

Report of the *ad hoc* Aboriginal Subsistence Whaling Working Group Meeting with Native Hunters

1. INTRODUCTORY ITEMS

1.1 The meeting was convened on 10 September 2014 in the Grand Hotel Bernardin, Portoroz, Slovenia, and chaired by Dr. Michael Tillman, chair of the *ad hoc* Aboriginal Subsistence Whaling Working Group (ASWWG). Appendix 1 provides the list of participants.

1.2 Background

The chair welcomed participants and explained the background for convening the meeting, including the origins of the ASWWG. Formed at the IWC's 63rd meeting (2011), the purpose of the ASWWG is to attempt to answer previously unanswered questions regarding ASW in order to assist the Commission in addressing ASW issues in the future and to aid new Commissioners in understanding ASW. The issues being addressed by the ASWWG were separated into short- and long-term issues. Efforts to address the short-term issues were started at IWC 64 in Panama (2012) while the long-term issues were to be addressed beginning at IWC 65 (2014).

The chair introduced the members of the ASWWG, which includes representatives from Argentina, Austria, Japan, Switzerland, Denmark, St. Vincent & the Grenadines, the United States, and the Russian Federation. Special advisors to the ASWWG include scientists from Norway and Australia (who was unable to attend the meeting), and the Head of Science for the IWC Secretariat.

With regard to the convening of this second face-to-face meeting of the ASWWG, the chair explained that, in April 2013, the Association of Traditional Marine Mammal Hunters of Chukotka, the Alaska Eskimo Whaling Commission, and the Makah Tribe had submitted a letter to him, indicating their interest in providing input on the issues under consideration by the ASWWG. These native groups viewed these issues to be of paramount importance because of their impact on the subsistence use of whales. They requested that the ASWWG convene a meeting with native hunters to hear their perspectives on aboriginal subsistence whaling and the issues the ASWWG is discussing so that this input may inform ASWWG deliberations. The ASWWG subsequently agreed to do so.

The ASWWG agreed to organize the meeting into a series of open sessions as indicated in the agenda (Appendix 2) to hear the native hunters' views, clarify and share information, and to air views and enable a dialogue between the hunters, members of the ASWWG, other Contracting Governments, and observers. The chair requested that the meeting focus on the seven long-term unresolved issues that are the current focus of ASWWG deliberations. The seven long-term issues shown in Appendix 3 are those that the ASWWG had developed and the ASW Subcommittee had subsequently endorsed at IWC 64 (2012).

The ASWWG also agreed to have a short closed session to consider some old business that it had not been able to bring to closure by intersessional correspondence, the usual mode for conducting its business.

1.3 Michael Gosliner and DJ Schubert, both from the U.S. delegation, agreed to serve as rapporteurs.

1.4 Reports

The ASWWG agreed that, for the purposes of reporting to the ASW Subcommittee meeting scheduled two days after the ASWWG meeting, the chair, assisted by the rapporteurs, would provide a short chair's report that was subsequently submitted to the IWC as document IWC/65/ASW/Rep01Rev1. This was not a verbatim report nor did it attempt to summarize the extensive presentations made by representatives of the native hunting groups during the ASWWG's open sessions. It instead provided initial impressions gained from the meeting and emphasized some salient points.

The ASWWG also agreed that the chair should work with the rapporteurs to prepare a full report of the meeting that would be circulated for review and comment in accord with the ASWWG's usual intersessional process. When this had been completed to everyone's satisfaction, the final report would be submitted to the IWC Secretariat for distribution to all Contracting Governments and posted on the IWC's website. This document comprises that full report.

2. PRESENTATIONS BY NATIVE HUNTERS

2.1 Members of the ASWWG, other Contracting Governments, and observers met with representatives of native hunting organizations including the Alaska Eskimo Whaling Commission, the Makah Tribe, KNAPK (Organization of Fishermen and Hunters in Greenland), and the Chukotka Association of the Traditional Marine Mammal Hunters to engage in a dialogue about ASW issues. Hunters from St. Vincent and the Grenadines were invited but unable to participate. As previously noted, the chair requested that, in their presentations, the native hunters primarily focus on the seven long-term issues that the Commission had asked the ASWWG to address.

The presenters were each allowed a 30-minute period to express their views on the issues. After the completion of each presentation, ASWWG members and observers were then given opportunities to ask additional questions, make comments, and engage in a dialogue with the native hunters. This generated a number of substantive questions, comments, and statements related to ASW that triggered additional dialogue and identified possible action items.

2.2 The presentations by representatives of the native hunting groups are summarized as follows:

2.2.1 Leif Fontaine, KNAPK (Organization of Fishermen and Hunters in Greenland)

2.2.1.1 Overview of subsistence whaling in Greenland

- Subsistence whaling has been undertaken for thousands of years.
- The whales we harvest and the land that we survive on are gifts to the Inuit from our forefathers and the creator to be used wisely.
- Whalers and other subsistence hunters in Greenland have the right to sustainably utilize the living resources of our country; rights that have been recognized by the United Nations.
- As the standard of living in Greenland has risen, more modern equipment is used in the subsistence harvest of whales.
- The use of 50mm harpoon cannons equipped with exploding harpoon grenades is mandatory in Greenland to reduce the time to death of the whales.
- There are 45 hunting vessels equipped with harpoon cannons in Greenland and the government has apportioned its quota of large whales to these vessels.
- A portion of the minke whale quota is distributed to settlements, particularly in North and East Greenland, which harvest minke whales using rifles as they do not have the larger whaling boats needed to hunt larger whales; there are 425 small boats that are allowed to harvest minke whales using rifles.
- KNAPK the Organization of Fishermen and Hunters in Greenland continually strives to improve its whaling operations, participates in developing whaling techniques, and ensures that its operations reflect the rational and sustainable use of whales consistent with existing regulations.
- KNAPK whalers collect and provide data from harvested whales to the Government of Greenland as required under Greenlandic law.
- Whales killed by native whalers in Greenland are used to feed the whalers' families and others in their settlements and communities as has been the tradition for thousands of years.
- During the 2014 whaling season, my whaling crew and I killed four minke whales which allowed me to provide whale meat to my family and to the broader community in Sisimiut, Greenland, where I reside.
- I was also able to sail from Nuuk in the south to Umannaq in the north to deliver a portion of the whale meat from the whales my crew caught and provide a supply of traditional foods to benefit Greenlanders who don't have access to whaling vessels with harpoon cannons.

- Whaling is expensive given the need to purchase fuel, penthrite grenades, and to pay salaries of crew members; whalers, like others in society, have bills to pay for their homes, boats, and other costs; the cost incurred in harvesting four minke whales during the 2014 whaling season was 117,500 Danish kroner.
- Nutritional experts report that whale meat and blubber contains important minerals, high concentrations of Omega 3 fatty acids, and low amounts of saturated fats and is far healthier than imported food like chicken, beef, pork and fast food which have contributed to an increase in western diseases; whale meat also provided cultural and economic benefits that cannot be obtained from imported foods.
- Whale meat and blubber are in high demand and are available for sale in open air markets, both fulfilling the daily demands for meat and benefitting the Greenlandic economy; such demand justifies our need of 670 tonnes of whale product which was first approved by the IWC in 1991.
- Nature and animals form the basis of the existence of native Greenlandic people and, therefore, native whalers and hunters are obligated to protect our natural surroundings consistent with our own ethical standards and to rationally utilize our natural resources for the benefit, including social and economic well-being, of our families and society as a whole.
- Our rights to rationally and sustainably utilize our natural resources cannot be questioned and, indeed, have been recognized by the United Nations through the International Labour Organization Convention 169 which is a legally binding international instrument that deals specifically with the rights of indigenous and tribal peoples and the 2007 United Nations Declaration on the Rights of Indigenous Peoples.
- Indigenous people have the right maintain and develop their economic and social systems to secure their subsistence, and to engage freely in their traditional and other economic activities.
- The use of renewable resources, including whales, in Greenland has been and remains critical to the ability of the Greenlandic people to survive through many generations; we strive to ensure that our arctic homeland is a healthy and beautiful place to live and where our renewable resources are protected to ensure that they will persist for a long time for our use.

2.2.1.2 Long-term issues

- Standardized needs statements:
 - The management of living resources in Greenland is controlled by the government and KNAPK has full confidence in Greenland's political system and government agencies, including the Ministry of Fisheries, Hunting and Agriculture, with which we maintain a cooperative relationship and close dialogue.
 - KNAPK fully supports the arguments made by the Government of Greenland in regard to the long-term ASW issues in April 2012.
 - Native hunters in the different ASW countries have different traditions and cultures that should be reflected in needs statements.
 - Removing ASW catch limits from political discussions:
 - KNAPK is concerned about modern man's belief that Arctic animals are their property to be categorized and controlled; this is a policy that is neo-colonial and not useful as it can lead to modern man depriving native hunters of their hunting, fishing, and property rights on the land where they have always lived.
 - KNAPK supports the sustainable use of whales with quotas established through the use of credible scientific data and traditional knowledge.
 - Changing the term "aboriginal" in ASW:
 - KNAPK supports the use of "indigenous" in place of "aboriginal" as the former term is recognized by the United Nations and is already in use in other context such as in the Inuit Circumpolar Council.
 - Obtain adequate information for ASW catch limits:
 - The Government of Greenland in cooperation with KNAPK has established an advisory body that assists in the development of technology and the training of hunters to improve their whaling efficiency; this program costs 1.4 million Danish kroner per year.
 - The Government of Greenland also contributes 500,000 Danish kroner per year to help native hunters purchase harpoon grenades and for training.
 - KNAPK continually works to improve whaling practices, to assist in the development of techniques used in whaling, and to rationally and sustainably utilize whales according to existing regulations while also providing data on the whale catch as required by Greenlandic law.

- Any new data requirement from the International Whaling Commission has to be incorporated into Greenland legislation and then the data must be collected before it can be reviewed.
- Ensure local consumption versus commercialism:
- Greenlandic fishermen and hunters consider the sea as a natural site and, like other people anywhere on Earth, we must work and earn a living while providing food to our families and crew members.
- Whaling in Greenland is a profession subject to the vagaries of the sea, wildlife presence and abundance, and often harsh weather conditions and where there are both revenues and expenses;
- The whales we harvest benefit our families and entire Greenlandic communities of people whether they live in settlements or larger cities with access to these natural, unprocessed foods at open air markets so as to satisfy their daily needs for meat and fish and to benefit the Greenlandic economy.
- It is also natural for people living in Greenland to purchase native foods, including whale products, in local stores and restaurants;
- Improve operational effectiveness/improve welfare of the hunt:
- Native hunters in Greenland desire to kill all prey including whales as quickly as possible but it is equally important to catch and secure the animal as rapidly as possible to prevent its loss.
- Given the harsh conditions in arctic waters, large animals like whales may sink when killed instantly in some occasions.
- Greenland's native whalers are experienced hunters who do everything possible to avoid unnecessary animal suffering; they are delighted to utilize harpoon cannons which guarantee safe catches.
- Greenland's native whalers utilize modern equipment including 50 mm harpoon cannons equipped with exploding harpoon grenades, which are mandatory for use in the subsistence hunting of large whales, in order to shorten the time of death of whales.
- There are 45 active whaling boats equipped with harpoon cannons in Greenland which are awarded the largest shares of the large whales permitted to be killed by the Government of Greenland.
- There are 425 small boats, particularly in North and East Greenland, permitted to harvest minke whales using rifles since many settlements do not have access to larger whaling boats.

2.2.1.3 Questions and comments

To start the discussion of the presentation, the chair asked Mr. Fontaine what issue was the most important one for members of the ASWWG to remember from his presentation. The representative from the Greenlandic Government on the Danish delegation responded in English for Mr. Fontaine that the most important points to remember are the diversified culture and history among ASW countries and that such diversity must be respected and understood in accordance with the needs of indigenous people.

The representative of the Animal Welfare Institute (AWI) asked about the costs implicit in Greenland's whaling operations. She had heard that it cost \$1,000-2,000 for a harpoon grenade and asked if the Greenlandic Government subsidized the costs or if native hunters were advocating for such costs to be subsidized by the self-rule government. Mr. Fontaine explained that the Government of Greenland provided approximately 500,000 Danish kroner to support fishermen who pay for the harpoon grenades but he was unable to recall the price of each grenade. The representative from the Greenlandic Government further explained that the Greenlandic Government provided ½ million Danish kroner to cover expenses incurred for using the exploding grenade and to cover costs for hunters and shipyard personnel to maintain the harpoon cannons. In addition, the Government of Greenland provided a 1.2 million Danish kroner grant annually to a consulting company that provided advice to hunters on gear and vessels for ASW.

The ASWWG member from Argentina then asked about the commercialization of whaling products in Greenland, specifically enquiring as to how much product in tonnes per year or the percent of whales taken in the annual hunt is commercially used. Translating for Mr. Fontaine, the representative from the Greenlandic Government asked if this question pertained to commercialization of whale products for all of Greenland or just for Mr. Fontaine's village. She explained that Mr. Fontaine does not have the information on how many tonnes of whale product or the percentage of the take that is commercially used for all of Greenland. Greenland's quota is for 164 minke whales, 19 fin whales, 2 bowhead whales, 10 humpback whales, and 12 minke whales in East Greenland. The acquired meat is distributed by crew members in local areas and some is available for sale in open air markets

for local consumption. Some of the meat may be processed in the one processing plant in Greenland to be distributed to areas where whale products are not available, providing families in Greenland without vessels or cannons an opportunity to purchase whale meat and muktuk. There is no information on tonnes of meat or percentage of whales taken that is used commercially as Greenland does not manage whaling in that way, but rather by placing a limit on the number of whales that can be hunted.

The ASWWG member from the U.S. asked Mr. Fontaine to provide additional background information or to describe the process Greenland used to develop its new needs statement. The representative from the Greenlandic Government explained that the ASW needs statement was developed by the Greenlandic government in close cooperation with the Organization of Fishermen and Hunters in Greenland. It is the responsibility of the Government of Greenland to develop the needs statement. The document is available on the IWC website. Produced in close cooperation with hunters, it considers areas in Greenland where whaling occurs, the number of people in each region, and their cultural needs, and evaluates the logistical and technical issues available in each area as they pertain to ASW. It is a very detailed document to which Greenland refers all interested persons.

The ASWWG member from Japan made an observation about the long-term issue on local consumption versus commercialism. He explained that, by trying to compare local consumption and commercialism, we are comparing things that are different in nature. He suggested that there may be a better way to formulate or describe the actual problem. He expressed concern that the IWC was discussing the issue of commercialism without a definition of the term. He noted that this is a sensitive and contentious issue but that, without some common understanding of what is meant by commercialism, no progress can be made on this long-term issue. He cautioned that engaging in a detailed discussion without understanding the larger perspective or without a definition of the term would not produce any meaningful result. In response to the chair's question about preparing a paper on the issues raised, the ASWWG member from Japan agreed he could do so.

2.2.2 Nikolai Etytegin, Chukotka Association of the Traditional Marine Mammal Hunters, Russian Federation

2.2.2.1 Background

- The failure of the IWC to grant a quota to the Greenlandic native hunters in 2012 has created a fear of the IWC among the native hunters and people of the Arctic who rely on whales for their traditional food and who are disappointed that their traditional needs and their very right to a traditional way of life are being ignored.
- The failure of the discussions pertaining to the future of the IWC at IWC 62 is also of concern.
- We are concerned that scientists at the IWC Scientific Committee have suggested that Russia should count "stinky" whales against its quota despite these whales being inedible and having no nutritional value.
- We estimate that approximately 10 percent of our gray whales are "stinky" whales and though we avoid hunting them if we know they are "stinky" sometimes this cannot be ascertained until the meat is heated when cooking
- We believe that our current ASW quota is insufficient due to other threats to whales attributable to climate change, opening of the Northern Sea route, increasing ship traffic, and a change in the migration patterns of wildlife; therefore we cannot afford any reduction in our quota.
- We are concerned about the increasing incendiary attacks by environmentalists who challenge the ASW quota for gray whales.
- We appreciate the balanced and objective approach of the IWC and its Scientific Committee in regard to their treatment of indigenous people in the Arctic.
- The indigenous whalers of Greenland, Alaska, and Chukotka are not responsible for the global decimation of whale populations from the 18th through 20th centuries nor are we causing the ongoing destruction of whale habitat; those businessmen and their governments that supported commercial whaling are responsible for the destruction of whale stocks.
- The current destruction of whale habitat is caused by those who profit from the exploitation of nature while the Chukotkan people, including native whalers, live in harmony with the environment.
- The Chukotkan people have been whaling for centuries and through non-governmental organizations of indigenous people are actively pursuing improvements to our whaling programs by improving the safety

of whaling and the use of whale products (including through the development of the art of traditional bone carving), strictly complying with the requirements imposed by the IWC on indigenous subsistence whaling in Russia; developing eco-tourism opportunities related to native whaling to provide opportunities for tourists to learn about our traditional way of life, rites, and customs; and improving the transfer of knowledge, including traditional ecological knowledge, and skills in hunting whales from the older to the younger generations.

2.2.2.2 Standardized needs statement

- The history of ASW is different in each ASW country and, consequently, attempting to standardize the application of quotas is very dangerous since it will not consider the differences in the traditions of whaling, use of whale products, economics of communities, country-specific policies, and the specific history of ASW in each country.
- Standardizing needs as “needs for a kg for food” completely ignores other traditional needs including food sharing.
- In Russia, since olden times, traditional food sharing has occurred between native whalers and reindeer herders whereby the whalers provided the reindeer herders with whale products for food and, in turn, receive reindeer skins that are used to produce clothes and shoes; in years that are challenging for the reindeer herders they will need more whale meat compared to years when such challenges don’t exist.
- During whale festivals, whale meat and muktuk are provided to everyone as a gift; such festivals have become a cultural phenomenon for the Chukotkan region attended by people from throughout the region and other countries and involve athletic competitions, folk-life festivals, and provide opportunities to introduce our children to our native culture.
- Whale meat and blubber are also used to feed our sled and sport dogs.
- The current ASW quota for Russia, established in the mid-1990s, includes 350 gray and 10 bowhead whales and was based on our needs when the human population in coastal villages in Chukotka was 9,000 people and on our traditional hunting of small to medium-sized whales utilizing traditional harpoons.
- Our population has now grown to 11,000 people and we have an increasing number of urban families and students that desire native foods which, if needs were solely based on kilograms of food, would necessitate an automatic increase in our quota.
- The existence of stinky whales also affects the ability of whalers to satisfy our nutritional need for whale meat as these whales are inedible, cannot be counted as landed against the Russian ASW quota, but they are counted as struck and lost.
- Concern has been expressed about the use of non-traditional technologies for rational utilization of harvested meat but this is limited to the introduction of vacuum packaging for preserving meat; the meat is not traded commercially.
- We do not believe that there is a need to hasten the standardization of the quota request as this will provoke chaos and misunderstanding between indigenous people and the IWC.

2.2.2.3 Questions and comments

To initiate discussion, the chair asked Mr. Etytegin what was the most important issue that he would like members of the ASWWG to remember from his presentation. Mr. Etytegin responded that the most important issue for members of the WG on ASW to remember is that they do not rush to standardize quota requests.

Regarding the “stinky whale” issue and its importance for local hunters, the Head of Science from the IWC Secretariat commented that the IWC Scientific Committee had developed a long-term Strike Limit Algorithm or SLA for gray whales to provide catch advice. It would not be difficult to incorporate stinky gray whales into that SLA but it would require additional technical consideration. If ten percent of whales taken are stinky whales then it would be possible to adjust wording in the Schedule to prepare for that and the Scientific Committee can provide advice on how to account for that percent of stinky whales. Furthermore, with such advice it would not be impossible for the Commission to work out phrasing in the Schedule and a mechanism to address the stinky whale issue. Dealing with the stinky whale issue is not that difficult and we have the will and scientific knowledge to do so.

The chair asked how that needed advice from the Scientific Committee could be obtained, that is, should it be through the ASW subcommittee. The Head of Science explained that the ASW subcommittee and Commission need to decide the percent or number of stinky gray whales that should be considered in the analysis conducted by the Scientific Committee. The Scientific Committee deals with determining if removals can be accomplished at a safe level. Once that absolute number or percentage of stinky whales is provided, the Scientific Committee can determine if that number or percentage is safe. The scientific advisor from Norway supported the Head of Science's view.

The ASWWG member from the Russian Federation reminded the ASWWG that the Russian Federation had suggested a definition of "stinky whale" in 2002. At that time the Scientific Committee was asked to prepare such a definition but, to date, no such definition has been adopted. Consequently, for now there is no accepted definition of what it means to be a stinky whale. In regard to the ASW quota for the Russian Federation, the question is whether stinky whales, if taken, should be counted against the quota. In 2005, at the request of the United Kingdom and Norway, the Scientific Committee was asked to discuss and resolve this issue. It is unclear if this issue is appropriate for discussion by the Scientific Committee or in plenary, though it may be worthwhile to remind the Scientific Committee of this 2005 request.

The Head of Science explained that there has been a problem with communication in regard to the 2005 request. The Scientific Committee did answer the question. The Scientific Committee can provide advice on this issue but needs to know what number of stinky whales is being requested and whether it is a static number or a percentage of the total ASW take of gray whales. The Scientific Committee has the tools to conduct this assessment but it is up to the ASW sub-committee and plenary to tell the Scientific Committee the number of stinky whales to evaluate. With that information, the Scientific Committee should be able to come up with a solution to this issue. The ASWWG member from Japan commented that the question raised by the Head of Science is appropriate. He explained that oftentimes the Commission asks a question and the Scientific Committee provides a response but then the issue disappears. He recommended that the Commission, during its meeting next week, should submit a definitive request to the Scientific Committee about the stinky whale issue so that the Scientific Committee can address it at its next meeting in 2015. He thought there were a few options that the Scientific Committee could consider. One would be a 10 percent increase in quota to accommodate a 10 percent take of stinky whales as part of ASW take whales. Another would be increasing the quota by 10 animals to accommodate the take of up to 10 stinky whales as part of ASW hunt. Another would be to permit the carry-over of any unused take of stinky whales from one year to the next. The ASWWG member from Japan suggested that this be written up as a proposal and submitted to the Scientific Committee for its analysis.

On a new topic, a member of the U.S. delegation asked Mr. Etytegin if there have been any changes in where whales have been taken in ASW hunts in response to the retreat of sea ice due to climate change. That is, are the whales being taken in roughly the same places or are hunters moving to other areas to find and hunt whales? Mr. Etytegin indicated that the location of feeding whales is changing and that native hunters are using more oil and gas to go further to hunt whales.

The ASWWG member from the U.S. then asked what the issues are that ASW countries feel should be prioritized in the discussions of the ASWWG? Should it be the pitfalls of standardizing needs statements? Mr. Etytegin repeated his request that the ASWWG not rush towards standardizing needs statements and added that it is important to keep whaling traditional.

2.2.3 Harry Brower, Chairman, Alaska Eskimo Whaling Commission (AEWC)

2.2.3.1 Standardized Needs Statements

- Everything that lives needs food and the food that is available to you depends on where you live and what opportunities there are for finding and taking food.
- Our bowhead whale harvest dates back thousands of years.
- As we have reported during past meetings of the IWC, marine mammals are a critical food resource in our arctic communities and the bowhead whale is the most important marine mammal resource for us.
- All eleven of the whaling villages in Alaska are in remote areas and are not connected by roads.

- Many species are hunted for food with marine mammals representing the largest single category of the arctic food supply and often providing the majority of the annual food supply in many villages.
- The bowhead whale is the most important marine mammal to whaling villages.
- A single bowhead whale can provide 12 to 20 tons of food.
- Through our tradition of food sharing, bowhead whales also help bind our communities together because it takes an entire village to support the harvest.
- Whale products are also shared with relatives in other villages providing food beyond our eleven whaling villages.
- Many people who live in and outside the villages support the whale hunt by providing equipment, fuel, clothing, and food to the native whalers and their crews, and this support results in shares of the whale that is harvested.
- During a recent whaling season in Wainwright, Alaska, 74 shares of whale meat or 115,176 pounds were distributed to the whaling crew which included 30 households in six other villages who helped support the hunt; in Kaktovik, a total of 84,615 pounds of meat were shared by whaling crews.
- The whaling captains in Wainwright donated their shares to the community through feasts which were attended by nearly every household in the village.
- In 1977 when the IWC told us it would start regulating our whaling and asked us to document our need this was an unusual experience as we were asked to provide proof that we needed the food that we eat and that our communities had relied on for thousands of years; the need for food should be obvious.
- We started providing documentation proving our need since 1983 and, in 1986, the IWC accepted our methodology for documenting that whales are a critical part of our food supply.
- The same methodology is used today to document need and we are willing to share it with others who would like to use our format.
- This format may not work for every ASW community given the differences in what different communities eat and what is available for our communities to eat.
- What is important for all of us and what needs to be focused on is that our food supply is healthy and that our families and communities are healthy.

2.2.3.2 Improve Operational Efficiencies

- Efficiency in the bowhead whale subsistence harvest is highly dependent on environmental conditions.
- In the Arctic, whales can slip under the spring ice after being struck and changes in wind and sea states can cause crews to lose struck whales including those under tow.
- The AEWC committed to the IWC in 1977 that it would improve its hunting efficiency to 75 percent and with the use of improved technologies including the use of floats with pingers and penthrite grenades along with hunter training, our average efficiency is now near 80 percent.
- Since 1986, the AEWC has been complying with the IWC's requirement that we develop and use the penthrite projectiles.
- The use of the penthrite projectile is very expensive as these devices are manufactured in Norway and cost more than \$1000 per projectile.
- This expense does not include the cost of shipping the projectiles, updating the darting guns to use the projectiles safely and effectively, or travel by AEWC officials to villages to train hunters in the proper use of the projectiles.
- Requiring AEWC villages to use the penthrite projectiles without providing financial support is considered an "unfunded mandate" by native whalers in Alaska.
- Native hunters cannot afford \$1000 for a single piece of equipment that can only be used once.
- To date, the AEWC and its native whalers have been fortunate that the U.S. Government has provided financial support for our Weapons Improvement Program but we understand that this support may be ending thereby necessitating our need (and the need of other native hunters) for funding to continue this program;
- Climate change has affected our operational efficiencies as a result of severe coastal erosion, Arctic hurricanes, and loss of sea ice -- all of which affect our ability to hunt whales for food for our families, villages, and our Native Alaskan subsistence sharing network;

- Such environmental changes have affected our hunting seasons. AEWC villages (e.g., Savoonga, Gambell, Wainwright) that used to traditionally harvest whales in the spring are now hunting whales in the fall and even in winter months. Barrow has always hunted in the spring and fall, but historically was primarily a spring hunting village; the majority of Barrow's whales are now taken in the fall instead of the spring.
- The change from landing whales in the fall versus the spring requires the use of different methods. In the fall, to improve efficiency, we use motorized skiffs to land whales quickly and, if available, heavy equipment is used to quickly transport whales to the flensing site, which is critical in warmer weather to avoid meat spoilage.
- The use of such modern equipment is noted by some to claim that we are losing our traditions, but the point of our subsistence hunting is not to freeze our culture in a certain period of history or to stay wedded to certain equipment.
- The AEWC has always adapted to changing conditions and to the new technologies available to make hunting safer and more efficient.
- Our traditions, however, are not about certain kinds of equipment but are about taking and sharing the food that sustains us and binds us together as a community.

2.2.3.3 New Challenges

- With changes in sea ice due to climate change, our ocean is open to new activities including an increase in oil and gas exploration and development and ship traffic.
- Impacts from such activities can drive whales further offshore increasing the distances whaling crews travel to hunt whales and, thereby, increasing safety risk, the chances of losing struck whales, and of losing the meat to spoilage before the whale can be landed.
- In the village of Nuiqsut, for example, in the early 1980s native whalers had to travel more than 40 miles from shore to take whales due to oil and gas exploration and development activities that were driving whales away from shore.
- Hunting such a long distance from shore contributed to the loss of several whales during this time period thereby reducing our hunting efficiency; some years the impacts were so great that Nuiqsut could not take any whales creating a difficult time for village families.
- When the U.S. government told us that it could not intervene to mitigate these impacts, we started working directly with offshore developers to make sure their activities don't spook our whales or have other negative impacts on our whales, the safety of our hunters, or on hunting efficiency.
- Based on that work, we have developed the Annual Open Water Season Conflict Avoidance Agreement, entered into each year with oil and gas operators to reduce such impacts.
- The use of the Conflict Avoidance Agreement has nearly eliminated such impacts and significantly improved hunter efficiency including in Nuiqsut where native hunters are now able to take their whales close to shore and their hunting efficiency rate is very high.
- Our mitigation measures also protect important whale habitat including by closing waters to all industrial activity during key migratory periods, reducing noise and vessel traffic during critical times, and cutting down on vessel discharges in key areas.
- Due to an increase in vessel traffic for research, oil and gas activities, mining, and tourism, and other commercial purposes, the AEWC joined with other marine mammal hunter organizations in 2012 to form the Arctic Marine Mammal Coalition (AMMC).
- The AMMC has joined other community leaders and stakeholders to form the Arctic Waterways Safety Committee to work with shippers and other vessel operators to keep our waters safe, marine mammals healthy, to protect native hunters, and to protect our whales from ship strikes, ocean noise, and habitat loss.

2.2.3.4 Removing ASW catch limits from political discussions

- Each time our ASW quota is up for renewal at the IWC different factions try to use it for political leverage to advance their special interests, which causes severe stress in our communities as it threatens our most important food resource.
- The need for food should never be used as a political weapon.
- The current bowhead ASW quota, when next up for renewal, will have been in place for 21 years.

- During that time, significant resources have been used at three different IWC meetings just to reset the same quota while, during each of those meetings, our village residents endure the terrifying emotions that are inherent to having the security of their food supply threatened.
- There is no excuse for this to continue since our quotas have not changed, they undergo scientific review each year, and are subject to annual review by the IWC based on advice of the Scientific Committee.
- While we may need to seek a larger quota in the future to accommodate our need as our human populations grow, when there is no biological concern or requested change to our quota, there is no justification for subjecting our people to such emotional turmoil.
- Instead of repeatedly punishing us for eating the food that is available to us and that sustains our culture, we need the IWC to work with us to keep all of our marine mammals healthy.

2.2.3.5 Questions and comments

To initiate discussion of Mr. Brower's presentation, the chair asked what issue was most important for members of the ASWWG to remember from the presentation. Mr. Brower responded that the entire presentation was important and that no one issue is more important than another.

The Head of Science then referred to the report of the IWC's recent Workshop on Impacts of Increased Marine Activities in the Arctic (IWC/65/Rep07 Rev 1) that included a section on subsistence hunting and indicated that, based on the presentations at that workshop, there are distinct differences in the nature of the different ASW hunts. While there is merit in developing standardized approaches to manage ASW, such standardization should be based on broad criteria while recognizing the important differences between ASW hunts. It is important to take into account the variability and complexity in the different hunts. Perhaps what is needed is a standardized ASW format or framework instead of standardized needs statements.

The ASWWG member from Denmark commented that she thought Mr. Brower's comments were relevant to the issue of the commercialization of ASW. Denmark is particularly interested in the issue of the politicizing of ASW as that is a key concern and important issue for Denmark and Greenland. When the ASWWG discusses the issue of standardized needs statements we must be clear about whether we are doing this to improve the management of ASW or if the objectives for such standardization are more political in nature. Denmark is close to reconsidering if the IWC is able to manage ASW in a way that is meaningful to hunters and society and is concerned that ongoing discussions about ASW, while pretending to be about management, are really more political in nature.

On another topic, Mr. Fontaine of KNAPK asked Mr. Brower what will happen if the AEWC loses U.S. government economic support for the hunt. That is, how will the loss of such economic support influence the hunt? Mr. Brower explained that communications with the U.S. government indicate that government funds to help defray the costs of penthrate projectiles may lapse. The AEWC is asking the IWC to establish a fund to help defray such costs in case U.S. funds are not available. The AEWC does not have the resources to afford the cost of the penthrate projectiles on its own. Such projectiles are expensive (approximately \$1,000 each) and can only be used once, can't be refurbished, and AEWC does not have the knowledge or tools to address equipment malfunction.

2.2.4 **Keith Johnson, President, Makah Whaling Commission**

2.2.4.1 General

- The Makah Tribe has a right to whale secured by the 1855 Treaty of Neah Bay;
- This is the only treaty between the United States government and a tribe that expressly mentions the right to whale;
- Protecting its treaty rights, which also extends to fishing, hunting, gathering and sealing, is one of the Makah Tribe's highest priorities.

2.2.4.2 Long-Term Unresolved Issues (Preliminary Comments)

- The Makah Tribe hopes that the meeting between aboriginal subsistence hunters, members of the IWC's Aboriginal Subsistence Whaling Working Group (ASWWG), other parties, and observers will be

the beginning of a dialog between the ASWWG and native hunters who will be directly affected by decisions of the ASWWG;

- There is a need for additional context in regard to the seven long-term issues to be addressed by the IWC's Aboriginal Subsistence Whaling Working Group. The Makah recommend the development of an explanatory statement in regard to the seven long term issues which will facilitate improved understanding of the issues by native hunters, the working group, the ASW Subcommittee, and NGO observers since, at present, the issues are subject to varying interpretations;

2.2.4.3 Long-Term Issue #1 – Standardized need statement

- The Makah, since 1997, have utilized anthropologist Dr. Ann Renker to prepare their needs statements, which are painstakingly researched and include historical, linguistic, cultural, legal, and, since 2002, Makah household survey information; these needs statements have been approved by the IWC with compliments for the thorough explanation of the tribe's cultural and subsistence need and quality of the document;
- The Makah understand the value standardized needs statements would have to some readers but have concerns regarding the level of uniformity of standardized needs statements and believe that broad flexibility in the content of such statements is required since ASW countries represent diverse circumstances in terms of geography, histories, cultures, and methods of harvest of a range of whale species;
- Each ASW community must have the freedom to explain its unique cultural and subsistence need for whales in a manner that best reflects the available information documenting the community's need; forcing the preparation of "cookie-cutter" needs statements would be a disservice to the diversity inherent in ASW communities;
- The Makah oppose any recommendation from the ASWWG that would require needs statements to follow any template or rigid structure that narrowly proscribes how need is documented as this promotes nit-picking and "gotcha" analysis that could allow minor details to undermine the overall quality of the statement, fail to adequately document the ASW community's needs as a whole, and could influence the discussion (and possible outcome) regarding a catch limit request – such an approach should be rejected;
- The Makah would accept a minimum list of topics that each needs statement would address as long as the process is sufficiently flexible to enable each ASW community to independently present information of its choice to document its need;
- A more flexible approach as supported by the Makah Tribe will encourage readers to evaluate each needs statement as a whole rather than as isolated narrative sections or compilations of numerical data; such an approach will yield a more complete picture of the cultural and subsistence need of ASW communities, would be more consistent with the IWC's broad authorization of ASW whaling, and would facilitate efforts to achieve ASWWG objectives.

2.2.4.4 Long-Term Issue #2 – Removing ASW catch limits from political discussion

- The Makah urge the Working Group to strongly support the need to remove ASW catch limits from political discussion which contributes to quid pro quo demands by governments to achieve other objectives while sacrificing ASW;
- The establishment of ASW catch limits must be based on demonstrated cultural and subsistence needs and the advice of the Scientific Committee; politics can have no legitimate role in this process;

2.2.4.5 Long-Term Issue #3 – Changing the term "aboriginal" in ASW

- The Makah do not oppose the change from "aboriginal" to "indigenous" as long as there is an understanding that the meaning of the term under the Convention, Schedule and as used in practice by the IWC would remain unchanged;
- The Makah, however, do not consider this a priority issue for the tribe and it encourages the ASWWG to focus on more substantive issues;
- The term "aboriginal" is rarely used in the United States and the Makah are generally and traditionally referred to as the "Makah Indian Tribe," the "Makah," the "Makah Tribe," or simply "the Tribe" – the

Makah Tribe does not consider the word “Indian” as disrespectful but, instead, believes that the manner in which other governments, NGOs, and individuals interact with the Makah is a more meaningful measure of the respect present in the relationship than the specific term that is used.

2.2.4.6 Long-Term Issue #4 – Obtain adequate information for ASW catch limits

- The Makah believe that further clarification is necessary in order to specify what information is sought and whether the information is in addition to what is already included in needs statements; ASW countries already provide significant information to the IWC and its Scientific Committee and, therefore, it is unclear as to what additional information is necessary or appropriate to manage ASW hunts;
- The clear link between the need to obtain adequate information for ASW catch limits and the issue of standardized needs statements should be considered together;
- If additional information is requested, it must be reasonable and take into account that ASW hunts occur in remote areas, with extreme weather conditions and, therefore, some data collection, including time to death, may not be knowable with scientific certainty given the circumstances of the hunt;
- Collecting additional information may also increase costs of ASW hunts and, therefore, any such requests must include commensurate levels of financial support from the IWC and must be viewed in conjunction with the IWC’s consideration of the ASW voluntary fund;

2.2.4.7 Long-Term Issue #5 – Ensure local consumption versus commercialism

- The Makah believe that clarification is needed to determine if this issue is limited to the Greenlandic ASW hunt or applies to all ASW hunts;
- Under US law and the IWC definition of “subsistence use” and of “local aboriginal consumption,” non-edible products of whales can be made into artwork and sold by members of whaling communities;
- The Makah consider the phrase “local use and consumption” to include tribal members living on and off the Makah Reservation, consistent with the IWC’s definition of “local use and consumption” which permits barter and trade in whale products with persons in other locations for which the local residents share familial, socio-cultural, or economic ties;

2.2.4.8 Long-Term Issue #6 – Improve operational efficiencies

Long-Term Issue #7 – Improve welfare of the hunt

- The Makah address these two long-term issues together because they appear to be closely related;
- The Makah believe that the ASWWG should clarify what is meant by “operational efficiencies” and “improve welfare of the hunt”;
- The Makah seek to conduct their hunts as efficiently as possible by ensuring that each whale is struck and dispatched quickly and then secured and landed for processing – achieving this objective will maximize hunter safety and result in a more humane death of the whale consistent with United States domestic law;
- Significant effort has already been devoted to the issue of improving the welfare of the hunt within the Whale Killing Methods and Associated Welfare Issues Working Group (WKMAWI WG) and information from this Working Group should be compiled by the IWC Secretariat and shared with the ASWWG to avoid any duplication of efforts, and future work on this issue should be coordinated between the two working groups.

2.2.4.9 Questions and comments

To initiate discussion, the chair asked Mr. Johnson what the most important thing is for members of the ASWWG to remember about his presentation. Mr. Johnson replied by saying all of it was important. He explained that the Makah Tribe has a treaty right with the U.S. government to engage in whaling. The Makah Tribe was unique in that regard. He also thought that the diversity of the communities engaged in ASW is an important issue and that it is critical that members of the ASWWG recognize these differences. He also stated that the politicization of ASW

is an important issue that he could discuss endlessly. He expressed hope that the ASWWG can help with the effort to address and get beyond this.

The representative from Dolphin Connection asked Mr. Johnson whether, considering the Makah's differences, he was opposed to block quota requests. She also expressed concerns about cookie-cutter needs statements. Mr. Johnson replied that the Makah Tribe is not opposed to block quota requests.

3. ASWWG DISCUSSION

To introduce this agenda item, the chair explained that the session would provide an opportunity for members of the ASWWG to have a dialogue with the native hunters. This would be their opportunity to ask any additional questions, request clarification, or provide their perspectives on any of the material discussed during the morning sessions.

3.1 Traditional versus modern hunting methods. The scientific advisor from Norway noted that, while nutrition is part of ASW need, there are also cultural elements associated with each ASW hunt, including how the hunt is conducted. If we go back in time, it is clear that there have been changes in how whaling is conducted. For example, Alaskan native whalers are using darting guns and associated weapons. Native hunters in Greenland have improved their hunting methods and now use penthrite grenades. Such changes or improvements, however, have been met with arguments that the hunts are no longer traditional. As a scientist he believed it is important that, even in regard to traditional hunts, native hunters should be allowed to improve hunting methods to reduce struck and lost rates, reduce time to death, and increase safety for hunters. He suggested that the ASWWG should focus on these changes/improvements and make it clear that such advances are legitimate, allowed, and that they should be encouraged to improve the technical elements of the hunt.

The ASWWG member from the Russian Federation indicated that he did not completely agree with the scientific advisor from Norway. Native whalers are being asked to improve efficiency of their hunts to reduce the suffering of killed whales while also being asked to retain traditional hunting methods. If native whalers are asked to return to traditional whaling methods then we must consider that human population was not as large then as it is now and, in the past, there were no boats with engines. The good news is the local human populations are increasing in number and they are not living in caves but as civilized people. Their lives are not completely focused on whaling as now there are other opportunities for employment. Native whalers in Russia are using traditional methods – hand harpoons. Today the demand for whale meat for native people is three times higher than the actual quota but, in reality, even the authorized quota is not taken every year due to technical problems. During the whale hunt, if only traditional methods are used, native people will not get enough food to meet their nutritional needs.

The chair suggested that there was no disagreement between the comments of the two speakers. Both agreed that, to improve operational efficiencies, it is acceptable for native hunters to adopt and use new technologies. Native hunters can use traditional methods to hunt whales but they also must meet IWC requirements that may mandate technical improvements in the methods to improve operational efficacy. He asked if anyone disagreed with this perspective?

The Head of Science commented that the scientist from Norway raised a valid point. He suggested that there's a bigger question that the ASWWG should address which is what do we mean when we refer to a "subsistence culture" and the cultural aspects of ASW. These cultures are not frozen in time. There appear to be disagreements as to how much native hunters should be allowed to change their traditional hunting practices and what traditional elements are allowed to be changed. Such considerations are just part of the difficulties facing the ASWWG but these issues need to be addressed.

The chair indicated that he would like to find a solution to this issue. He reiterated that the scientific advisor from Norway had suggested that allowing changes to traditional hunting methods in order to improve the operational effectiveness of the hunts should be acceptable. To avoid struck and lost whales and to kill whales as rapidly as possible, relying on traditional methods doesn't always work. Consequently, it makes sense to examine and use new technologies that should be allowed.

The representative from the Greenlandic Government expressed agreement with the chair's statement. The Organization of Fishermen and Hunters in Greenland agreed with statements made by others regarding improving operational effectiveness of traditional hunters. Traditional hunters continue to use traditional methods and gears but have also adopted new techniques to reduce time to death and suffering of the animals. Native hunters in Greenland will continue to work with the IWC and other organization, like NAMMCO, to improve methods used for whaling. NAMMCO has a working group that addresses hunting methods and which works with hunters to expand the use of the most effective hunting methods and gear.

The representative for the AEWC asked what provision of the Schedule or what resolution required subsistence hunters to use a particular type of equipment. A member of the Danish delegation elaborated that there was, for example, the provision in the Schedule that prohibits the use of cold harpoons for commercial whaling but there were no restrictions on methods used for ASW hunts in the Convention or in any resolution. The methods used are not in accordance with any specific provision but is based on what the hunters want or prefer to use.

Another representative from the AEWC questioned whether this is an appropriate issue for the ASWWG to discuss. The most important consideration for both subsistence and commercial whalers is to find the safest method available for use. If a review of hunting methods was undertaken, this would only introduce a new issue which is not within the purview of the ASWWG or that is addressed in the Convention that could be used as an obstacle to traditional whaling.

The chair explained that this was not the intent of the issue raised by the scientific advisor from Norway. The point he made is that native whalers should not be criticized for shifting to the use of improved methods that increase the operational efficacy of their whaling practices. He noted that, in the U.S., both the AEWC and Makah Tribe have been criticized for using new technologies.

The scientific advisor from Norway agreed that the methods used in ASW are not addressed in the Schedule or anywhere else but it is raised in discussions including during Commission meetings. Some have suggested that if native whalers change their methods then their hunts are no longer traditional. Politicians, hunters, and the public have attitudes about what hunting methods are acceptable and what methods are not acceptable. Native hunters may need to change given changes in the environment. He referred to the differences in the boats used during the spring and fall hunts by the AEWC as an example of such changes. He added that technology is changing and that changes in the methods used in ASW are entirely legitimate and should be encouraged.

The ASWWG member from Switzerland noted that this is a discussion about traditional hunting and that hunting in general is a traditional activity. Hunters typically prefer to use the best methods whenever they are available. Most hunters will alter their methods to improve the success and efficiency of their hunts by, for example, converting from bows to rifles. He doesn't think that the ASWWG should spend too much time discussing hunting methods. If speaking of tradition, then the needs of those engaged in the hunting must be understood and their use of the animals hunted must be addressed. Traditional hunters should use the best available methods that they can afford and for which they are properly trained. The ASWWG member from the Russian Federation agreed but indicated that we must remember the economic status of the local communities. We can call on traditional hunters to use new weapons but we must consider the associated costs of the weapons and the ability of the hunters to safely use the new tools.

As there was no consensus, the chair concluded that this topic should be kept open for further discussion.

3.2 Climate change and ASW. Returning to his comments regarding climate change made in a previous session, a member of the U.S. delegation noted that the IWC had recently convened the Workshop on Impacts of Increased Marine Activities in the Arctic (IWC/65/Rep07 Rev 1). Pages 11-12 of this report provided the perspective of native hunters with regard to perceived and actual threats arising from shipping and oil and gas development, the needs for addressing these issues, and workshop recommendations. Since there was not time to address these recommendations at this meeting, the chair noted the availability of the workshop report and its recommendations, with the view that the ASWWG should consider this report in its future deliberations of the seven long-term issues.

3.3 Need for explanations of the seven long-term issues. Responding to one hunter's comment that clarification was needed as to the meaning and context of some of the long-term issues, the chair agreed that the list of bulletized points provided in Appendix 3 was unclear. He further noted that, in his preparations for the meeting, he had been unable to find a published IWC document that fully explained the seven issues. The Head of Science commented, however, that he had earlier prepared a working paper for another meeting that had attempted to provide such clarification and which could be shared with the ASWWG. The chair agreed that providing such a document would greatly assist the ASWWG's future consideration of the issues.

3.4 Sharing/barter and need. The scientific advisor from Norway recalled Mr. Ettytegin's comments about barter/exchange between whalers and reindeer herders/hunters. While not a scientific issue, he believed that the trade/barter relationship and the issue of distributing whale products through a barter system is relevant to the issue of need. He sought additional input on the distribution of whale products through barter.

A member of the Danish delegation noted that the 1982 definition of "subsistence use" indicated that barter is a permissible form of trade which is allowed in local communities or with persons outside of local communities with which the whalers share familial, social, or cultural ties. He noted that this barter was not intended to permit the trade of just whale meat for whale meat but, rather, would allow the trade in whale meat in exchange for other products.

The ASWWG member from the Russian Federation, in response to the scientific advisor from Norway, explained that it is difficult to figure out the quantity of products from whales and what number of reindeer hunters are involved in such trade through barter. The quantity changes each year and depends on other circumstances. For example, when winter conditions result in increased reindeer mortality there is a lot of sharing of reindeer products with relatives and others including native whalers living in coastal communities. During the winter, barter can't occur because there is no whaling this time of year. But, during harsh winters for reindeer, blubber from whales can be added to reindeer food to keep the animals alive. Also, it must be noted that the trade in whale and reindeer products is not always done through barter as sometimes the products are provided in support of relatives and communities in years when they are dealing with particularly difficult conditions. Moreover, as previously stated, the current ASW quota used by the Russian Federation only covers approximately 30 percent of current need. The extra needs are met through the availability and use of reindeer. Ultimately, whether the trade is through barter or if money is exchanged, it is difficult to provide a direct estimate of the amount of product in trade in a given year as a result of various circumstances including inter-family processes within communities.

3.5 Local subsistence use versus commercialism. The ASWWG member from Austria reminded the ASWWG that, in Greenland, whale meat can be sold to tourists in restaurants. She suggested that this aspect should be placed on the agenda for the ASWWG.

The representative of the Greenlandic Government part of the Danish delegation responded that, in Greenland, there is no law that differentiates between the Greenlandic people; all are equal. She indicated that the IWC does have a definition and that Greenland is complying with that definition. Another representative from Greenland further commented that the definition of "subsistence use" agreed to in 1982 covers someone who, for example, lives in Denmark but visits Greenland. He expressed concern that this issue has been discussed many times yet it continues to be raised. The implications of differentiating those born in Greenland from those who are not in order to control the use of whale products would require far stricter controls than are possible in an open society. Referring to whaling by the AEWC in Point Barrow, Alaska, he indicated that he had never heard of concerns associated with non-native people who reside there consuming whale meat since no differentiation is made between people born in Point Barrow and those who are not.

There being no consensus on this issue, the chair concluded that this topic should be kept open for future discussion.

3.6 Availability/cost of weapons. The representative of the Greenlandic Government commented that in Greenland, the government is responsible, by regulation, to identify the techniques and gear available for the hunting of large whales. The penthrite harpoon grenades used in Greenland have to be imported from Norway as they can't be produced in Greenland, though some parts of the grenade are produced in Switzerland or other countries. Consequently, it is important to consider where the weapons are being produced, the time required to

obtain the weapons, the supplies of such weapons and parts in those other countries, and the capacity to maintain the weapons. The availability of these improved technologies is not sufficient because the distribution of parts is undermining the ability to acquire and use these technologies. It is important, therefore, to be in a dialogue about the distributors of such weapons. In Greenland, due to a lack of people available to maintain harpoon cannons, it is fortunate to have a strong working relationship with Norway. The Norwegian company provides training to shipyard people to maintain harpoon cannons. Greenland is trying to improve its capacity to both use and maintain harpoon cannons and it has asked companies in Denmark if they can manufacture some of the needed parts but the reality is that Greenland hunters are very dependent on outside suppliers.

There being no further interventions, the chair commented that he understood the AEWC had some of the same problems with the acquisition and maintenance of weapons and grenades.

3.7 Workshop to consider priority issues. Commenting on the issue of the needs statement, the ASWWG member from the U.S. recalled the earlier presentations wherein the native whalers cautioned against rushing to standardize the needs statement, encouraged flexibility in needs statements because of differences in the hunts, and indicated that more information was needed to adequately discuss and resolve this issue. He noted that this is a long-term issue for the ASWWG and needs to be addressed. He asked if a resolution from the plenary was necessary directing the ASW subcommittee to prioritize this issue and, more broadly, asked how the ASWWG wanted to move forward on this issue to develop a possible consensus solution.

The ASWWG member from Denmark thanked the U.S. for raising the issue and agreed that it must be addressed. She did not have a particular solution or concrete suggestion but noted the input provided by the native hunters on this issue and that needs statements are included in the resolution on ASW introduced by the European Union (document IWC/65/15). She also indicated the importance of resolving the issue of removing ASW catch limits from political discussion. She further noted the importance of having broad participation to address the needs statement issue and that it would be valuable to involve other governments and stakeholders through the ASW Subcommittee or we may achieve something that is not ideal. A member of the U.S. delegation expressed support for Denmark's suggestion, indicating that the U.S. would participate in such a broad effort to resolve these issues. The chair thanked the U.S. and Denmark for their interventions and indicated that he thought they provided useful input. He noted that, while some hunters disagreed with the necessity to develop a standardized needs statement, they generally appeared to agree that it was a priority issue and that any such effort must address the diversity of cultures, species hunted, hunting methods and the approaches used for determining needs. One size did not fit all and so any such effort must necessarily provide for flexibility and, as mentioned earlier by the Head of Science, the chair noted that this might argue for an outline or framework approach, rather than a template wherein very specific, detailed content was required. He suggested that the ASW Subcommittee should be asked to consider how it wants to proceed with addressing such high priority issues so as to permit broader participation in the discussion. He asked if this was agreeable to members of the ASWWG and if there were any dissenting views.

The Head of Science agreed that this was a good idea but suggested that the ASWWG needed to come up with a mechanism that would ensure there is an efficient process used to develop solutions to these ASW issues. He commented that it would be difficult to come up with useful options in a large group (like the ASW subcommittee) and so suggested starting with a small core group. There should also be consideration of what other expertise would be needed to help identify alternatives for resolving high priority ASW issues.

Hearing no dissent, the chair suggested that a workshop format might be useful in this regard and asked the U.S., Denmark and the Head of Science to draft a proposal for such a small group to be presented to the ASW Subcommittee. The U.S., Denmark and the Head of Science agreed to do so.

4. OBSERVERS' COMMENTS AND QUESTIONS

The last session of the meeting permitted representatives of non-governmental organizations the opportunity to ask questions of the representatives of the native hunting organizations and/or to make comments regarding the presentations and the seven long-term ASW issues under discussion.

4.1 The representative from AWI referred to a common theme raised during the presentations concerning the availability of the most effective weaponry. Although she was clear on the availability and costs of the grenades

in Greenland, she wanted to better understand the mechanism used by ASW countries to acquire penthrite grenades from Norway. She was particularly interested in the AEWG perspective on this issue. In addition, she noted that the AEWG had petitioned the U.S. government to allow the construction of the penthrite grenades in the U.S. and asked if any response had been received to that petition.

The representative from AEWG responded that the AEWG had historically received a grant from NOAA to help offset the costs of the penthrite grenades. The acquisition of the grenades was not coordinated between the U.S. government and Norway but, rather, was the result of communications between the AEWG and Norway. The AEWG had been told that the NOAA grant may not continue. Regarding the petition, the AEWG did submit a petition to the U.S. Bureau of Alcohol, Tobacco, and Firearms to obtain an exemption from the Firearms Act to allow the manufacture of the penthrite grenades and harpoon guns in the U.S. Previously, such weapons could be manufactured in the U.S. but, since the terrorist attacks on September 11, 2001, additional restrictions were imposed that prevented the manufacturing of such weapons in the U.S. The petition remains under review.

The representative from AWI also enquired as to which Norwegian companies manufactured the weapons and how they reached the end user. Are there problems with the supply of weapons? Are there subsidies involved that affect the cost of the weapons for the different ASW countries? She mentioned, for example, that such subsidies could come from the Government of Greenland or that Norway's government could provide such subsidies.

The scientific advisor from Norway indicated that a commercial company in Norway manufactures the grenades. Whalers in Norway have an agreement with the company and the Norwegian government is not involved. The manufacturer prefers to have a long lead time to know how many grenades need to be manufactured. There sometimes can be shortages on the grenades. The manufacturer enters into contracts directly with the buyers. He also indicated that the Norwegian government would not subsidize the manufacturing of the weapons. He also explained that he did not have information on the process for acquiring the weapons by Greenland or the AEWG.

The representative from the Greenlandic Government indicated that the distribution of the grenades in Greenland is a commercial activity between the manufacturer in Norway and a Greenlandic company that supplies the grenades to Greenland's whalers.

4.2 The representative from Humane Society International indicated that she had two primary issues of concern: the welfare aspects of ASW hunts and where ASW ends and commercial whaling begins. In addition, she had two questions. The first was whether changing conditions experienced by subsistence whalers were affecting the efficiency, including time to death and the safety of the hunt, for native whalers. The second question was whether all indigenous hunting communities represented here see sales of whale products outside of the local community as standard practice and whether they believe any limits should be placed on such sales.

The chair commented that some of the presentations had indicated that changing conditions were affecting the efficiency of ASW hunts. Upon asking Mr. Brower if he had any response to the questions, Mr. Brower commented that the AEWG had alluded to changes in the Arctic that were driving their use of new technologies. Another representative from the AEWG further explained that the AEWG is addressing the issue of how changing circumstances are affecting the hunt by working directly with oil and gas companies to make sure their activities are not affecting ASW, primarily to ensure that their development activities do not affect the efficiency of the hunt or the welfare of the animals hunted. These efforts benefit the whales by protecting their habitat. The AEWG is undertaking similar initiatives in regard to the impact of shipping operations on aboriginal hunting so as to prevent them from interfering with the hunt. AEWG hunting efficiency is at or exceeds 80 percent landed and there has been no decrease in welfare measures.

Mr. Fontaine explained that, in Greenland, climatic changes have resulted in whales swimming further north so hunters in that area have seen an increase in their catches. The representative from the Greenlandic Government added that, due to changing environmental conditions in the north part of Greenland, it is important to take care of the hunters so that they can get used to new techniques and methods for whaling instead of returning to the use of rifles to hunt whales. Environmental change, therefore, requires adjustments to the techniques and methods used in whaling.

Regarding the question on sale of whale meat, the ASWWG member from the Russian Federation reiterated that some whale products obtained through the ASW hunt in Russia are used in barter with reindeer herders. It is also possible to purchase a souvenir manufactured from the baleen or bones of whales in Chukotkan villages. Most of the available products are made from walrus ivory but there is also a growing industry associated with the manufacturing of items made from whale parts. Tourists, including those from cruise ships, may be able to purchase whale meat for consumption but such products must be consumed locally as they are not allowed outside of Chukotka. Though this is permitted, it doesn't generate a lot of revenue. He explained that Russian legislation does not allow the transport of whale meat outside of Chukotka and that no whale meat products are allowed in restaurants in Chukotka. He noted one case where whale meat was sold to gold mining company in Chukotka but this was done in a difficult year when food products were in short supply. He also explained that whalers need cash to purchase other products. He expressed doubt that there would be any significant demand for whale meat in restaurants in Russia since most Russians are not accustomed to eating whale meat. Tourists may try whale meat but likely won't come back for more so the potential for commercializing whale meat or even handicrafts made from whale products in Russia does not have a bright future.

On this question, a member of the U.S. delegation explained that, in the U.S., the sale of whale meat is not allowed but handicrafts made from whale products (e.g., worked baleen products) can be legally sold.

The representative from the Greenlandic Government responded that the law in Greenland allows for the sale of whale products of all kinds and allows for the transport of whale meat to Denmark for distribution to Greenlanders living in Denmark in a limited amount and only when the mattak and meat comes from minke whales from West Greenland, and in a manner where only transportation costs can be covered.

4.3 The representative of the Eastern Caribbean Coalition for Environmental Awareness explained that she didn't have a question but would like to make a statement. She expressed concern and disappointment that the bundling of ASW quota was not slated as an agenda item to be discussed by the ASWWG. She explained that the history, cultural traditions, and needs are very different in different ASW countries. That certainly is the case when considering ASW in the arctic region and St. Vincent & the Grenadines (SVG). Each ASW country has its own problems and challenges.

She noted further that whaling in SVG targets whales that migrate to the Caribbean waters to give birth and nurture their young. While the IWC Scientific Committee has deemed that whaling in St. Vincent & the Grenadines won't impact whale populations, there is a void in regulations when young whales are involved and there should be concern. In addition, the use of modernized equipment may not be positive for whale welfare. In SVG speed boats are used to herd whales and to separate mothers from calves. How do whalers in SVG, using such techniques, determine if a whale is lactating or non-lactating or even assess the size of the whales?

It also must be noted that SVG depends heavily on tourism for its economic revenue and that tourists come from a number of countries. It is also a popular destination for recreational boating. The migration of humpback whales to SVG waters, the popularity of recreational boating in the area, and ASW creates the potential for significant adverse impacts on SVG tourism industry and even dangerous confrontations. Such incidents are not reported to the IWC. Finally, the benefits of whaling is limited to Bequia which is home to 7,000-9,000 people while over 100,000 people live in SVG and are affected by the adverse impacts of whaling to the economies of SVG. In light of these economic impacts, it is important that unbundling the quotas be given some consideration by the ASWWG since ongoing whaling in SVG is not benefitting its economy.

The chair thanked the representative for her comment but indicated that bundling or unbundling of quotas was not an issue that the ASWWG had been asked to address.

4.4 A representative from AEWC commented that he is from Wainwright, Alaska, which is home to 550 people. He is a whaling captain and his ancestors were whaling captains and he wished to explain the sharing culture of native Alaskans and how whales are shared. When a whale is landed it is divided and every household in the community has the opportunity to obtain whale meat. Such sharing is done throughout the year from the day the whale is landed and at different occasions throughout the year. Whaling crew members are provided a portion of a landed whale but the community has access to whale meat as well. A portion of the whale meat is stored in ice cellars. In

June a community blanket toss festival occurs where whale meat, muktuk, duck soup, and dessert are served to the entire community including visitors to the community. After the blanket toss there is also a traditional dance. Whale meat is also shared at Thanksgiving where the entire community comes together at the community building. People from other villages, including inland communities, also come to the Thanksgiving celebration to share and dance. Sharing of the whale meat also occurs at Christmas where another feast is held at the community building. This is who we are and what we do. Any discussion of the sale of whale meat is frowned upon. The whaling captain pays for the fuel for the whaling boats, the crew, food for the crew, and other expenses with total costs ranging between \$7,000-15,000 for a single hunt. The tradition of sharing is free with no cost to the people. These practices have gone on for generations.

A member of the Danish delegation asked about the cost of \$7,000-15,000 for a whale hunt and if the whaling captains have jobs that provide them with the money to pay for the hunts. The AEWG representative said that he does have a job where he works for a company from his home and he saves his money to afford whaling operation. The highest cost for the hunt at the moment is gas which costs \$6.80 per gallon and it can take up to twelve 55 gallon drums of fuel to conduct a whaling operation for a season. The need for other supplies like a new tent or a stove for the tent are not included in the cost. The costs are spread over the course of a year. Not everyone in Alaskan whaling villages is fortunate to have a job. The unemployment rate is high. Whalers provide food to help these people survive as they can't afford other foods, so we need to hunt

4.5 The representative from AWI thanked the representative of AEWG for his comments as they were helpful. She referred to a previous comment by the representative of the Greenlandic Government regarding the inability to differentiate between people of local or foreign origin in Greenland as there is no law to differentiate. Noting that Greenland uses its entire population to calculate need, she mentioned a 2008 study that surveyed 2,200 people from 7 towns and 8 villages who self-identified as Inuit regarding their annual consumption of native and non-native foods. The AWI representative suggested that the members of the ASWWG and others interested in ASW may find it helpful to review this study as it provides a useful context on how to determine nutritional and cultural need for whale products versus those who may just want to taste whale meat.

The ASWWG member from the U.S. referenced the previous comments about bartering, commerciality of ASW products, and need statements. He noted that the 1982 definition of "subsistence use" was a product of a 1979 expert working group that had included expert panels on nutritional and cultural needs. He suggested that the ASWWG may want to consider a workshop format to resolve these issues.

The chair suggested that, since the U.S., Denmark, and Head of Science were already working on a proposal to address the high priority ASW issues, they may wish to consider incorporating these U.S. comments.

5. CLOSED SESSION

In the closed session, the ASWWG members discussed specific topics previously raised intersessionally by the Governments of Japan and Argentina. These topics included Japan's request for input on setting priorities for the seven long-term issues and Argentina's concern that some whale stocks subject to ASW in one country are subject to whale watching in another country

5.1 Japan's request for input. In a circular letter to the ASWWG, the Chair had requested that members submit their views on prioritizing the seven long-term issues. Japan had responded that, before doing so, it would prefer to hear the views of countries with ASW on the following three points. The chair reminded ASWWG members that this discussion was not intended to develop a resolution to the issues raised but, rather, just to share perspectives.

- Changing the term "aboriginal" in ASW.

The chair noted that this issue had first been raised during the "Future of the IWC" discussions during which some Commission members had expressed concern that the term "aboriginal" had a negative or discriminatory connotation. He also noted that one earlier suggestion had been to substitute the word "indigenous".

In the ASWWG's discussion of this topic, ASW hunters on several members' delegations indicated that, while they generally did not oppose such a change, it was not a priority issue for them.

In referring to its working paper on changing the terminology (submitted at IWC 63), the U.S. supported the term "indigenous" but observed that, if the term were changed, the Secretariat would need to review all relevant IWC documents in order to amend them to be consistent with the change in terminology.

The Russian Federation, however, noted that while it did not have a problem with the use of "aboriginal" in the Convention, it saw problems with using "native". Moreover, there was a need for a clear definition of the term "aboriginal."

Argentina supported retaining the term "aboriginal" due to how the two terms (aboriginal and indigenous) are interpreted in Latin America.

Japan thanked members for their comments and observed that providing a clear definition of the term is important to facilitate discussions about the issue but this also may raise additional difficulties. Establishing a definition for the terms can have wider implications particularly with regard to discussions surrounding local consumption versus commercialization. It also thought that this need for a definition could be raised in the wider context of the need for other definitions.

- Ensuring local consumption versus commercialism and whether the amount of commercialism allowed under the current definition should remain.

To start the discussion of this topic, ASWWG members described how their respective national legislation addressed this issue. In some countries the sale of whale meat and other edible products is not permitted but the making and selling of handicraft from non-edible parts of a whale is permitted. Other countries have legislation they believe is consistent with IWC regulations or have promulgated directives to prohibit the export of whale meat. Several ASW members indicated that this is an important issue that should be given priority with some linkage to the issue of politics in ASW discussions.

The Russian Federation indicated that it could be difficult to reach a conclusion on this issue given that commerciality of some form exists in each ASW country. When such commerciality or exchange is on a small scale, it appears not to be controversial. However, additional guidance on when the sale of whale products results in an ASW hunt becoming commercial would be useful. Should it be based on a percentage of products in commercial trade? Perhaps a survey should be developed and distributed to individual ASW communities to obtain their input on this question. Identifying the commerciality of non-edible portions of whales (e.g., the potential use of glands for medical research purposes) was another issue to consider. Ultimately, such issues directly relate to the sustainable use of whales.

At the conclusion of this discussion, Japan noted that it had already agreed to prepare a paper exploring these issues and would take into account the information shared by the ASW countries.

- Establishing priorities for addressing long-term issues.

During the discussion of this topic, most participants opted not to prioritize the entire list of seven long-term issues. Nevertheless, from most comments it appeared that several issues were of higher concern and importance than others, including the standardized needs statement, removing ASW catch limits from political discussions, and local consumption versus commercialism. The Russian Federation indicated, however, that all seven of the issues were important and observed that those of lesser concern are linked to those of higher concern.

Another concern highlighted by ASW members and their hunters was the costs associated with the equipment and training used to improve the efficiency and humaneness of the hunts. The chair noted, however, that the proposal to establish a voluntary ASW fund, which was intended to help address such ASW issues, was on the agenda of the Finance and Administration Committee.

Japan indicated that it had not intended to try to prioritize the order of the seven long-term issues. Based on today's discussions, however, it noted that the most important issues appeared to have been identified.

5.2 Argentina's concern that reviews of ASW quotas consider potential impacts on the availability of whales for other communities and other uses (e.g., whale watching).

The chair noted that, while the ASSWG was reviewing the draft agenda for the present meeting, Argentina had expressed concern that some whale stocks subject to ASW in one country are subject to whale watching in another country. Argentina proposed that a meeting similar to the present meeting should be held, with whale watch operators and countries that support whale watching in attendance, in order to ascertain their input on how whaling, including ASW whaling, may impact whale watching. Although the present meeting was not organized to address this specific topic, there was considerable discussion about the interactions between whaling and whale watching.

Some members indicated that whale watching and whaling are not mutually exclusive and that, in some places, there may be interest in "whaling watching." Others thought this to be a complex issue that may not be appropriate for the ASWWG. Some members recommended obtaining the advice of the Whale Watching Subcommittee on this issue and perhaps undertaking joint work to address this concern. Others noted that there are a variety of issues that affect whales, not just ASW, and that all of these activities can impact whale watching, a further indication of the complexity of this issue. Some participants did not understand Argentina's concerns and indicated that, if resolution of this issue involves ceasing ASW to benefit whale watching, any agreement is unlikely. Those engaged in ASW generally believed that the food security needs associated with ASW should take priority over the commercial aspects of whale watching. It was also suggested that the concern about the impacts of ASW on whale watching could be viewed in reverse in that there may be instances where whale watching may impact ASW. For some native whalers, the resolution of conflict is a key part of their culture and that, through such resolutions, they believed whale hunting and whale watching could coexist.

The Head of Science noted that science can provide advice on where animals go, how many there are, what types of conflicts may occur, and how those conflicts may impact populations, but it cannot resolve these types of social conflicts between ASW and whale watching.

As to how to proceed, some participants suggested reviewing the advice of the Whale Watching Working Group on this issue or referring this issue to that working group. It was generally agreed that this issue should not be referred to the Scientific Committee. Argentina reiterated its interest in having another meeting like this one with indigenous whale hunters but to invite the participation of whale watch operations and representatives of countries that have an active and growing whale watching industry. It was suggested that a particular case study (e.g., St. Vincent and the Grenadines) might be used to further explore these issues but that additional input from whale watchers would be needed. No consensus view emerged, however, on this proposal or any other on how to proceed.

The chair concluded that, since there was no consensus on this issue, the discussion would be noted in the chair's and full reports of this meeting and brought to the attention of the ASW Subcommittee, but that no recommendation would be made.

6. WRAP UP

As a result of the ASWWG's deliberations, the chair summarized the four action items that had been agreed:

- The United States, Denmark, and the IWC's Head of Science will develop a proposal for an expert workshop to address those long term issues that were found to be of greatest concern and to further define or develop explanatory statements that provide the context for understanding these issues in order to facilitate meaningful discussion and develop potential solutions; this proposal will be submitted to the ASW Subcommittee for consideration during the Commission meeting (see Appendix 4 for the proposal).

- Japan, assisted by the U.S. and the IWC's Head of Science, will work intersessionally to prepare a paper on the issue of local consumption versus commercialism, taking into consideration the input provided by the native whalers and the ASW countries.
- IWC's Head of Science will provide for distribution to the ASWWG his working paper that provides clarification of the seven long-term issues.
- The chair will inform the ASW subcommittee about Argentina 's proposal that a meeting similar to the present meeting with native hunters should be held, with whale watch operators and countries that support whale watching in attendance, in order to ascertain their input on how whaling, including ASW whaling, may impact whale watching.

Appendix 1. List of Participants

ARGENTINA
Juan Pablo Paniego
Miguel Iñiguez

AUSTRIA
Andrea Nouak

AUSTRALIA
Pam Eiser

DENMARK
Gitte Hundahl
Nette Levermann
Amalie Jessen
Ole Samsing

JAPAN
Joji Morishita
Takaaki Sakamoto
Dan Goodman
Naohito Okazoe

NORWAY
Lars Walloe

RUSSIAN FEDERATION
Valentin Ilyashenko
Masha Vorontzova
Olga Etylina

SWITZERLAND
Bruno Mainini

UNITED KINGDOM
Nicola Clark
Mark Simmonds

UNITED STATES
Michael Tillman
Michael Gosliner
Ira New Breast
Ryan Wulff
Doug Demaster
Roger Eckert
DJ Schubert

ALASKA ESKIMO WHALING
COMMISSION
Harry Brower, Jr.
Jessica Lefavre
Chris Winter
Robert Suydam
Price A. Leavitt, Sr.
Taquilik Hepa

ASSOCIATION OF TRADITIONAL
MARINE MAMMAL HUNTERS
OF CHUKOTKA
Nikolay Etytegin

KNAPK (ORGANIZATION OF
FISHERMEN AND HUNTERS IN
GREENLAND)
Leif Fontaine

MAKAH TRIBE
Keith Johnson
Brian Gruber
Greig Arnold

ANIMAL WELFARE INSTITUTE
Sue Fisher

CENTRO DE CONSERVACIÓN
CETACEA (CHILE)
Elsa Cabrera

CETACEAN SOCIETY
INTERNATIONAL
Heather Rockwell

DOLPHIN CONNECTION
Nancy Azzam

EASTERN CARIBBEAN
COALITION FOR
ENVIRONMENTAL AWARENESS
Marlon Mills

ENVIRONMENTAL
INVESTIGATION AGENCY
Jennifer Lonsdale

FUNDACIÓN CETHUS
Carolina Cassani

HUMANE SOCIETY
INTERNATIONAL
Rebecca Regnery

INSTITUTO DE CONSERVACION
BALLENAS (ARGENTINA)
Roxana Schteinbarg

WHALE AND DOLPHIN
CONSERVATION
Vanessa Tossenberger
Astrid Fuchs

WORLD ANIMAL PROTECTION
Joanna Toole

IWC SECRETARIAT
Greg Donovan

Appendix 2. Agenda for Aboriginal Subsistence Whaling Work Group Meeting with Native Hunters

Background

In April 2013, the Association of Traditional Marine Mammal Hunters of Chukotka, the Alaska Eskimo Whaling Commission, and the Makah Tribe submitted a letter to the Chair of the Aboriginal Subsistence Whaling Working Group (ASWWG) indicating their interest in providing input on the issues under consideration by the ASWWG. These native groups viewed these issues to be of paramount importance because of their impact on the subsistence uses of whales. They requested that the ASWWG convene a meeting with native hunters to hear their perspectives on aboriginal subsistence whaling and the issues the ASWWG is discussing, so that this input may inform ASWWG deliberations. The WG subsequently agreed to do so.

Agenda (N = See Notes)

09:00 Welcome & Introduction – Dr. Michael Tillman, ASWWG Chair

- Welcome
- ASWWG role & responsibilities
- Introduction of ASWWG members
- Meeting Objectives
- Outline for the meeting, including roles of participants
- Rapporteurs

Presentations by Native Hunters (N) (20-25 minute presentations, each followed by 5 minutes for clarifying questions):

- Present views and opinions related to the short- and long-term issues identified by the ASWWG.
- Present other information the speaker deems appropriate related to ASW in that nation.

09:15 Greenland fishers and hunters organization (KNAPK)

09:45 Association of Traditional Marine Mammal Hunters of Chukotka

10:15 **Break**

10:30 Bequian hunters

11:00 Alaska Eskimo Whaling Commission (AEWC)

11:30 Makah Tribe

12:00 **Lunch**

13:30 **Discussion:** ASWWG members' opportunity to ask questions, discuss information with native hunters and provide views.

14:30 **Discussion:** Observers' opportunity to ask questions, discuss information from morning presentations and provide views.

15:30 **Wrap up** – Dr. Michael Tillman, ASWWG Chair

15:45 **Break**

16:00 **Closed Door Meeting of the ASWWG Members**

N – When making their presentations, native hunters should use their time to address the issues that the Commission has assigned to the WG in its terms of reference. Since the WG is well acquainted with the hunts, there should be no need to educate participants about them.

Appendix 3. Long-Term Unresolved Issues (IWC/64/ASW5 Rev 1)

- 1) Standardizing the need statement;
- 2) Removing ASW catch limits from political discussion;
- 3) Changing the term “aboriginal” in ASW;
- 4) Obtaining adequate information for ASW catch limits;
- 5) Ensuring local consumption versus commercialism;
- 6) Improving operational efficiencies; and
- 7) Improving welfare of the hunt.

Appendix 4. Outline proposal for an expert workshop to assist the ASW Sub-Committee and the Commission with respect to improved procedures for considering ASW catch limits, with a focus on consideration of need

OBJECTIVES

The Commission will be reviewing catch limits for aboriginal subsistence whaling at its 2018 Biennial Meeting. The Commission has recognised a number of issues to be addressed that will assist the Commission in its consideration of such catch limits, recognising that the Rules of Procedure E states that the 'Commission shall make every effort to reach its discussions by consensus.' To this end it established an *ad hoc* Aboriginal Subsistence Whaling Working Group in 2011.

Recognising the complexity of the topics assigned to that group and the need to agree to a revised process by the 2016 Biennial Meeting if it is to assist in reviewing catch limits at the 2018 Biennial Meeting, the proposal here is for an expert workshop to take place, probably in 2015, to *inter alia* develop a proposal or options for circulation well in advance of the 2016 meeting for consideration by the ASW sub-committee and Commission in 2016. In making this proposal, the positive experience from the previous expert workshop held in 1979 was considered. While the Workshop may consider aspects of all of the issues raised in IWC/63/12rev, an important focus must be on consideration of 'need statements' in the broad sense. In no particular order at this stage, topics to be considered under this will include but not necessarily limited to:

- (a) Types of need (e.g. cultural and nutritional)
- (b) Cultural and sociological variation across whaling communities with regard to conditions of the hunt and methods of distribution of products, including evolution through time;
- (c) Description of the methods used to present information on need to the Commission in an informative manner including an account of types of need and how they are characterised as well as cultural and sociological variation;
- (d) Consideration of approaches to objectively review 'need statements' presented to the Commission.
- (e) Food security considerations

EXPERTISE

The Workshop will require experts on at least the following:

- (1) the present and past subsistence whaling operations including representatives of whaling communities;
- (2) anthropologists and sociologists with expertise in the appropriate geographical regions and subsistence communities;
- (3) nutritionists with expertise in native diets.

The possibility of collaboration with appropriate Intergovernmental Organizations and other stakeholders should be investigated.

STEERING GROUP

There is insufficient time at this meeting to develop a full list of participants, agenda, venue, precise dates, budget etc. necessary to ensure a successful workshop. It is therefore proposed that a Steering Group be established comprising the existing ASW Working Group (Argentina, Austria, Denmark, Japan, Russian Federation, Switzerland and the USA as well as the Head of Science and two Scientific Committee members). Past experience has shown that workshops function best when (1) there are no more than about 40 participants; (2) sufficient time is allowed for the Workshop itself to develop its recommendations and finalise its report – for a complex such as this then 4-days may be appropriate; (3) papers on specific topics are requested, developed and submitted well in advance of the workshop; and (4) sufficient funding is necessary to support participation and costs associated with involvement of experts and other participants.