

Symposium on the State of Conservation of Whales in the 21st Century

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**WAYS FORWARD
FOR EVERYONE 😊**

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IWC Living Fossil Perspective

Where are we now?

- Much better than in the 1970's – 80's
- Worldwide: whale conservation initiatives
- Deadlock and worsening
 - For the whales
 - For the development of sovereign policies
 - For international legal stability
 - Time running out for a negotiated solution?

Current Realities

- Deadlock has nothing to do with ‘science’
- Resolution has nothing to do with how many whales are out there or what do they eat
 - No one but whalers living in 1946
 - Whales have become biodiversity resources, not ‘fisheries’ (‘whales-eat-fish’ myth only effective in Japanese bloc countries and even so...)
 - Many nations have decided on policy courses that exclude killing of whales in their own waters/regions

Current Realities

- ‘Whaling Bloc’ united in distress – not on actual needs – policies tied to Japan
- ‘Anti-whaling Bloc’ united on policy but with legitimate differences often overlooked/suspended due to need to overcome whalers’ radicalism

What can be done? IWC

- Stop using 'science' as a shield for political/policy issues
- Acknowledge/clearly state outstanding political issues (eg coastal whaling in Japan & whaling-free Southern Hemisphere)
- Find negotiating ground on core issues
 - Halt Southern Hemisphere whaling
 - Discuss solution (if any) for coastal whaling in whaling countries (prevent 'whaling imperialism' from resuming)
 - Find solution to enforcing agreements (Protocol? Other?)

What can be done?

MORE THAN IWC

- **Promote the development of regional non-lethal use and cooperation policy instruments in line with modern international law (eg Pacific MoU)**
- **Consider replacement for the ICRW (regardless of the whalers' fury or Like-Minded skepticism), e.g. independent panel of experts on policy and law aimed at bringing whale management into the 21st Century**
- **Continue to promote non-lethal appropriation of whale resources = biodiversity sharing**
- **Support sovereign policies in line with non-lethal use and community sharing of benefits**
- **Maintain international trade ban on whale killing by-products**

For Starters...

- Whaling-free Southern Hemisphere
 - Withdrawal of 'scientific whaling' fleet (details don't matter right now)
 - Development of appropriate regional framework(s) – CMS an option
- Agreement on best practices for compliance/control
- Cool-headed evaluation of coastal whaling claims/acceptability
 - Legitimate (tradition, scale, market)
 - Sustainable
 - Not infringing on use rights of others
 - Insured against misuse/abuse by adequate controls and policy agreements (no contraband, 'satellite' whaling or further destabilization of sovereign policies by economic lobbying)

Getting there...

- Japan to be willing to redefine their policy to exclude 'whaling imperialism' (in exchange for what?)
- Nordic whaling countries to stop stonewalling conservation on behalf of Japan
- Like-mindeds to maintain basic principles (whaling-free Southern Hemisphere, non-escalating catches, full accountability, promotion of non-lethal use) but be open **IF** whalers show interest in serious political negotiation
- Pursue political dialogue agenda within IWC and in other relevant fora

Getting there...

- Clean up agenda of IWC Plenary meetings for more detailed/open political discussion (NOT at expense of important issues)
- Chairman must work with everyone (in particular 'Japanese bloc') to put an end to derogatory language – Not censor strong arguments but prevent personal/country-oriented insults
- Pursue intersessional dialogue connected to IWC proceedings and with wide participation
- Set up (somebody else, not IWC itself) high-level independent commission/body to monitor progress in the IWC negotiations & evaluate global developments
- Try to agree on a consensus timetable to deal with outstanding issues (non-binding but useful to generate momentum)