

Annex F

Resolutions Adopted at the 61st Annual Meeting

Resolution 2009-1

CONSENSUS RESOLUTION ON CLIMATE AND OTHER ENVIRONMENTAL CHANGES AND CETACEANS

WHEREAS the Commission has adopted Resolutions regarding the impact of environmental changes on cetaceans since 1980¹;

NOTING that the Commission decided in 1993 that the Scientific Committee should give priority to research on the effects of environmental changes on cetaceans in order to provide the best scientific advice for the Commission to determine appropriate response strategies to these new challenges;

NOTING that the Scientific Committee identified the priority issues for cetaceans of climate/environmental change, ozone depletion and UV-B radiation, chemical pollution, impact of noise, physical and biological habitat degradation, effects of fisheries, disease and mortality events;

APPRECIATIVE of the efforts to date of the Scientific Committee to understand the impact of environmental changes, starting with workshops on chemical pollution and climate change/ozone depletion in 1995 and 1996 resulting in the development of long-term, multi-disciplinary, multi-national research programmes;

AWARE that knowledge about climate change has advanced substantially since the first IWC workshop in 1996 and that since that time, unequivocal greenhouse-gas induced global warming has been demonstrated, often at rates exceeding some worst-case modelling scenarios;

NOTING work by other international fora on climate change and its impacts on wildlife, ecosystems, and human society;

WELCOMING the report of the Costa Rica Workshop on Cetaceans and Other Marine Biodiversity of the Eastern Tropical Pacific held in February 2009;

WELCOMING the Report of the February 2009 International Whaling Commission Scientific Committee (IWC SC) workshop on cetaceans and Climate Change (SC/61/Rep4);

CONCERNED that, as stated by the IWC SC workshop, 'climate-related changes will impact negatively on at least some species and populations, especially those with small and/or restricted ranges, those already impacted by other human activities and those in environments subject to the most rapid change For these species there is a real potential for elevated risks of extinction.'

The Commission therefore:

ENDORSES the outcome of the climate change workshop and associated recommendations of the Scientific Committee given in IWC/61/Rep1, including the need to expand the current international multi-disciplinary efforts and collaborative work with other relevant bodies;

REQUESTS Contracting Governments to incorporate climate change considerations into existing conservation and management plans;

DIRECTS the Scientific Committee to continue its work on studies of climate change and the impacts of other environmental changes on cetaceans, as appropriate;

CALLS on Contracting Governments, IGOs and NGOs to support the expansion of this important work;

REQUESTS the Secretariat to forward this resolution and the workshop report (SC/61/Rep 4) to relevant bodies and meetings including inter alia the World Climate Conference, the UNFCCC and the IPCC in time for upcoming meetings; and

APPEALS to all Contracting Governments to take urgent action to reduce the rate and extent of climate change.

¹See Resolutions 1980-Appendix 10; 1981-Appendix 7; 1992-Appendix 2; 1993-Appendix 12; 1993-Appendix 13; 1994-13; 1995-10; 1996-8; 1997-7; 1998-5; 1998-6; 1999-5; 2000-6; 2000-7; and 2001-10.

Resolution 2009-2**CONSENSUS RESOLUTION ON THE EXTENSION OF THE SMALL WORKING GROUP ON THE FUTURE OF THE IWC UNTIL THE 62ND ANNUAL MEETING OF THE COMMISSION**

Accepting that:

- (1) the IWC is at a crossroads beset by fundamental disagreements as to its nature and purpose;
- (2) the future course of the IWC needs to be defined by broad agreement.

Recalling that:

- (1) by consensus IWC/60 decided to form a Small Working Group on the Future of the IWC (Annex B of IWC/60/24);
- (2) the Small Working Group had not been able to reach its ambitious goal of agreeing on a package or packages on the future of the IWC for the Commission's review by IWC/61 but had recommended that 'the efforts underway should be continued for a further year and decisions taken at IWC/62'.

Accordingly, by consensus the Commission **resolves** to:

- (1) intensify its efforts to conclude a package or packages by IWC/62 (2010) at the latest;
- (2) reconfirm the principles that nothing is agreed until everything is agreed and that any package must be seen as fair and balanced;
- (3) build upon the concept of a two-phase process and the progress reported in IWC/61/6;
- (4) reconfirm that discussion of the core issues will be conducted without prejudice to the principles held by IWC members;
- (5) reconstitute the Small Working Group for a further year under its original terms of reference; and
- (6) modify the *modus operandi* as outlined below:

- (a) the process will follow the principles outlined at IWC/61 -

- (i) recognise the advantages of miniaturisation and an effective communication system;
- (ii) involve delegations that are empowered to engage in constructive discussions aimed at reaching agreement by consensus; and
- (iii) allow the IWC Chair, at their discretion, to schedule a closed open-ended negotiating session or sessions when the circumstances are deemed to be ripe;

- (b) the IWC Chair, in consultation with the Advisory Committee, shall appoint a Support Group containing equitable geographic and socio-economic representation, and range of views to assist him/her in providing direction to the process and to assist in the preparation of material for submission to the Small Working Group;
 - (c) the Small Working Group shall operate on the same basis as the Commission with respect to being open to observers;
 - (d) the Chair of the IWC shall develop, in consultation with the Support Group, a communication plan to ensure that Contracting Governments and civil society receive, full and timely information on the progress of the process;
 - (e) the Chair of the IWC, in consultation with the Support Group, may appoint independent outside experts and/or facilitators in order to assist the Small Working Group process;
 - (f) the Small Working Group will submit its final report to the Commission at least five weeks prior to IWC/62;
 - (7) continue to work on remaining 'category (a) and (b)' issues in accordance with Annexes E and F of IWC/61/6, to be completed no later than the end of the interim 5-year period.
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