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INFORMATION NOTE

From: General Secretariat of the Council
To: Delegations
Subject: 66th Meeting of the International Whaling Commission (IWC)
(Portorož, Slovenia, 24-28 October 2016)
- Compilation of statements

Delegations will find in the [Annex](#), for information, a compilation of agreed statements delivered on behalf of the EU Member States Party to the International Convention for the Regulation of Whaling (ICRW) on the main agenda items at the 66th Meeting of IWC (Portorož, Slovenia, 24-28 October 2016).

**66th Meeting of the International Whaling Commission (IWC)
(Portorož, Slovenia, 24-28 October 2016)**

**- Statements by the EU Member States Party to the International Convention
for the Regulation of Whaling (ICRW) -**

Opening statement

At this meeting the Netherlands will be speaking on behalf of the EU Member States Party to the ICRW¹. We wish to express our gratitude to the Republic of Slovenia, for its unprecedented generosity and hospitality in hosting a second consecutive meeting of the International Whaling Commission, as well as the Scientific Committee in June this year, and for the very warm welcome we have all received from the local authorities of Piran and the people of Portorož and Piran.

On the occasion of the 70th anniversary of the International Convention for the Regulation of Whaling (ICRW) and the 30th anniversary of the moratorium on commercial whaling, we re-affirm our strong commitment to the conservation and management of all cetaceans. We believe that this meeting should be a celebration of those anniversaries and should be conducted in an appropriate constructive spirit. We need to build on our achievement to shape a cooperative future.

We welcome the progress made and the immense body of work carried out over the last 70 years and acknowledge that an effective conservation and management regime can only be created through joint efforts and by initiatives that promote mutual trust and cooperation between all International Whaling Commission members.

We also acknowledge and emphasize that the moratorium on commercial whaling has provided critical protection for great whales and continues to play an effective role in protecting whale populations, including by helping critically depleted populations to recover. We therefore strongly support maintaining the moratorium on commercial whaling and invite countries that continue commercial or other whaling activities to consider ceasing them and give full attention to the cumulative impacts of anthropogenic activities on – both large and small – cetaceans which pose a severe threat to the long-term survival of various populations.

Given the manifold threats cetaceans face today and the important role they play as part of large ecosystems, it is important to protect and conserve whole habitats and their ecological interrelations, i.e. following an ecosystem approach while protecting cetaceans.

¹ In this context, we note that Greenland and the Faeroe Islands are Danish Overseas countries but not European Union countries. Should divergences arise between the interests of the European Union and those of the afore-mentioned territories, Denmark may need to intervene on their behalf to pursue the latter's interests.

Among the initiatives that could contribute to a significant improvement of the whales' conservation status, we fully support the creation of a South Atlantic Whale Sanctuary and very much hope that other Contracting Governments will join us in adopting this well presented and scientifically convincing proposal. We recognise the good progress being made during the past Scientific Committee and Conservation Committee meetings as well as the efforts of the proponents in reaching out to Parties.

We reiterate the support of the EU and its Member States for the sustainable management of aboriginal subsistence whaling (ASW) that ensures the conservation of cetacean populations, having due regard to the precautionary principle and the advice of the Scientific Committee of the IWC. We welcome the IWC expert workshop held in Maniitsoq in September 2015 as a valuable contribution to ensuring a more consistent and long-term approach to regulating ASW in the future, including as follow-up to Resolution 2014-1.

To preserve what we have achieved, we cannot support new types of whaling that would undermine the current moratorium, which is an essential part of the global efforts to protect whale populations from the growing anthropogenic threats they face.

In this regard, we also note with concern the serious impact which, among others, anthropogenic noise, ship strike, entanglement, marine litter like plastic debris and micro plastics, as well as other pollutants such as organic pollutants and heavy metals, and climate change have on the marine environment, including cetaceans. We welcome all collaborative efforts to better understand these impacts and prevent and minimize them. We note with satisfaction the continued positive progress being made in the IWC context in considering the implications of non-hunting threats to cetaceans. We welcome the IWC workshop held in South Africa in May 2016 as a valuable contribution to progressing work on non-hunting threats to cetacean welfare and cetacean stranding events and we urge Parties to continue to engage in this important area of work.

We note with satisfaction the work done annually under the State of the Cetacean Environment Report (SOCER), which provides a useful non-technical summary of the positive and negative events, developments and conditions in the marine environment.

We also stress the importance of tackling bycatch in fisheries as one of the most pressing global issues facing many species of cetaceans and urge the IWC to focus its efforts on tackling this problem.

We are confident that the International Whaling Commission has begun to follow a new course characterised by a series of reforms to ensure increased transparency and effectiveness in its working practices and invite the Commission to continue its efforts. In this regard, we welcome the draft Resolution proposed by Australia, New Zealand and the USA on Enhancing the Effectiveness of the International Whaling Commission and will work constructively towards its adoption.

We also welcome the important work that has been done to incorporate, in the work practices of the IWC, the principles and conclusions of the ruling of the International Court of Justice of 31 March 2014 in the case of Whaling in the Antarctic. We reiterate our position that the IWC should review Special Permits before new proposals are put forward and deeply regret that, contrary to the request in IWC Resolution 2014-5, Special Permits have been granted for a "New Research Programme in the Antarctic" before the Scientific Committee had provided advice to the Commission and the Commission had considered the report of the Scientific Committee.

We look forward to debating proposals that aim at ensuring and facilitating adequate review of Special Permits at both Commission and Scientific Committee level.

We welcome the important efforts of the IWC to tackle the multiple threats faced by some of the most endangered small cetaceans, in particular the Vaquita, Māui dolphin, and river dolphins and call for concerted efforts to ensure that these and other species do not suffer the same fate as the Baiji.

On all other proposals, we express our willingness to discuss them with the proponents and achieve better understanding of their rationale. On the basis of the new spirit of cooperation within IWC over the past years, we believe we should strive to reach consensus decisions on the various proposals and draft Resolutions that have been tabled.

The EU Member States Party to the ICRW will work actively and constructively to ensure that this 66th meeting is successful and produces tangible results.

Agenda item 5.1: Proposal for the establishment of a South Atlantic Whale Sanctuary

The Netherlands, on behalf of the EU Member States Party to the ICRW, wishes to reiterate the strong commitment of the EU Member States to the protection of whales and thus welcomes any initiative that could contribute to a significant improvement of their conservation status. We consider sanctuaries to be a valuable component in a range of measures for the conservation of whales affording them greater protection in specific areas important for their life cycles.

In this context, we commend the work done by Argentina, Brazil, Gabon, South Africa and Uruguay on the proposal for establishing a South Atlantic Whale Sanctuary. These countries have succeeded in developing a comprehensive proposal, which, for the first time, provides for a management plan involving the management of all threats to whales in the region. We also welcome the wide consultations that have taken place with many countries within the region.

This proposal was adequately reviewed by the Scientific and the Conservation Committees, which considered that the information provided was comprehensive and the proposal had the potential to encourage collaboration and to facilitate the development of research relevant to IWC goals.

We believe that, as well as stimulating joint research efforts involving developing countries and foreseeing capacity building and public education activities, the South Atlantic Whale Sanctuary will also develop the sustainable, non-extractive and non-lethal economic use of whales at the benefit of coastal communities in the region.

In doing so, the South Atlantic Whale Sanctuary will also contribute positively to a number of existing international commitments on sustainable development, biodiversity and climate change and will facilitate conservation of some whale populations subject to IWC Conservation Management Plans.

We are therefore happy to express once again our clear support for this proposal, which is fully in accordance with IWC rules.

Agenda item 6.1: Enhancing the Effectiveness of the International Whaling Commission

The Netherlands, on behalf of the EU Member States Party to the ICRW, thanks Australia, New Zealand and the United States of America for bringing this important proposal forward and would like to co-sponsor it.

We acknowledge the importance of the steps already taken to improve IWC governance.

But no organisation can or should stand still. Further progress can and should be made. Reviewing how organisations such as the IWC function is an integral part of our responsibility as members.

We therefore welcome and fully support the ideas underlying this Resolution. We agree that there should be a comprehensive, independent review of the Commission's institutional and governance arrangements. We believe that it is the independence of the review that will make it valuable and allow it to bring fresh ideas to our debate. All Contracting Parties will need to be able to discuss the report on equal terms at the next IWC meeting and decide whether and how to take forward the recommendations.

We would like the review to also cover financial procedures and rules and will be proposing an amendment to the draft text of the Resolution to that effect.

We do see a role for a Working Group made up of a regionally representative group of Contracting Parties to provide the reviewer with a consultation mechanism so that they can discuss the feasibility of recommendations and be advised on where potential difficulties might lie.

[If/when Australia announces its funding]

On behalf of the EU Member States Party to the ICRW, I would like to extend our gratitude for the generous financial offer from Australia. This will go a long way to helping ensure the IWC is able to keep up with and in future potentially dictate best practice among Multilateral Environmental Agreements (MEAs). Therefore such a review should be welcomed.

Agenda item 6.2: Improving the Review Process for Whaling under Special Permit

The Netherlands, on behalf of the EU Member States Party to the ICRW, thanks Australia and New Zealand for their proposal.

We respect the judgement of the International Court of Justice (ICJ) on whaling in the Antarctic (Australia versus Japan, New Zealand intervening) rendered in March 2014 and view this as an important milestone for all contracting governments of the IWC in the interpretation of the legal framework for scientific whaling. As a result of the judgement we now understand the Court's views on obligations for granting permits for whaling for scientific purposes only, the use of lethal sampling should be as limited as possible in relation to achieving the programme's stated research objectives.

We also thank the Scientific Committee for the excellent work that has been done, at the request of IWC 65, to propose changes to "Annex P" on the process for the review of Special Permit Proposals and research results from existing and completed permits. This will certainly contribute greatly to integrating the principles and conclusions of the ICJ judgement into the working practices of the International Whaling Commission.

This was also the purpose of Resolution 2014-5, which was intended to allow further dialogue between Parties before any further special permits under existing or new programmes of whale research were granted. We looked for opportunities for dialogue, and as we, along with others, made clear in discussions with the Government of Japan in Tokyo, we were seriously concerned that the Government did not act consistently with Resolution 2014-5. Instead, the Government issued special permits for its "New Research Programme in the Antarctic" at a time when issues raised by the Scientific Committee and the Expert Panel in June 2015 remained unanswered and before the Committee had provided advice to the Commission and long before the Commission had considered the report of the Scientific Committee.

We are keen to keep the dialogue open and we agree with Australia and New Zealand that the discussion of special permit programmes should be afforded sufficient priority and time to allow adequate review at both Commission and Scientific Committee meetings.

If we clearly welcome the efforts aimed at facilitating the work of the Scientific Committee and of the Commission in reviewing Special Permit Proposals, we would however like more clarification on the tasks of the proposed new Working Group and on the way it will be able to help improve the review process. We are concerned that some of the tasks of the Working Group, as currently described, would in effect result in rewriting the findings of the Scientific Committee, possibly in a less precise manner and we consider this neither appropriate nor useful. Finally, we think that it is important to follow the path set out in Resolution 2014/5 which envisaged the IWC itself considering the new Annex P developed by the Scientific Committee. Therefore, we propose that the IWC should endorse the Annex at this meeting.

Agenda item 6.3: Resolution on Food Security

The Netherlands, speaking on behalf of the EU Member States Party to the ICRW, considers that food security is a vital global concern and an important element of Aboriginal Subsistence Whaling.

We are therefore grateful for bringing this issue to the attention of this Meeting. However, we have some important concerns with the text as proposed and would be grateful to the proponents for providing further explanation on the purpose of the Resolution.

Indeed, firstly, we remain of the view that most contracting governments of the IWC have already committed to the goals on defeating hunger and providing food security outlined in the Resolution through various other international agreements and declarations and these are the most appropriate fora for such issues.

Although the IWC can recognise the work done by competent international organisations, such as the FAO, it is not itself the forum for taking Resolutions on human rights as defined in other fora. Doing so calls into question the coherence of Governments' actions and policies.

Secondly, the ICW has its own objectives as set out in the ICRW itself.

Thirdly, we do not believe that the proponents intend to undermine the moratorium on commercial whaling: yet some operative paragraphs are so open that they could be read as doing so.

The text also sometimes creates the wrong impression that conservation measures threaten food security, which is certainly not the case.

We believe that the IWC, as the primary international body on cetacean conservation and management, should continue to draw attention to the consequences of unregulated or unmanaged hunts and cooperate with others in ending them. If the Resolution is to be acceptable to all, we consider that it should concentrate on identifying how this could be done. We would have numerous drafting suggestions, therefore, and would not be able to agree to the draft Resolution except with substantial changes.

Agenda item 6.4: Resolution on the Creation of a Fund to Strengthen the Capacity of Governments of Limited Means to Participate in the Work of the International Whaling Commission *

The Netherlands, on behalf of the EU Member States Party to the ICRW, recognizes the importance of effective participation of developing country Contracting Parties in the work of the IWC and is grateful to the work that has been done inter-sessionally on this issue by the Secretariat and the Working Group on Providing Options to Governments with Limited Means to Participate in the Commission's Work.

* An explanation of the vote (abstention since no time allowed for further coordination) was made after adoption of the Resolution by NL on behalf of the EU Member States Party to the ICRW.

We accept that the establishment of a draft Voluntary Fund for participation in IWC meetings would reflect common practice under multilateral agreements, where the EU and its Member States provide support for attendance at meetings.

However, we need to give due regard to Article III.5 of the Convention, which requires that the Contracting Governments pay their own costs. It is enshrined in a ratified treaty and as such, we could not support adopting a Resolution that would be in direct contradiction to the Convention.

We welcome the additional clarity provided by the guidelines in Annex 2 but consider that these need further discussion to ensure that they establish an appropriate framework for the Voluntary Fund. In particular, we need to define what kind of participation could be supported.

Nevertheless, we are willing to work together with the proponents to explore ways to overcome these difficulties.

Agenda item 6.5: Cetaceans and Ecosystem Services

The Netherlands, on behalf of the EU Member States Party to the ICRW, would like to thank Chile for proposing this Resolution on an important new subject.

We recognize the value of whales providing ecosystem services, which is becoming increasingly apparent as a result of recent scientific research, and we also recognize that whales can stimulate the ecosystem productivity.

We would therefore see the need for the Scientific Committee and the Conservation Committee to look more into this area of research.

Although we have some suggestions to strengthen the text, we would like to express our support for this Resolution.

Agenda item 6.6: Resolution on the Minamata Convention

The Netherlands, on behalf of the EU Member States Party to the ICRW, is grateful to Uruguay, Brazil and Colombia to bring forward this Resolution.

The health of oceans and marine biodiversity are negatively affected by marine pollution of various forms and from various sources. The increasing and constant presence of high levels of organic contaminants and heavy metals, including mercury, in the marine environment has been taking its toll on the conservation status of cetaceans and could, in certain specific cases, also entail effects on human health.

The issue is not new to the IWC. This Commission has already expressed its concern about the negative effects of environmental degradation on cetaceans, in particular the existence of high levels of organic contaminants and heavy metals, in a number of Resolutions in the past, including a Resolution submitted by the EU Member States Party to the Convention in 2012, which stressed the importance of continued scientific research with regard to the impact of the degradation of the marine environment on the health of cetaceans and related human health effects.

The EU Member States Party to the ICRW therefore support the need to ensure effective coordination and cooperation with all relevant fora and between all relevant organisations in order that the IWC is able to understand and address the effects of contaminants, in this case mercury in particular, on cetaceans.

In this regard, we agree on the importance of the Minamata Convention on Mercury, its ratification and implementation.

We believe that the Minamata Convention is the appropriate forum for handling many of the issues outlined in the Resolution.

We would also welcome further work by the Scientific Committee with a view to providing a state of knowledge on the presence of organic pollutants and heavy metals, including mercury, in cetaceans worldwide.

We are therefore ready to discuss the specific aspects of this draft Resolution.

Agenda item 6.7: Critically Endangered Vaquita

The Netherlands, on behalf of the EU Member States Party to the ICRW, are grateful for the draft Resolution, brought forward by the United States of America.

We are deeply concerned about the critical status of the Vaquita population, as was pointed out by the Scientific Committee in June, and we support efforts to save the species from extinction. In that spirit we also supported the recent IUCN Resolution and the CITES CoP17 Decision on totoaba and the impact of bycatch in the course of the illegal trade in totoaba on the population of the Vaquita.

We acknowledge the fact that these latest developments as well as the urgency of the situation with only less than 60 animals surviving, justify allowing an exemption from the 60 days rule for submitting new Resolutions to the IWC.

We do consider the IWC the international body for discussing this situation. Given the biennial cycle of the IWC meetings and the alarming decline of the Vaquita populations, we cannot afford to wait for two more years and must take urgent action now.

We regret that we find ourselves in this situation now as the deterioration of the status of the Vaquita has been an issue of great concern to the IWC for a long time, actually since 1974.

We are ready and willing to discuss the draft Resolution, brought forward by the United States of America now.

We support the Resolution and are willing to co-sponsor it.

We have some minor questions on the text and amendments which we will take up with the proponent and express, as appropriate, in the course of our discussions.

Agenda item 7: Aboriginal Subsistence Whaling

The Netherlands, speaking on behalf of the EU Member States Party to the ICRW, affirms that we are committed to the 2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP). Furthermore, we reiterate our commitment to protecting the social, economic and cultural needs of ASW communities, including the defense of their livelihoods. We reiterate, as set out in Resolution 2014-1, that ensuring proper management of Aboriginal Subsistence Whaling is a fundamental and integral part of the duties to be performed by the IWC.

As a general principle, we support proposals for the management of aboriginal subsistence whaling that ensure the conservation of cetacean populations, having due regard to the precautionary principle and the advice of the Scientific Committee, while also ensuring that whaling operations are properly regulated and catches remain sustainable within the scope of subsistence needs for local use, so that nutritional and cultural requirements can be met over the long term. We recognise that the IWC intends that the needs of ASW communities as referred to in Article 13 of the Schedule shall be determined by the Governments concerned and submitted to the Commission in explanation of their proposed schedule amendments.

We also acknowledge the need to regulate ASW through a more consistent and long-term approach. In this regard, we welcome the IWC Expert Workshop held in Maniitsoq in September 2015. We commend the work done, including the preparation of a new website, which we hope will allow the IWC to deliberate more effectively on ASW catch limits in the future.

Mr. Chairman,

Later, under Item 20.7, the IWC will be asked to adopt the report of the ASW Subcommittee and we are ready to do so as a record of the discussion at that meeting. We see this report as a good basis for further discussion. We note that the report asks the IWC to further consider the four recommendations of the Subcommittee and we are glad to do so.

- We very much welcome the recommendation about the presence of Dr Dorrough in this meeting.
- We take note of the recommendation to contribute to the voluntary fund for ASW.
- However, we need more time to consider the recommendation to change the terminology to “description of the hunt relevant to the catch/strike limit requests” and feel it is premature for the IWC itself to adopt new terminology at this meeting. We very much welcome further work in the Ad hoc ASW Working Group on this.

- Turning to the recommendation of the Subcommittee on the timeline set out in Table 2, without prejudice to any change in the existing terminology, we welcome this detailed approach. We do so on the understanding that the Contracting Governments concerned will continue to submit information in support of proposed catch limits for ASW to satisfy aboriginal subsistence needs.

We suggest the Maniitsoq workshop report be submitted to the ASW working group for further consideration and recommendation, as appropriate, to IWC-67 in 2018. We encourage all IWC contracting governments to actively follow-up and engage in the continuing work with a view to increasing understanding and improving procedures, including with regard to greater transparency, timely information and early dialogue, so as to ensure that ASW catch limit proposals can be decided at the next IWC meeting in 2018.

Agenda item 7.4.2: Stinky Whales

Thank you Chair.

The Netherlands is speaking on behalf of the EU Member States Party to the ICRW.

Although the reason for stinky whales remains unknown, the Russian Federation's reports to the IWC suggest that their incidence is decreasing and that hunters have become more skilled at identifying them at sea.

In 2007, reports indicated that this phenomenon affected up to ten percent of the whales in some hunting areas. However, the average incidence for the whole hunt over the last ten years is just three percent, or three to four whales per year.

We hope that this means the problem of stinky whales is a temporary one, but consider it would be beneficial for the Scientific Committee to investigate the reason for the small proportion of gray whales and other marine species in this region exhibiting this phenomenon.

We would welcome views on whether the Scientific Committee could, in conjunction with appropriate experts and the Russian Federation, develop a detailed workplan outlining the key aspects of this hunt and including a consideration of how this work might be funded, for our consideration at IWC 67.

Agenda item 8: Small Type Coastal Whaling

The Netherlands, speaking on behalf of the EU Member States Party to the ICRW, acknowledges the efforts by the Government of Japan to further engage with Parties to the International Whaling Commission on the issue of Small Type Coastal Whaling since the last IWC meeting. We take note of its discussion paper, aimed at sharing with the Commission at large the main thrust of the responses provided by a few Contracting Governments, including the EU Member States Party to the Convention, to the questionnaire on Small Type Coastal Whaling circulated earlier.

As we have stated in our answer, the EU and its Member States are strongly committed to the protection of whales. Our objective remains to ensure an effective international regulatory framework for the conservation and management of whales guaranteeing a significant improvement in the conservation status of whales in the long term and bringing all whaling operation under IWC control.

We have considered the questionnaire against the three types of whaling operations identified under the International Convention for the Regulation of Whaling and its Schedule, noting that the Government of Japan considers that their proposal does not introduce a new category of whaling but is intended to establish a catch limit for commercial whaling.

In consideration of this, we can only reiterate our strong support for the maintenance of the global moratorium on commercial whaling and our serious concerns about the impact of Small Type Coastal Whaling on whale populations, taking into account the commercial aspects.

Agenda item 11: Unintended Anthropogenic Impacts

The Netherlands, speaking on behalf of the EU Member States Party to the ICRW, would like to stress the importance of research into these kind of threats to the conservation status of whales and cetaceans.

The health of oceans and marine biodiversity has been the focus of increasing attention and a cause for serious concern. Environmental degradation from a number of sources has taken its toll on the state of the marine environment.

We are interested to hear about the progress that has been made in the POLLUTION 2000+ programme, the data on marine debris, including micro plastics, the bycatch of cetaceans in fisheries, especially of small cetaceans like dolphins, the entanglement of large whales in fishing gear, the results of the pre-meeting workshop in June 2016 on underwater noise, and the data on ship strikes.

We believe that sound science and reliable information are essential if we are to enhance the conservation status of whales and cetaceans in general.

Agenda item 12: The IWC in the Future

The Netherlands is speaking on behalf of the EU Member States Party to the ICRW.

We wish to thank Japan for their initiative.

[We would like to associate ourselves with the comments made by *[Australia/New Zealand/USA]*].

While we acknowledge that there are different positions in the IWC, we do not share the views expressed in some of the qualitative statements used in the objective and scope of this paper. As we have heard during the course of this meeting, this organisation is making some very important contributions to the conservation and management of cetaceans globally.

We remain committed to a dialogue with all Parties on all matters of relevance to the work of this organisation and we are willing to engage in any intersessional processes.

Agenda item 13: Whale Killing Methods and Welfare issues

Welfare issues

The Netherlands, on behalf of the EU Member States Party to the ICRW, welcomes the intersessional progress made to deliver on the ambitious Welfare Action Plan agreed at the last meeting of the IWC in 2014.

The welfare of cetaceans is an important issue globally. Welfare considerations are very much entwined with many of the issues the IWC already considers, including whale watching, ship strikes, entanglements, and stranded cetaceans.

We particularly note the positive outcomes from the welfare workshops organised by the UK and held in South Africa in May this year. These workshops were an important step towards improving our understanding and assessment of non-hunting threats to cetacean welfare and in working together to respond to stranding events. We would like to thank all those involved for contributing to this work and fully support the recommendations made in the workshop reports.

We look forward to further development of the proposed "cetacean welfare assessment tool" and urge all parties to engage in this new and positive area of work for the IWC.

Agenda item 14: Scientific Permits

The Netherlands is speaking on behalf of the EU Member States Party to the ICRW.

We would like to start by re-iterating our position - we do not consider there to be a need for lethal research on cetaceans and consider non-lethal means to be equally, if not more, effective.

We consider it important to engage in an open dialogue on all matters, whether we agree on an issue or not. This is why we were disappointed that Japan did not allow time for the Commission to receive and consider the reports and recommendations of the Scientific Committee before commencing a new special permit whaling programme in the Southern Ocean under Article 8 of the International Convention for the Regulation of Whaling.

The International Court of Justice's findings were clear - there are minimum characteristics that a special permit program should have in order to be considered for the purposes of scientific research. This was enshrined in Resolution 2014-5.

Whilst we do not support scientific whaling, we do recognise that it is permissible under the Convention. With this in mind, and in respecting Resolution 2014-5, we consider it appropriate that this Commission, as the decision making body, should be given the opportunity to comment on, and react to, the advice of its primary and internationally respected scientific body before any proposal for special permit whaling under Article 8 commences.

We will come back to the NEWREP-A programme later.

Agenda item 14.1: NEWREP-A

In considering the report of the independent Expert Panel which met in Tokyo in February 2015, and the subsequent deliberations by the Scientific Committee, the EU Member States Party to the ICRW are of the opinion that NEWREP-A did not demonstrate the need for lethal sampling. We strongly believe that the views of this panel, which had a balance of different views about the efficacy of lethal and non-lethal research, should be respected. We also note that this Panel concluded that a short period of two to three years to carry out further analyses would not have been detrimental to achieving the program's stated objectives.

We recognise the efforts of Japan to complete the Expert Panel's recommended analyses, but note that a sub-group of the Scientific Committee concluded by consensus in both 2015 and 2016 that the recommendations had not been fully implemented. Despite these conclusions whaling took place in the 2015-2016 season.

In the spirit of constructive dialogue and enhancing the reputation of the IWC, we would urge Japan to take all possible steps in the future to ensure full involvement of the Scientific Committee and Commission in the process of considering their new scientific whaling programme in the North Pacific in 2017.

Agenda item 17: Other Management Issues

Statement 1

The Netherlands is speaking on behalf of the EU Member States Party to the ICRW.

We would like to emphasize that the moratorium on commercial whaling has provided critical protection for great whales and continues to play an effective role in protecting whale populations, including by helping critically depleted populations to recover.

However, whaling for commercial purposes has been conducted every single year after the Moratorium came into effect – resulting in almost 15,000 minke and fin whales killed in North Atlantic waters by Iceland and Norway since then. We therefore strongly support maintaining the moratorium on commercial whaling and invite countries that continue commercial or other whaling activities to consider ceasing them and give full attention to the cumulative impacts of anthropogenic activities on cetaceans which pose a severe threat to the long-term survival of various populations. In addition, we are concerned that current self-allocated quotas for commercial whaling are undermining the moratorium.

Statement 2

The Netherlands, on behalf of the EU Member States Party to the ICRW, would like to express our concern about the drastic increase of exports of whale meat from Norway and Iceland to Japan in recent years.

In this context, we recall CITES Resolution 11.4 (Rev. CoP12) that “recommends that Parties [to CITES] agree not to issue any import or export permit, or certificate for introduction from the sea, under [CITES] for primarily commercial purposes for any specimen of a species or stock protected from commercial whaling by the International Convention for the Regulation of Whaling.”

We call on Norway, Iceland and Japan to stop their trade in whale meat and products and to reconsider their position on the listing of the great whales under Appendix I of the Convention on International Trade in Endangered Species (CITES). We reaffirm our strong support for this listing.

We also reaffirm our strong support for the maintenance of the internationally agreed moratorium on commercial whaling established under the International Whaling Commission. We call upon Iceland and Norway to also reconsider their position on this other issue.

Agenda item 18: Co-operation with other Organisations

The Netherlands, speaking on behalf of the EU Member States Party to the ICRW, would like to thank the Secretariat for the numerous and fruitful activities it undertook in fulfilling Resolution 2014-2 as outlined in Doc IWC/66/04.

We fully support the Secretariat in maintaining and deepening the cooperation with other organisations. The IWC can provide extensive expertise on the full range of cetacean issues and in turn profit from the knowledge that these organisations already have in order to create synergies and to avoid duplication of work.

In this regard, as cetaceans play an essential role in marine and freshwater ecosystems, we would like to highlight a few organisations where co-operation is important. These include the biodiversity-related conventions, the Biodiversity Liaison Group, CITES and IUCN. Other important partners within the UN-system are the IMO for ship strikes, anthropogenic noise and Arctic issues, the FAO and relevant regional fisheries management organisations (RFMOs) for their fishery-related work, including on strandings, and especially on the themes connected with animal welfare. We also wish to welcome the IWC By-catch initiative and the envisaged engagement of IWC with other relevant fora to address this issue. Key Regional Seas Organisations as well as CMS including ASCOBANS and ACCOBAMS are important as well. It goes without saying that the Scientific Committee should continue to engage with the scientific bodies of the relevant organisations too, as this has proven to be a very constructive and useful arrangement.

We again would like to thank the IWC and the Secretariat for their continuous efforts in this regard. We believe this is the right path to pursue, as these efforts have cemented our reputation as the body responsible for matters regarding cetaceans both large and small.

Closing statement *

Thank you, Chair,

The Netherlands, on behalf of the EU Member States Party to the ICRW, wishes to thank Slovenia for their efficient hosting of this meeting and their warm hospitality once again.

We wish to thank you, Mr. Chairman, for the effective running of the meeting and all the Chairs of the Committees for their important contribution to our work here.

We also thank the Secretariat for their hard work.

We achieved significant results in this week working together. We adopted a number of important Resolutions and discussed other matters.

We thank all participants for their constructive and cooperative spirit and we look forward to seeing you all again in Brazil in 2018.

* Agreed but not delivered, as no closing statements were made at the end of the session.