area of the Arctic, as climate change develops, will see a loss of ice and a water temperature rise. They noted that this was an important document as it related to several issues including the stinky gray whales and feeding habitats and pointed to the fact that diets and distributions of whales were already beginning to change. This has also been seen for bowhead whales. The Russian Federation noted that this causes a problem for the aboriginal hunts as the ice edge moves away and the whales are harder to catch. This is the reason why the Russian Federation ASW quota is not totally harvested. If this continues to happen, the Russian Federation explained there could be an issue of need and lead to a detrimental situation for the aboriginal whalers. It asked that needs be kept in mind when setting quotas. The Russian Federation believed that this related to stocks/sub-stocks and the continual move west and further from the hunting areas. It outlined the need to take consideration of the historical records including an example of a bowhead whale that was taken and found with a Norwegian harpoon. It believed that this was an indication of the previous effects of climate change.

Austria raised two further issues. Firstly, it referred to the Resolution 8.22 of the Convention on Migratory Species on adverse human-induced impacts on cetaceans that calls for co-operation with IWC. It noted that CMS will be developing its work plan in the coming year and proposed that the CMS Secretariat be invited to the Conservation Committee meeting at IWC/60 to present it and that a collaborative consultative process be developed between the two organisations. Australia and Belgium indicated support for inviting CMS to present its programme at the IWC/60 Conservation Committee meeting. Secondly, Austria noted that in a survey conducted in the framework of the State of the Cetacean Environment Report (SOCER), of almost 700 papers available, almost half dealt with environmental and conservation issues, indicating the relevance of the Conservation Committee.

New Zealand thanked the Chairman for running an excellent meeting.

8. ADOPTION OF REPORT

This report was adopted 'by post' at 7pm on 25th May 2007.

Appendix 1

LIST OF PARTICIPANTS

Argentina
Miguel Iñiguez

Australia
Donna Petrachenko
Philip Burgess
Zena Armstrong
Lesley Gidding
Pam Eiser
Andrew McNee

Austria
Michael Stachowitsch
Andrea Nouak

Belgium
Koen Van Waerebeek
Alexandre de Lichtervelde

Brazil
José Truda Palazzo
Régis Pinto Lima

Chile
Francisco Berguño Hurtado
Ximena Alcayaga Claussen
Elsa Cabrera Peñuela
Francisco Ponce

Czech Republic
Pavla Hycova

Denmark
Amalie Jessen
Maj Friis Munk
Leif Fontaine
Ole Heinrich
Mads Lunde
Fernando Ugarte

Ecuador
Agustin Fornell
Nancy Hilgert
Cristina Castro

Finland
Esko Jaakkola
Penina Blankett

France
Vincent Ridoux

Germany
Marlies Reimann
Lars Puvogel

Iceland
Stefán Ásmundsson

Italy
Riccardo Rigillo
Caterina Fortuna
Federico Cinquepalmi

Republic of Korea
Chiguk Ahn
Yong Rock An
Hyun Jin Park (Chair)

Luxembourg
Pierre Gallego

Mexico
Lorenzo Rojas-Bracho

Netherlands
Maaike Moolhuijsen

New Zealand
Geoffrey Palmer
Jan Henderson
Michael Donoghue
Indra Prasad

Norway
Lars Walløe
Egil Øen

Portugal
Marina Sequeira

Russian Federation
Valentin Ilyashenko
Rudolf Borodin
Igor Mikhno
John Tichotsky (I)
Nikolai Ettyne
Alexey Ottoy
Svetlana Burton (I)

South Africa
Herman Oosthuizen

Spain
Carmen Ascencio
Renaud de Stephanis

Sweden
Bo Fernholm

Switzerland
Bruno Mainini

UK
Richard Cowan
Trevor Perfect
Paul Dolder (Rapporteur)
James Gray
Laurence Kell
Panayiota Apostolaki
Mark Simmonds
Jennifer Lonsdale

USA
Bill Hogarth
Doug DeMaster
Cheri McCarty
Roger Eckert
Emily Lindow
Shannon Dionne
Robert Brownell
Rollie Schmitten
Michael Tillman
Heather Rockwell
Brian Gruber
Kirsten Ericksson
Shanon Bettridge

SCIENTIFIC COMMITTEE
Arne Bjørge

SECRETARIAT
Nicky Grandy
Greg Donovan

Appendix 2

LIST OF DOCUMENTS

Conservation Committee documents			Agenda item
IWC/59/CC	1rev	Revised Draft Agenda	
	2	List of Documents	
	3	Ship Strikes Working Group: Second progress report to the Conservation Committee	4.1.2
	4	Country Report on Ship Strikes: Australia	4.1.2
	5	Update on whale protection measures in the Pacific Region: Information Paper (submitted by Australia)	5.1
	6	Australia: Voluntary National Cetacean Conservation Report	6
	7	The project for a marine mammal sanctuary in the French West Indies in 2007 (Submitted by France – also available in French)	5.2
	8	Pelagos Sanctuary for marine mammals in the Mediterranean (Submitted by France in the name of the secretariat of Pelagos and the three parties of the agreement – Monaco, Italy, France – also available in French).	5.2
	9	France voluntary cetacean conservation report for the year 2006	6
	10	New Zealand: Voluntary National Cetacean Conservation Report	6
	11	Update on the United States' Actions to Reduce the Threat of Ship Collisions with North Atlantic Right Whales	4.1.2
	12	United States of America: Voluntary National Cetacean Conservation Report, 2007	6
	13	Argentina: Voluntary National Cetacean Conservation Report	6
	14	Italy: Voluntary National Cetacean Conservation Report	6
	15	Summary of findings on the investigation of the stinky whale condition in eastern north pacific gray whales (Submitted by the USA and the Russian Federation)	4.1.1
	16	Brazil Voluntary National Cetacean Conservation Report 2007	6
	17	UK Update to Voluntary National Cetacean Conservation Report of 2006	6
	18	Recommendations of the Ship Strikes Working Group to the Conservation Committee	4.1.2
IWC/59/ASW	4	Studies of Sea Ice Condition in the East Siberian, Chukchi, Bering and Beaufort Seas (1979-2006) (submitted by the Russian Federation)	7
	7	Considerations of management implications of 'stinky' gray whales for the eastern North Pacific stock (submitted by the Russian Federation)	4.1.1
IWC/59/Rep	1	Extract from the Scientific Committee report relevant to ship strikes – more detail is given in Annex J	4.1.2

Appendix 3

AGENDA

1. INTRODUCTORY ITEMS

    1.1 Appointment of Chair
    1.2 Appointment of rapporteur(s)
    1.3 Review of documents

2. ADOPTION OF THE AGENDA

3. FURTHER CONSIDERATION OF TERMS OF REFERENCE

4. CONSERVATION AGENDA

    4.1 Progress with ongoing work
        4.1.1 Investigation of inedible 'stinky' gray whales
            - Report on progress
            - Committee discussions and recommendations

        4.2.1 Ship strikes
            - Report from the Ship Strikes Working Group
            - Committee discussions and recommendations

    4.2 Other issues

5. WHALE SANCTUARIES
    5.1 Update on whale protection measures in the Pacific region
        5.1.1 Introduction by Australia
        5.1.2 Committee discussions and recommendations

    5.2 Other

6. NATIONAL REPORTS ON CETACEAN CONSERVATION
    6.1 Introduction of national reports
    6.2 Committee discussion and recommendations

7. OTHER MATTERS

8. ADOPTION OF THE REPORT

Appendix 4

Report of the Ship Strikes Working Group meeting
Anchorage, 21 May 2007

1. The meeting was chaired by Alexandre de Lichtervelde (Belgium), who welcomed the Group and thanked them for having the opportunity to meet before the meeting of the Conservation Committee. The list of participants is given as Adjunct 1.

2. Appointment of Rapporteur
Jennifer Lonsdale (UK) was appointed rapporteur.

3. Adoption of the Agenda
The proposed agenda of the meeting was adopted (see Adjunct 2).

4. Review of available documents
See Adjunct 3.

5. Progress since IWC/58 (St Kitts and Nevis)
The Chair presented the Second Report of the SSWG to the Conservation Committee and noted that it included five main items:

- The revised Work Plan,
- Progress with recommendations and follow-up actions
- Co-operation with the IMO
- Updated and new information received
- Voluntary financial contributions.

The Chair informed the Meeting about the responses to requests for information made to Contracting Governments and IGOs and NGOs with IMO consultative status. With respect to Recommendation 3 of the Progress Report - adopting national legislation to reduce the impact of ship strikes, the IMO will have a key role. Two countries, the US and Spain, have recently adopted binding and non-binding rules, ranging from notices to mariners, traffic separation schemes and recommended routes, to temporary vessel speed limits. In the Pacific, new actions have been undertaken by IGOs. With respect to Recommendation 4 - identifying information on training material for crew and marine officials, valuable material was received which includes interactive CDs. The Chair further noted that the International Sailing Federation (ISAF) had contacted him regarding international yachting races and information on ship strikes mitigation. With respect to the review of the geographical distribution of stranding networks, in addition to the information supplied by Germany, which has now joined the Working Group, considerable new information was received from scientists and Contracting Governments' Progress Reports, compiled by the Secretariat.

In July 2006, mandated by the IWC, Belgium raised the issue of ship strikes at the 55th meeting of the IMO's Marine Environment Protection Committee (MEPC). A follow-up meeting took place in November at IMO's headquarters between the SSWG Chair, the IWC Secretariat and the head of the IMO Marine Environment division. The meeting helped to clarify whether IMO does archive specific data on global vessel traffic, which is unfortunately not the case. It also provided the opportunity to get advice on how IWC should apply for IGO status with IMO.

Australia thanked the Chair and the Secretariat on their work with the IMO and agreed that the MEPC is the relevant IMO Committee to address this issue. It was also noted that a paper on ship strikes should be submitted to the MEPC as a joint effort by several members. The specific format for the submission is not onerous but a compelling case must be produced considering that the MEPC handles a very full agenda. Australia suggested, and it was agreed, that this should be raised at the MEPC's meeting in July 2007. In addition, Australia noted that a side-event on ship strikes at that MEPC meeting would also be helpful.

The Chair agreed, but remarked it might be more feasible to present the document to the MEPC's March 2008 meeting, allowing more time for its preparation. The IWC Secretary noted that with respect to IGO status, advice

has been received on the format of the letter of request and it will be sent to the IMO Secretary General soon. At that time it will be necessary for members who are also IWC members to speak up in support of the request because the IMO is not necessarily keen to take new IGOs on board. It was agreed that the Secretariat would continue its informal co-operation with the IMO while the process of obtaining IGO status is ongoing. IWC Contracting Governments attending IMO meetings are encouraged to attend MEPC meetings so as to ensure a place for ship strikes on its agenda. Korea and Australia indicated they support this approach.

The Chair referred to the voluntary contributions made by Austria (6000 GBP, of which 1000 allocated to ship strikes) and Australia (12,300 GBP) to support the ship strikes work and he thanked both countries.

Van Waerebeek, convenor of the intersessional Vessel strike Data Standardization Group summarized progress to date, which was also extensively reported to the Scientific Committee (SC/59/BC12). Last year, the Sub-committee on Estimation of Bycatch and other Human-induced mortality established a group to prepare a standardized database template to record vessel collisions and prepare a global data repository. This followed a recommendation by the SSWG, endorsed by the Commission. Fourteen group members signed up to the group. The Terms of reference were: "to develop a process by which data provided from a range of sources could be stored in a database in a standardised way that clearly identifies the level of (un)certainty". The rationale for this exercise is based on the fact that currently available datasets are: (1) still relatively small and isolated; (2) not necessarily comparable between them; (3) typically lack information on the vessels involved; (4) strongly biased towards areas and countries where reporting systems currently exist; (5) current collision rate estimates do not reflect true incidence of mortality and trauma due to significant under-reporting.

A comprehensive database with both biological and vessel information could: (i) help detect global trends; (ii) be used in modelling (e.g. estimate probabilities of collisions and bow-draping); (iii) provide more accurate estimates of true mortality rates; (iv) point to causative factors and unsuspected global hot spots of collisions. The SC considered that in first instance attention should be paid to standardisation of variables and data quality control before proceeding with discussion of organisational issues, which were referred to the SSWG. Designing the database consisted in agreeing on a set of necessary parameters that can fully document both biological and maritime aspects of collision events. An initial list of 143 variables (afterwards reduced) was produced and a relational database was designed in MS ACCESS. The database template consists of five separate raw data tables plus some lookup tables. These consist of a Record Manager (contains a unique record for each potential incident with links to other reports), Specimen on Shore, Specimen at Sea (multiple records possible), Incident at Sea and Whale Stuck on bow. All these tables interrelate and can be queried.

New Zealand asked if each country would collect data and submit it annually. Van Waerebeek suggested that the template be distributed as widely as possible and it was envisioned that data could be entered even on board vessels. Asked how easy would be its use, Van Waerebeek said a simplified but fully compatible version of the template was being considered. He suggested that a copy of the central database would be placed with the IWC Secretariat.

Van Waerebeek summarized seven papers on ship strike issues presented to the Scientific Committee. These covered information from research on vessel strikes and highlighted an apparent increase in occurrence, the need to reduce them and to increase the reporting.

The US presented a comprehensive report on its North Atlantic right whale Programme and noted that ship strikes are one of the two primary reasons for non-recovery of this species. The Chair thanked the US for the presentation and noted that the North Atlantic right whale was one of the greatest challenges with respect to ship strikes.

6. Next Steps

6.1 Development of a centralised global database and allocation of funding

Van Waerebeek discussed the development of a template for a relational database for ship strikes as reported in SC/59/BC12. The database is now ready for data entry and a budget of £11,400 is proposed for this work. Initially the database will be populated with historical data and work carried out to fine tune the database template. Ways of widely distributing the template to ensure it becomes the global standard for ship strike data archiving will be explored. Van Waerebeek indicated that experience with data entry is expected to lead to specific suggestions on how updating with new data could be handled in the future with optimal results.

Australia asked how the database would be maintained in the future and if there would be funds available for its maintenance. Van Waerebeek explained that this aspect had not been finalised, but suggested that initially the three members of the expert group would have copies of the database including back-up copies and a further copy would be lodged with the Secretariat. At present, records of all e-mails and information received are being stored for future use and cross checking. Van Waerebeek noted that the proposed budget is for a four person-months consultancy, during which time much of the historical data would be entered into the database which would include extensive cross checking.

Italy thanked the Chair and Van Waerebeek and stated that it is very supportive of this work. It noted that the database would be very useful for the Scientific Committee work, particularly on by-catch. Italy explained that its National Progress Report included information on the funding by its Ministry of Environment, Land and Sea of a project to carry out comprehensive post-mortems on large whales. The database and the Expert Group could provide useful information for those carrying out this work.

Portugal also thanked Van Waerebeek. It noted that the template will be widely distributed to ships' captains and others and asked who would validate the information gathered. Van Waerebeek replied that the current Phase II proposal is for the entering of 'historical' (public domain) information and that the methodology for entry of new data still requires discussion. Expertise gathered from implementing phase II is expected to guide the development of the third and last phase, the set up of a fully operational global database continuously updated in near-real time. There is however much work to be done before this can be implemented.

Argentina thanked the Chair and Van Waerebeek for their very valuable work and hoped that funding would be made available for the work to continue and develop. This was supported by Italy.

6.2 Implementation of recommendation 3/action plans (p 16 of IWC/59/CC3)

In a working paper (IWC/57/SSWG WP1), Van Waerebeek and de Lichtervelde suggested the establishment of a small expert group to determine how Recommendation 3 of IWC/59/CC3 can be implemented in practice with the emphasis on very specific Action Plans. New Zealand noted that, as a fitting example, Bryde's whales in the Hauraki Gulf should be added to the priorities due to a high number of ship strikes. Training on specialised necropsies and histopathological methods to confirm ship strikes would be of benefit to New Zealand.

There was agreement that this work could increase the support for addressing the issue of ship strikes, particularly at governmental level.

6.3 Adding value to the stranding networks list (Appendix 4 of IWC/59/CC3)

The value of the stranding networks draft list in Appendix 4 of IWC/59/CC3 was discussed and appreciation was expressed for the submission of this list by Ritter (Germany). In order to make it a useful tool for the identification of gaps in the monitoring of strandings, a critical evaluation of spatial and temporal coverage of stranding networks globally and of the type of information collected would be required.

6.4 Exchange of views on possible other options

It was noted that a multidisciplinary expert workshop on ship strikes would be beneficial in the medium term if and when more data would become available. It was agreed that a steering group be established to develop criteria for a potential workshop. Australia supported this and noted that it is important that the results of the database analysis be widely disseminated. It was noted that funding should be made available for continuation of this work.

7. Recommendations of the Ship Strikes Working Group to the Conservation Committee

The Ship Strikes Working Group (SSWG) meeting on 21st May 2007 agreed the following recommendations for further work and forwards them to the Conservation Committee for its consideration:

Co-operation with IMO

i. The Secretariat should continue to follow up with the IMO to seek IGO status. Attaining IGO status will be facilitated by support from Contracting Governments that are also members of IMO. Contracting Governments are therefore urged to support IWC's application.

ii. IWC Contracting Governments that attend the IMO's Marine Environment Protection Committee (MEPC) are encouraged to take a common approach at its meetings to ensure a place for ship strikes on the MEPC's agenda.

International database on ship strikes

In endorsing the work of the Vessel Strike Data Standardisation Group, the SSWG recommends:

iii. that the proposed small expert group (see Adjunct 4) start to populate the database with historical vessel strike data (Phase II). The proposed budget of £11,400 for this work is approved and will be met by a voluntary contribution from the Government of Australia.

iv. the collection of new data using the template.

Adoption of national and regional legislation, rules and action plans to reduce the impact of ship strikes, with priority for high-risk areas (Recommendation 3 of SSWG's First Progress Report to the Conservation Committee)

v. The establishment of a small expert group to determine how Recommendation 3 can be implemented through specific action plans with priority for high-risk areas. It was noted that the SSWG and Conservation Committee could make an important contribution to this work by facilitating access to shipping information.

Multidisciplinary expert workshop on ship strike mitigation

vi. A Steering Committee should be established after IWC/59 to consider whether a multidisciplinary expert workshop could contribute to ship strike mitigation and if so, to develop a detailed proposal, including time-scale.

Recommendations relevant to the Scientific Committee

vii. Further work is developed on histopathology methods to confirm ship strikes.

viii. Research on increased mortality caused by the whale watching industry be continued and intensified to obtain long term trends data.

General

ix. That the SSWG be asked to continue with its work

Adjunct 1

List of Participants

ARGENTINA
Miguel Iníguez

AUSTRALIA
Philip Burgess

BELGIUM
Alexandre de Lichtervelde
Koen Van Waerebeek

ITALY
Caterina Fortuna

LUXEMBOURG
Pierre Gallego

NETHERLANDS
Maaike Moolhuyzen

NEW ZEALAND
Mike Donoghue

PORTUGAL
Marina Sequeira

REPUBLIC OF KOREA
Hyun-Jin Park
Yong-Rock An
Chiguk Ahn

UK
Jennifer Lonsdale

USA
Shannon Bettridge

Secretariat
Nicky Grandy

Adjunct 2

Agenda of the IWC Ship Strikes Working Group (SSWG) Meeting

Anchorage, 21 May 2007

1. Chair's welcome and opening remarks
2. Appointment of rapporteur(s)
3. Adoption of agenda
4. Review of available documents (Appendix 1)
5. Progress since IWC/58, St Kitts & Nevis
   Second Progress Report of the SSWG to the Conservation Committee
   5.1.1 Discussion of ProgRep, including revised work plan (Annex 1, p.15) and progress on recommendations.
   5.1.2 Centralised database: Vessel Strike Data Standardisation Group Report (SC/59/BC12).
   5.1.3 Papers presented in the SC relevant for the SSWG (see Chair's summary of the Bycatch & Other human-induced mortality sub-committee).
6. Next steps
   6.1 Exchange of views on possible options
   6.2 Development of a centralised global database
   6.3 Implementation of Rec. 3 (ProgRep, p.16)
   6.4 Adding value to the stranding networks list (appendix 4 of IWC/59/CC3)
   6.5 Funding : allocation of voluntary contributions (IWC/59/SSWG WP2).
7. Recommendations
   7.1 Recommendations to the Conservation Committee
   7.2 Suggestions of recommendations to the Scientific Committee

Adjunct 3:

List of documents

1) IWC/59/CC3 : Second Progress Report of the SSWG

2) SC/59/BC12 : Report from the IWC Vessel Strike Data Standardization Group

3) IWC/59/Rep 1 Item 7.3

4) NOAA Technical Memorandum: Evaluation of Northern right whales ship strikes reduction measures

5) IWC/59/CC11: Update on the United States' actions to reduce the threat of ship collisions with North Atlantic right whales

6) IWC/59/SSWG WP 1: Proposed Action on Recommendation 3 of the Second Progress Report of the SSWG.

7) IWC/59/SSWG WP 2: Implementation of Recommendation 2 of IWC/59/CC3 : set up of an international, centralized database on vessel strikes with cetaceans. Phase II.

Adjunct 4

Implementation of Recommendation 2 of IWC/59/CC3 : set up an international, centralized database on vessel strikes with cetaceans. Phase II.

K. Van Waerebeek, R. Leaper and M.F. Van Bressem (Proponents)

Background

During 2006-07, the newly formed Vessel Strike Data Standardisation Group (convened by KVW) successfully completed the task set out at IWC/58 (Phase I): develop a template for a standardised, relational database for ship strikes, as reported in SC/59/BC12. The database is now ready for data entry.

Terms of Reference of Phase II

(i) Populate the database with 'historical' vessel strike data (publications, reports, unpublished data); coordinate with entities that might decide parallel data-entry into the same template as to avoid duplication, while ensuring full compatibility (cf. announced US database)
(ii) Initiate in contacting (where possible) primary sources of collision events to retrieve previously unreleased, archived information. Depending on data volume, follow-up might need to be extended beyond the foreseen period in the present proposal.
(iii) Fine-tune the database template as to solve relatively minor practical problems that might arise with data-entry from varied sources.
(iv) In close co-operation with the SSWG, explore and implement practical ways to enhance wide distribution of the database template, with the aim to ensure that this template becomes the global standard for ship strike data archiving.

Composition of multidisciplinary expert group

Koen Van Waerebeek, co-ordinator (Belgium): population biologist with broad expertise in cetacean necropsies, anatomy and epidemiology; familiar with ships and nautical topics.

Russel Leaper (UK): mathematician specialized in modelling of cetacean ecological parameters; applied marine technology.

Marie Van Bressem (Germany): research veterinarian and epidemiologist, with vast track record of cetacean necropsies. Co-convenor of the new *IWC Cetacean Emerging and Resurging Diseases Working Group* (CERD).

Formal deposit of database

Secretariat of the International Whaling Commission.

Proposed budget : £ 11,400

Covering 4 consultant-months, and associated costs :
i- Consultants: 4 months @ £ 2,600/month £ 10,400
ii- Internet, phone, computing/printing £ 1,000

Appendix 5

Proposal to include Southern Right Whale Population of Chile-Peru in the Conservation Committee Agenda

(Submitted by Chile)

This year, the Scientific Committee received information that briefly summarizes the status of southern right whales off Chile and Peru. It was noted that the last major review of the species was conducted in 1998 by IWC (2001), but little information was available for the Eastern South Pacific although thousand of animals were taken in 19th century. It was also noted that in recent years, southern right whale stocks have grown in three major regions in the Southern Hemisphere (South Africa, Argentina and Australia). By contrast, no increase has been observed in the Chile and Peru population. It was pointed out that although no abundance estimates exist, the scarcity of sightings makes it very probable that the mature population size is below 50 individuals, where it was once numerous.

It was agreed by the Scientific Committee that southern right whale population of Chile-Peru will be considered at the next meeting of IWC that will be held in Santiago, Chile next year.

The current situation of the southern right whale population of Chile-Peru is of concern and there is an urgent need to understand conservation problems and effectively work on any identified conservation measures. Overall we need to improve our understanding of this critically endangered population.

Chile would like to propose to the Conservation Committee that it consider the southern right whale population of Chile-Peru as a species to be addressed by the Conservation Committee during the next few years and include it in its agenda for the 2008 IWC meeting.

With a view to presenting an initial working document to the Conservation Committee in the 2008 meeting and taking into account the findings of the Scientific Committee, Chile will be conducting a historical catch data review for Chilean waters and an analysis of sightings of the species through existing sighting networks. There will also be a strengthening of cetacean data collection to increase sighting effort.

Chile will be organizing an independent workshop on the status of the Chile-Peru southern right whale population. This workshop may be organized before the beginning of the IWC Scientific Committee meeting in 2008, so as to facilitate participation of interested researchers and parties. The outcome of this workshop will be presented by Chile to the Conservation Committee.

Appendix 6

PROPOSAL FOR WHALE WATCHING TO BE ADDED TO THE CONSERVATION COMMITTEE AGENDA

Brazil, and South Africa propose that whalewatching be added as a permanent item to the Conservation Committee's agenda. The Scientific Committee's Whalewatching Sub-committee deals exclusively with scientific aspects of this important activity, and that aspects related to management, including the implementation of the subcommittee recommendations, socio-economic aspects and international cooperation can be addressed in the Conservation Committee. These are aspects of whalewatching that have particular importance to developing States where this option to appropriate whale resources is growing, and will further strengthen the importance of the IWC proceedings to these member States.

It is further proposed that under this new agenda item the Conservation Committee consider the appointment of a review group to look into all available best practice guidelines. This exercise might lead to the proposal of a scoping meeting with the aim to have a workshop on developing voluntary international best practices for whale watching, utilizing *inter alia* the pertinent inputs from the Scientific Committee.

It is expected that in the next meeting of the Conservation Committee, we will receive the report of the Whalewatching Subcommittee and review its implications for management, and also begin receiving documents from member States on whalewatching matters other than scientific research.

It is recognized that the IWC role in whalewatching management is subsidiary and its recommendations are subject to the sovereign decisions of member States in relation to their jurisdictional waters. Nevertheless, recommendations arising from the discussions at the Conservation Committee, in close cooperation and coordination with the Scientific Committee, will constitute valuable guidance to interested parties in order to promote the non-lethal use of whale resources in a sustainable and equitable manner.