



Council of the
European Union

037138/EU XXVI. GP
Eingelangt am 04/10/18

Brussels, 4 October 2018
(OR. en)

12765/18

ENV 640
PECHE 377

NOTE

From: General Secretariat of the Council
To: Delegations

Subject: 67th Meeting of the International Whaling Commission
(Florianopolis, Brazil, 10-14 September 2018)
- Information from the Presidency and the Commission

Delegations will find in the Annex an information note from the Presidency and the Commission on the outcome of the abovementioned meeting, to be dealt with under "Any other business" at the Council (Environment) meeting on 9 October 2018.

**67th Meeting of the International Whaling Commission
(Florianopolis, Brazil, 10-14 September 2018)**

- Information from the Presidency and the Commission -

The International Whaling Commission (IWC) of the "International Convention for the Regulation of Whaling" (ICRW) met in Florianopolis, Brazil, 10-14 September 2018. The meeting was important for the future of the IWC, considering the challenging issues on the table. Tensions between pro- and anti-whaling Parties were palpable and gave little hope of overcoming the polarization of the organisation on this matter in the near future.

The IWC considered three key challenges requiring Schedule amendments and the support of a 3/4 majority for adoption:

- The package of proposals presented by Japan on “**The Way Forward**” aimed at resuming commercial whaling by amending the Convention and changing the structure of the organisation, was rejected by a majority of delegations, including the EU and its Member States Party to the ICRW. Japan announced it would assess the consequences of the vote, which might include reflecting on its membership of the Convention.
- The **Aboriginal Subsistence Whaling (ASW) package proposal** was agreed following amendments and clarifications, ensuring sustainable hunting quotas under specified conditions for indigenous communities in USA, Russian Federation, St. Vincent and the Grenadines and Denmark (Greenland). This constitutes an undisputable success of the meeting, a success that can be especially attributed to the constructive negotiations between the four proponents, the EU and its Member States Party to the ICRW, which remained united and directly took part in the negotiation of the most sensitive elements of the compromise.
- However, the proposal for establishing a **South Atlantic Whale Sanctuary**, which Brazil, Argentina, Uruguay, South Africa, and Gabon have been presenting now for more than 15 years, failed to reach the ¾ majority, despite the support of the EU and its Member States Party to the ICRW.

The IWC also adopted five out of eight resolutions that were proposed:

- The two resolutions presented by the EU and its Member States Party to the ICRW, on the **IWC Governance review** and on **anthropogenic underwater noise**, were adopted by consensus. The latter required positive outreach by the EU and its Member States to reach an acceptable compromise text on a number of difficult horizontal issues.
- Two of the three draft resolutions presented by Brazil were adopted by majority vote with the support of the EU and its Member States Party to the ICRW. The first one, entitled the “**Florianopolis Declaration**”, seeks to re-focus the future IWC agenda on whale conservation and not commercial and lethal scientific use. The second one reaffirms the importance of eliminating **ghost fishing gears** with a view to preventing the entanglement of whales and the need for the IWC to cooperate with other relevant organisations such as the FAO.
- The EU and its Member States Party to the ICRW also co-sponsored a successful resolution on the **contribution of whales to the ecosystems** presented by Chile.
- The draft Resolution on **food security** was withdrawn, with a majority of delegations of the opinion that this issue should be dealt within the FAO context. The draft resolution to revisit the **Agenda 2030** and SDG14 from the angle of whale conservation was also withdrawn by its proponent. The resolution on **infringement to the Convention** was withdrawn at the start of the meeting.

The IWC also received the report of the Standing Working Group on **Special Permit Programmes**, which provided for the first time an opinion and recommendations for the Commission to adopt on existing special permit programmes, often referred to as “scientific whaling”, operated by Japan. The report highlighted Japan’s shortcomings in the provision of sufficient data to justify lethal samplings and invited the IWC to recommend Japan to provide those data for review by the Scientific Committee and to stop its special permit programmes in the meantime. Japan, supported by 21 other countries announced its disassociation from the views expressed in this report – however that did not stop the IWC from adopting the report as the Commission’s view.

Despite agreement at sub-committee level, no agreement was found to increase the **budget of the organisation** in line with the recommendations of the Bureau. There is no further scope to reduce the costs of its secretariat or those related to the organisation of its plenary meetings, meaning a saving of 30% on the funding of the Scientific Committee is necessary.

Regarding **nominations**, Mr. Andrej Bibic (Commissioner for Slovenia), was elected new Chair of the IWC and the Guinean Commissioner, Mr. Dialo, was elected to succeed Mr. Bibic as IWC Vice-Chair.
