

1987-Appendix 1

Resolution on Scientific Research Programmes

WHEREAS the International Whaling Commission adopted under Article V of the Convention and incorporated in paragraph 10(e) of the Schedule a regulation providing that catch limits for the killing for commercial purposes of whales from all stocks for the 1986 coastal and the 1985/86 pelagic seasons and thereafter shall be zero, this provision to be kept under review based on the best scientific advice, the Commission being required by 1990 at the latest to undertake a comprehensive assessment of the effects of this decision on whale stocks; and

WHEREAS Article VI of the Convention provides that the Commission may make recommendations to Contracting Governments on any matters which relate to whales or whaling and in accordance with Article VI the Commission adopted in 1986 a Resolution on Special Permits for Scientific Research (IWC/38/28) which remains in effect; and

WHEREAS Article VIII of the Convention provides that a Contracting Government may grant to any of its nationals a special permit authorizing that national to kill, take and treat whales for purposes of scientific research, and that such killing, taking and treating of whales in accordance with the provisions of this Article shall be exempt from the operation of the Convention; and

WHEREAS paragraph 30 of the Schedule to the Convention provides for the Scientific Committee to review all proposed special permits to be issued by Contracting Governments and research programs under existing special permits that involve the killing, taking, or treating of whales; and

WHEREAS the Commission recognises that the conduct of the comprehensive assessment as referenced in paragraph 10(e) of the Schedule to the Convention is considered of highest priority for the Commission while such paragraph is applicable;

NOW, THEREFORE, THE COMMISSION, in order to safeguard and promote its international whale conservation program and in furtherance of the objectives expressed in paragraph 10(e) of the Schedule;

REQUESTS that the Scientific Committee annually review all research programs involving the killing of whales under special permits and report their views on whether the programs under an existing or proposed special permit at least satisfy the following criteria in addition to such guidelines as may be applicable, including the criteria specified in the Resolution adopted in 1986 on Special Permits for Scientific Research (IWC/38/28):

- (1) The research addresses a question or questions that should be answered in order to conduct the comprehensive assessment or to meet other critically important research needs;
- (2) The research can be conducted without adversely affecting the overall status and trends of the stock in question or the success of the comprehensive assessment of such stock;
- (3) The research addresses a question or questions that cannot be answered by analysis of existing data and/or use of non—lethal research techniques; and
- (4) The research is likely to yield results leading to reliable answers to the question or questions being addressed.

AGREES to review, annually, beginning with the 39th IWC meeting, the Report of the Scientific Committee regarding special permits involving the killing of whales.

AGREES, should an ongoing or proposed research program not satisfy the criteria specified in the Resolution adopted in 1986 on Special Permits for Scientific Research (IWC/38/28) and, additionally, beginning at the 40th IWC meeting, the above criteria in the view of the Commission, to so notify the Contracting Government concerned.

RECOMMENDS that Contracting Governments, in providing the Secretary with proposed special permits and in submitting reports on programs under to the Scientific Committee for review, specify how each proposed special permit or program satisfies each of the above criteria in addition to such guidelines as may be applicable.

RECOMMENDS that Contracting Governments, in the exercise of their Sovereign rights, refrain from issuing or revoke, permits to its nationals that the Commission, taking into account the comments of its Scientific Committee, considers do not satisfy each of the criteria specified above and therefore are not consistent with the Commission's conservation policy.

1987-Appendix 2

Resolution on Republic of Korea's Proposal for Special Permits

WHEREAS the International Whaling Commission adopted in 1986 a Resolution on Special Permits for Scientific Research (IWC/38/28);

WHEREAS the Commission has considered the Report of the Scientific Committee (IWC/39/4) concerning the research programmes to be conducted under special permits;

WHEREAS the Commission takes cognizance of Article VIII of the International Convention for the Regulation of Whaling, under which the granting by any Contracting Government to its nationals of a special permit authorising the killing, taking or treatment of whales for purposes of scientific research remains the responsibility of each Contracting Government, exercising its sovereign rights in respect of maritime areas under its jurisdiction and the freedom of the high seas;

Now, THEREFORE, the Commission

ADOPTS the view that the proposed take of Sea of Japan-Yellow Sea-East China Sea stock of minke whales under scientific permit by the Government of the Republic of Korea, as described in SC/39/O 5, does not satisfy the criteria set forth in the 1986 Resolution on Special Permits for Scientific Research in that it has not contributed information which will answer any significant management questions and the proposed take will not materially facilitate the conduct of the Comprehensive Assessment;

REQUESTS the Secretary to so notify the Government of the Republic of Korea; and

RECOMMENDS to the Government of the Republic of Korea that it refrain from issuing, or revoke, special permits to its nationals for the conduct of the research programme described in SC/39/O 5.

1987-Appendix 3

Resolution on the Icelandic Proposal For Scientific Catches

WHEREAS the International Whaling Commission adopted in 1986 a Resolution on Special Permits for Scientific Research (IWC/38/28);

WHEREAS the Commission has considered the Report of the Scientific Committee (IWC/39/4) concerning the research programs to be conducted under special permits; and it is recognised that the sighting survey element of the Icelandic research program is acceptable and commendable.

WHEREAS the Commission takes cognizance of Article VIII of the International Convention for the Regulation of Whaling, under which the granting by any Contracting Government to its nationals of a special permit authorizing the killing, taking or treatment of whales for purposes of scientific research remains the responsibility of each Contracting Government, exercising its sovereign rights in respect of maritime areas under its jurisdiction and freedom of the high seas;

Now, THEREFORE, the Commission

ADOPTS the view that the proposed take of fin, sei, and minke whales under special permit as described in SC/37/O20 and as modified in SC/38/Prog. Rep. Iceland does not fully satisfy the criteria set forth in the 1986 Resolution on Special Permits for Scientific Research.

RECOMMENDS that the Government of Iceland revoke and refrain from issuing special permits to its nationals for the conduct of the research program described in SC/37/O20 and as modified in SC/38/Prog. Rep. Iceland until the uncertainties identified in the Scientific Committee Report (IWC/39/4) have been resolved to the satisfaction of the Scientific Committee.

REQUESTS the Secretary to notify the Government of Iceland accordingly.

1987-Appendix 4

Resolution on Japanese Proposal for Special Permits

WHEREAS the International Whaling Commission adopted in 1986 a Resolution on Special Permits for Scientific Research (IWC/38/28);

WHEREAS the Commission has considered the Report of the Scientific Committee (IWC/39/4) concerning the research programs to be conducted under special permits;

WHEREAS the Commission takes cognizance of Article VIII of the International Convention for the Regulation of Whaling, under which the granting by any Contracting Government to its nationals of a special permit authorizing the killing, taking or treatment of whales for purposes of scientific research remains the responsibility of each Contracting Government, exercising its Sovereign rights in respect of maritime areas under its jurisdiction and freedom of the high seas;

Now, THEREFORE the Commission

ADOPTS THE VIEW that the proposed take of Southern Hemisphere Minke Whales and Sperm Whales under the proposed research program as described in SC/39/O 4 does not satisfy the criteria set out in the 1986 Resolution in Special Permits for Scientific Research in that the proposed research does not appear, on present information, to be structured so as to contribute information essential for rational management of the stock and that the proposed take will not, at least at this stage, materially facilitate the Comprehensive Assessment; and

REQUESTS the Secretary so to notify the Government of Japan; and

RECOMMENDS the Government of Japan to refrain from issuing special permits to its nationals for the taking of such whales under the research program described in SC/39/O 4 until such time as the Scientific Committee is able to resolve the serious uncertainties identified in its discussion as to the capability of the research methods proposed to contribute sufficiently reliable results needed for the Comprehensive Assessment or for other critically important research needs.