



## Report from the International Whaling Commission on progress relevant to the Resolution adopted by the General Assembly on 30 December 2022, 77/248 of Oceans and Law of the Sea

June 2023

### Summary

The International Convention for the Regulation of Whaling contains an integral Schedule which sets out specific measures that the IWC has collectively decided are necessary in order to regulate whaling and conserve whale stocks. In addition, the IWC co-ordinates and funds conservation work on many species of cetaceans. Through its Scientific Committee it undertakes extensive study and research on cetacean populations, develops and maintains scientific databases, and publishes its own peer reviewed scientific journal: the Journal of Cetacean Research and Management. The Convention has 88 member governments and over a hundred accredited observers.

The biggest threats to healthy cetacean stocks are not under the regulatory authority of the IWC and, as such the IWC places a high value on co-operation with other intergovernmental organizations, industry (fishing, shipping, etc.) and the wider non-governmental and research community, as well as on the development of regional approaches to conservation and management. The IWC is mandated to co-operate with other intergovernmental organisations including the International Maritime Organisation (IMO), the Food and Agricultural Organization of the United Nations (FAO), Regional Fisheries Management Organisations (RFMOs), UN Environment and the Biodiversity-related MEAs (particularly the Convention on Biological Diversity (CBD), Convention on Migratory Species (CMS) and Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The IWC is a member of the Liaison Group of Biodiversity-related Conventions (BLG) and is actively inputting to the development of the Post 2020 Framework for Biodiversity. The IWC is particularly pleased to be a member of the FAO's Regional Secretariat's Network in order to pursue collaboration with regional fishery bodies and RFMOs.

The work of the Commission and its subsidiary bodies has considered an ever-expanding range of issues that are also addressed by UNCLOS and by the UN General Assembly resolution 77/248 including:

- *Capacity building* – Nurturing scientists from developing countries is an important aspect of IWC work. Examples of our capacity building include the Global Whale Entanglement Response Network, creating a global network of professionally trained and equipped responders to whale entanglements. Secondly, the Bycatch Mitigation Initiative (BMI) works at building capacity within national governments and fisheries management bodies to help understand and select the most appropriate tools for bycatch assessment and management. The IWC also: supports the development of cetacean strandings response and investigation through the IWC Strandings Initiative; supports the development of a responsible whale



watching industry; allocates funds to priority projects on small cetacean conservation; and provides scientific advice on research projects and publication of papers. One of the aims of the IWC's Journal on Cetacean Research and Management is to support authors from developing countries. The IWC's MoU with ATLAFCO addresses capacity building, including through the hosting of an intern from COMHAFAT each year.

- *Sustainable fishing* – The IWC'S Bycatch Mitigation Initiative (BMI) addresses the critical need to monitor and mitigate cetacean bycatch in fisheries around the world. The BMI includes extensive collaboration with global, regional and community fisheries fostering an ecosystem approach to ensure viable fisheries. The IWC produced [factsheets](#) based on the FAO-and other partners [Guidelines on cetacean bycatch](#), which support the design and implementation of practical solutions for its mitigation. The BMI is also a collaborative partner in two interdisciplinary projects starting in 2023. The IWC is leading a Common Oceans ABNJ Tuna Phase II capsule project, in collaboration with RFBs and RFMOs in two ocean basins – the Indian Ocean and the Western Pacific. Secondly, IWC is a partner in the Coordinated Development and Implementation of Best Practices in Bycatch Reduction in the North Atlantic region – (CIBBRiNA) project was approved in March 2023 by the Programme for the Environment and Climate Action (LIFE). This project will work to achieve EU cross-border cooperation and fisheries engagement to improve knowledge on bycatch in different fisheries, to minimise bycatch of priority ETP species and to work towards science-based assessments of the impacts of bycatches on their populations.
- *Marine safety* – Ship strikes can have negative consequences for both humans and cetaceans, and the IWC has focussed on collaborative ways to minimise such occurrences including work with IMO, governments and regional organisations (e.g. on rerouting shipping lanes, speed reductions, guidance to marine users). The IWC continues to develop a global database of ship strikes continually adding historic and new records. This provides a useful resource for the assessment of shipping related mortality both spatially and temporally. The IWC is also pursuing alternative sources of vessel tracking data to inform researchers and policy makers.
- *Climate change* - This continues to be considered by the IWC's Scientific and Conservation Committees and a new programme of work is being developed. The Scientific and Conservation Committees have formed a new Climate Change Intersessional Correspondence Group. The joint intersessional group will consider a future workshop and how to bring more information on climate change issues into SC.
- *Marine debris* – A new [Resolution on Marine Plastic Pollution](#) was adopted by consensus at IWC68 (October 2022). The Resolution states that marine plastic pollution is now recognised as a major global threat to cetaceans (entanglement, ingestion), ocean and ecosystem health, biodiversity, livelihoods, and wild animal conservation and welfare, and that plastics contribute to climate change at each stage in their lifecycle. It referenced the adoption of UNEA Resolution 5/14 ('*End plastic pollution: Towards an international legally binding instrument*') in 2022 as a significant step towards addressing this major threat. There is an



opportunity for the IWC to contribute to these efforts by taking a lead in addressing the negative impacts of marine plastic pollution on cetaceans through actions that would be supportive of, but distinct from, the UNEA Resolution.

- *Chemical Pollution*- In response to the impacts of chemical pollutants on cetacean populations, the IWC Scientific Committee has initiated four comprehensive research programmes: Pollution 2000, Pollution 2000+, Pollution 2020 and the current programme Pollution 2025. In November 2021, Pollution 2025 held a workshop focusing on Cumulative Effects and Multiple Stressors. The workshop report and its recommendations have been published and are available [online](#). The IWC is also in collaboration talks with the Minamata Convention.
- *Marine Protected Areas* – The IWC has currently designated two Sanctuaries, the Indian Ocean Sanctuary and the Southern Ocean Sanctuary around Antarctica. The IWC also engages with the CBD process on scientific criteria for ecologically or biologically significant marine areas (EBSAs), the IUCN Important Marine Mammal Areas (IMMAs) and aspects of the IMO Particularly Sensitive Sea Areas (PSSAs). The Indian Ocean Sanctuary will be reviewed at the next SC meeting in 2024.
- *Underwater noise* - Since 2014, the IWC has been working to reduce anthropogenic underwater noise. This includes assisting with IMO initiatives, the development of guidelines for responsible seismic surveys and the minimisation of the impacts of marine renewable resource developments on cetaceans. Recent work focuses on engagement with IMO and efforts to address underwater noise from shipping. IWC members are part of the Correspondence Group currently reviewing the 2014 Guidelines for the Reduction of Underwater Noise. [A global review](#) on marine seismic surveys has begun and the survey is open to those who wish to participate.
- *Whales and ecosystems* - The IWC has long recognised the importance of whales in the functioning of ecosystems. The Commission adopted Resolutions directing work on the issue in [2016](#) and [2018](#) and the Conservation and Scientific Committees have both each focused efforts on different aspects of this topic. In recent years, a range of global organisations have contributed to a rapid increase in knowledge and interest in the role played by whales in ecosystems. The IWC/CMS will hold a workshop on modelling the contribution of cetaceans to ecosystem functioning in Bonn 14-16 November 2023. This will inform future research into the socioeconomic value of cetaceans' contributions to ecosystem functioning.

Because of the Covid-19 pandemic, the IWC held most of its meetings in a flexible format until recently. The Conservation Committee met virtually in September 2020, and the three Scientific Committee meetings were held virtually (2020-2022). After four years, the Commission met in person in Portoroz, Slovenia, in October 2022, and the Scientific Committee met in Bled, Slovenia, in April 2023.



## Detailed progress report relevant to sections of the General Assembly Resolution 77/248

### 1. Capacity building

Section II of Resolution 77/248 addresses the need for capacity building and paragraph 11 “Emphasizes that capacity-building is essential to ensure that States, especially developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, as well as coastal African States, are able to fully implement the Convention, benefit from the sustainable development of the oceans and seas and participate fully in global and regional forums on ocean affairs and the law of the sea”.

The IWC contributes to such capacity building efforts through a number of programmes:

1.1 *The IWC entanglement response programme* was established in 2011 to address the growing problem of whale entanglement in fishing gear and marine debris by building a global network of professionally trained and equipped entanglement responders. Since its first training workshop in 2012 this initiative has provided training to more than 1,293 participants from 34 countries. In addition, it has hosted apprentices from Argentina, Brazil, Chile, Mexico, Norway and Oman. The programme now has eight trainers from North, Central and South America, as well as the Pacific Islands and Africa, with the capacity to deliver training in English, Spanish and Portuguese. After a 2-year pause, due to the Covid-19 pandemic, in-person entanglement response training resumed with the first workshop completed in Chioggia, Italy, in October 2023. Currently, training is being organised for the Pelagos Sanctuary, and for bowhead whales with the Alaska native communities and the US Government.

1.2 The IWC *Bycatch Mitigation Initiative (BMI)* was established in 2016 in recognition that bycatch in fishing gear is the major conservation issue posed to cetaceans. The BMI aims to raise awareness, at national and international levels, of the need to address cetacean bycatch and share the tools available to understand and mitigate the issue. It aims to promote solutions for monitoring and management and promote collaborative, multi-disciplinary and inclusive approaches to bring about lasting change. The BMI is collaborating with partners to build capacity within national governments and fisheries management bodies, to support decision makers in with the most appropriate tools for bycatch assessment and management. Since July 2022, Bycatch Risk Assessments (ByRA) training courses have been taught in Thailand and one is being planned for Colombia in partnership with Dr Ellen Hines. Additionally, the BMI is advancing on pilot projects in Peru and the Republic of Congo to test and demonstrate locally led solutions and is working on novel approaches to sustainable financing for bycatch research and management implementation. The IWC Secretariat with the FAO has finalised the production of [factsheets](#) that support implementation of the marine mammal bycatch guidelines. This collaboration also includes the Common Oceans ABNJ Tuna



Phase II capsule project with an initial assessment of available data and information on bycatch, fishing effort, and, if possible, the status of cetacean populations in the Indian and Western Pacific regions that are prone to bycatch and entanglement. The Programme for the Environment and Climate Action (LIFE) approved the CIBBRiNA project in March 2023. This project will promote EU cross-border cooperation and fisheries engagement to improve bycatch knowledge in different fisheries, minimise bycatch of priority ETP species, and develop science-based bycatch population impacts assessments. The BMI's Expert Panel also provides multi-disciplinary expertise and provides technical advice upon request.

- 1.3 The IWC *Strandings Initiative* aims to build capacity of countries to respond to and investigate cetacean strandings. This includes the provision of virtual, real-time advice during ongoing strandings events, allocation of funding for emergency response and investigations, support for the development of strandings networks and training in “on the beach” response and necropsy.
- 1.4 The IWC *Small Cetacean Conservation Research Fund* supports high priority research and capacity building projects that improve conservation outcomes for populations of small cetaceans, particularly those that are threatened or especially vulnerable to human activities.
- 1.5 Ongoing research led the IWC to develop the General Principles for sustainable whale watching to help guide the development of whale watching regulations around the world. These were updated in 2022 and are available [online](#). The IWC Whale Watching Strategic Plan (2018-2024) and related work of the IWC Scientific and Conservation Committees includes a significant component on capacity building. The programme facilitates cooperation and sharing of information/expertise amongst Contracting Parties and others to support the development of responsible whale watching and the provision of benefits to local communities. The IWC/CMS [Whale Watching Handbook](#) is a comprehensive online tool for regulators, industry, and the general public.
- 1.6 The Commission *Voluntary Assistance Fund* provides support for countries of limited means to participate in the work of the Commission. The IWC made such funding available to support participation of African, Latin American and Small Island Developing States' government delegates and researchers in its Commission meeting in October 2022 and its Scientific Committee meeting in April 2023.
- 1.7 The IWC's Journal of Cetacean Research and Management actively encourages and supports scientists from developing countries in publishing their work in an international peer-reviewed, fully open access journal that has no fees.



1.8 In collaboration with ATLAFCO/COMHAFAT (also a member of RSN), the IWC launched a programme to host interns from African countries within the Secretariat. A pilot internship was implemented in September-October 2022 as an opportunity for direct, hands-on engagement in the preparatory work in the lead-up to the Commission meeting and the running of the meeting itself. The IWC and ATLAFCO/COMHAFAT signed a Memorandum of Understanding at the Commission meeting to continue working together.

## 2. Marine environment and marine resources

Section X of Resolution 77/248 addresses the Marine environment and marine resources and the need to protect and preserve the marine environment and its living marine resources against pollution and physical degradation. This reflects key priorities for the IWC which is active in several areas addressed in this section including:

### 2.1 Climate change

Paragraphs 212, 213 and 214 of the Resolution “Notes with concern the impacts of climate change...”, “Also notes with concern the findings of the Intergovernmental Panel on Climate Change in its successive reports” and “Recognises the importance of improving understanding of the impact of climate change on oceans and seas.”

IWC’s current work on climate change is primarily undertaken by the IWC’s Scientific Committee, though the topic is now addressed jointly with the Conservation Committee. This has been and continues to be considered through a range of scientific and technical workshops and has included work focussed on biological, socio-economic and development effects on the Arctic. The Scientific Committee recognises that climate change has a bearing on work across its entire agenda, given the far-reaching implications to cetaceans of observed and predicted changes in the marine environment and associated changes in human behaviour.

In December 2021, the IWC held the fifth in a series of workshops on climate change. An expert group gathered virtually to review the latest scientific research and assess both observed and predicted effects of climate change on cetaceans, including on their prey and habitats. The workshop report and its recommendations was presented at IWC68 ([report here](#)) and endorsed, including the Terms of Reference for the new Climate Change Intersessional Correspondence Group, run jointly by the Scientific and Conservation Committee. The joint intersessional group includes 80 people from around the world. Intersessional work will focus on consideration of a future workshop and how to attract more information on climate change related issues into SC.

### 2.2 Marine pollution

Paragraph 229 of the Resolution recalls that in “The future we want”, States noted with concern that the health of oceans and marine biodiversity are negatively affected by marine pollution,



including marine debris, especially plastic, persistent organic pollutants, heavy metals and nitrogen-based compounds, from a number of marine and land-based sources.'

### 2.3 Marine debris

Paragraph 236 (*inter alia*) notes the work of the International Whaling Commission on assessing the impacts of marine debris on cetaceans. The IWC has undertaken extensive work on this issue to understand and mitigate potential threats from a range of different types of debris. At IWC68 the Commission endorsed the signing of a Statement of Support for collaboration with Global Ghost Gear Initiative (GGGI). Final discussions are underway as to the activities involved with this collaboration. In addition, the IWC is part of the Global Partnership on Marine Litter and continues to facilitate communication between stakeholders in the Arctic for the purposes of assessing the extent, and possible removal of, ghost crab gear from bowhead whale habitat.

A new [Resolution on Marine Plastic Pollution](#) was adopted by consensus at IWC68. The Resolution states that marine plastic pollution is now recognised as a major global threat to ocean and ecosystem health, biodiversity, livelihoods, and wild animal conservation and welfare, and that plastics contribute to climate change at each stage in their lifecycle. It referenced the adoption of UNEA Resolution 5/14 (*'End plastic pollution: Towards an international legally binding instrument'*) in 2022 as a significant step towards addressing this major threat. There is an opportunity for the IWC to contribute to these efforts by taking a lead in addressing the negative impacts of marine plastic pollution on cetaceans through actions that would be supportive of, but distinct from, the UNEA Resolution. To this end, the IWC Secretariat attended the webinar series organised by the High Ambition Coalition (HAC) including "Increasing Circularity of Plastics in the Economy", "Eliminate and restrict hazardous chemicals and intentionally added microplastics" and "Enhance a circular plastics economy, eliminate release of plastic to nature and clean up existing plastic pollution".

### 2.4 Chemical pollution

The IWC has been concerned about the impact that chemical pollutants may have on cetacean populations since the early 1980s. Many chemical pollutants, particularly the persistent organic pollutants are 'endocrine disrupters' and as such they can increase susceptibility to disease and reduce reproductive success. This is a complex issue given the huge number of synthetic chemicals introduced into the environment, the ways in which they may interact with each other, the difficulty in establishing whether they cause adverse health effects, and the difficulty quantifying any potential impacts on whale populations.

In response to this challenge, the IWC Scientific Committee has initiated four comprehensive research programmes: Pollution 2000, Pollution 2000+, Pollution 2020 which recently concluded its work, and the current Pollution 2025 programme. A summary of the major activities that have occurred during the first three phases of the IWC Environmental Concerns Pollution Initiative (2000, 2000+, 2020) was presented to the IWC Scientific Committee (Hall, 2020) and is available [here](#). Among other important outcomes, an individual based model to assess risks to cetacean



populations was developed and is now available as open-source model through the IWC website which also includes a contaminant mapping tool (<https://iwc.int/chemical-pollution>). The Pollution 2025 Cumulative Effects and Multiple Stressors Workshop was held in November 2021, where they discussed and recommended new methods to assess pollution effects, how to use and combine different sources of information, and population consequences of exposure to multiple stressors ([report here](#)). The IWC Scientific Committee recognised (SC20121, 2179, 2268) the importance of the 'One Health' approach which recognises that the health of people is closely connected to the health of animals and our shared environment. The IWC is also in discussions with the Minamata Convention to explore ways in which both organisations can collaborate.

### 3. Marine biodiversity

Section XI of Resolution 77/248 addresses the conservation and sustainable use of Marine Biodiversity. Ongoing IWC work directly contributes to priorities in this section including:

Paragraph 273 specifically relates to areas beyond national jurisdiction and, “the conservation and sustainable use of marine biological diversity” IWC is working with FAO and RFMOs to investigate effective management and mitigation of fisheries in regard to bycatch in both the Indian and Pacific Ocean basins as well as in the North Atlantic Region with the CIBBRiNA project partners (See Section 1.2 *Bycatch Mitigation Initiative*).

#### 3.1 Area based management

Paragraphs 282-292 of Resolution 77/248 address area-based management including marine protected areas. Paragraph 287 notes the work of States, relevant intergovernmental organisations and bodies, including the Convention on Biological Diversity, in the assessment of scientific information on and compilation of ecological criteria for the identification of marine areas that may require protection. The IWC has actively engaged in CBD work on the application of scientific criteria for ecologically or biologically significant marine areas (EBSAs) and aspects of the IMO Particularly Sensitive Sea Areas (paragraph 291). In addition, IWC collaborates with the IUCN led programme for the development of Important Marine Mammal Protected Areas (IMMAs).

Two Sanctuaries are currently designated by the International Whaling Commission. The Indian Ocean Sanctuary was established in 1979 and covers the whole of the Indian Ocean south to 55°S. The second sanctuary was adopted in 1994 and covers the waters of the Southern Ocean around Antarctica. A revised Southern Ocean Sanctuary Management Plan was endorsed by the Commission in 2018. The Southern Ocean sanctuary was reviewed at the SC meeting in April 2023 and preparations to review the IO Sanctuary are being set for next year. A form will be set up on the IWC website where researchers will be able to submit information regarding cetaceans in the IO region.





### 3.2 Ocean noise

Paragraph 299 notes (*inter alia*) the potential significant adverse impacts of ocean noise on living marine resources, affirms the importance of sound scientific studies in addressing this matter, and encourages further research, studies and consideration of the impacts of ocean noise on living marine resources.

Paragraph 302 calls for further research into, and testing of, technologies to reduce the impact of underwater noise on marine life.

Paragraph 303 calls for continuing collaboration between organisations and IMO.

[Resolution 2018-4](#) on underwater anthropogenic noise was adopted at IWC67. The Resolution called on both the SC and CC to work on aspects of underwater noise and its impacts on cetaceans and their prey, as well as mitigation and management (Resolutions CO1880 and CO1881).

The IWC Conservation Committee developed a new work programme focused on management and mitigation of underwater noise in 2020. The workplan led by the Conservation Committee's Anthropogenic Underwater Noise Intersessional Correspondence group was endorsed at IWC68. Ongoing initiatives developed by the Conservation and Scientific Committees include reviewing the effects of underwater noise on beaked whales (jointly with CMS) and implementing global reviews on seismic surveys.

IWC also collaborates closely with IMO. In 2022, the IMO established a correspondence group, coordinated by Canada, to work on updating the IMO guidelines on reducing underwater noise from commercial shipping in order to address adverse effects on marine life, as well as identifying next steps. IWC was a member of the correspondence group that submitted its report to the IMO Sub-Committee on Ship Design and Construction (SDC) at its 9th meeting in January 2023. The IWC representatives attended the SDC9 meeting, which agreed on revised guidelines and continued the correspondence group's work on next steps. In early 2023, this group will report back to SDC 10. The correspondence group includes IWC. The revised guidelines will be formally considered for adoption at the July 2023 meeting of the IMO Marine Environment Protection Committee (MEPC 80).

### Paragraphs 299-305

IWC sent a letter of support and will continue to engage with the IMO GloNoise project. The objective of the project is to establish a global partnership to engage and assist developing countries to raise awareness, build capacity, define baselines and promote international policy dialogue on mitigation of underwater noise from shipping. The specific objective of the GloNoise Partnership is to create a partnership of Lead Pilot Countries (LPCs) and support them, via engagement with IMO, private sector and strategic partners from developed countries, to tackle the major environmental issue of underwater noise pollution from shipping sector.



#### 4. Marine Science

Section XII of Resolution 77/248, paragraph 306 addresses the continued need to *“improve understanding and knowledge of the oceans and the deep sea, including, in particular, the extent and vulnerability of deep sea biodiversity and ecosystems, by increasing their marine scientific research activities.”*

Ongoing IWC work directly contributes to the section's priorities, including a recent SC recommendation on deep sea mining (subject to approval by the end of July). In addition, upcoming reviews on the Indian Ocean Sanctuary will include a compilation of research on cetaceans in the area.

Paragraph 308 calls for coordinated research on human related threats in order to prevent and reduce impacts. The IWC works on the majority of the threats listed (as outlined above) with an international group of scientists passing on recommendations for prevention and mitigation to member countries.

Paragraph 324-5 IWC is in discussion with UN Ocean Decade (Intergovernmental Oceanographic Commission) for possible collaboration as there are numerous areas of common interest and synergy between the UN Ocean Decade priorities for the Southern Ocean and the work of the IWC-SC.

#### 5. Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

Finally, paragraph 331 *“Reiterates the need to strengthen the regular scientific assessment of the state of the marine environment in order to enhance the scientific basis for policymaking.”*

Each Scientific Committee meeting receives a report on the State of the Cetacean Environment (SOCER). These environmental updates were first requested by the Commission in 1997 and have been produced annually since 2003 in order to help inform IWC discussions. Reports are available [online](#).



## References

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**Infographic (2021) summarising current major threats to cetaceans and ongoing IWC work to address themes**

