



International Whaling Commission

Chairman
Com. Henrik Fischer (Denmark)

Vice-Chairman
Mr. Horst Kleinschmidt (South Africa)

Secretary
Dr Nicky Grandy

The Red House
135 Station Road
Impington, Cambridge
CB4 9NP UK

Tel: +44 (0) 1223 233971
Fax: +44 (0) 1223 232876
Email: secretariat@iwcoffice.org
Internet: www.iwcoffice.org

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Amendments to the Schedule International Convention for the Regulation of Whaling, 1946

At the 56th Annual Meeting of the International Whaling Commission held in Sorrento from 19-22 July, no modifications were made to the provision for zero catch limits for commercial whaling with effect from the 1986 coastal and the 1985/86 pelagic seasons. The following amendments to the Schedule of the International Convention for the Regulation of Whaling are therefore necessary (changes in ***bold italics*** type):

Paragraphs 11 and 12, and Tables 1, 2 and 3:

- Substitute the dates ***2004/2005*** pelagic season, ***2005*** coastal season, ***2005*** season, or ***2005*** as appropriate.

With respect to aboriginal subsistence whaling, the Commission agreed to the following amendments to paragraph 13:

- Delete the words in 13 (b) (2): ‘...whose traditional aboriginal subsistence and cultural needs have been recognized.’
- Add a new paragraph 13 (a) (4) to read: ***13 (a) (4) For aboriginal whaling conducted under subparagraphs (b) (1), (b) (2), and (b) (3) of this paragraph, it is forbidden to strike, take or kill calves or any whale accompanied by a calf. For aboriginal whaling conducted under subparagraphs (b) (4) of this paragraph, it is forbidden to strike, take or kill suckling calves or female whales accompanied by calves.***
- Delete items 13 (b) (1) (ii) and 13 (b) (2) (ii).
- Add a new paragraph 13 (a) (5) to read: ***13 (a) (5) All aboriginal whaling shall be conducted under national legislation that accords with this paragraph.***
- Delete the words in paragraph 13 (b) (4):
- Such whaling must be conducted under formal legislation that accords with the submission of the Government of St. Vincent and The Grenadines (IWC/54/AS 8 rev. 2).

A revised version of paragraph 13 is attached.

In accordance with Article V of the Convention, these amendments become effective with respect to each Contracting Government ninety days following the date of this letter, unless any Contracting Government lodges an objection, in which case the procedure under Article V, paragraph 3 of the Convention will be followed.

The ninety days period will expire on **28 October 2004**. In the absence of objections by that date the amendments will become effective. Contracting Governments will be notified accordingly.

Contracting Governments are reminded that Article V paragraph 3 of the Convention requires them to acknowledge receipt of this notification of amendments. In order to encourage compliance with this requirement, a form of acknowledgement is attached, to be completed and returned by post, fax or-email as is most convenient.

Dr. Nicky Grandy
Secretary to the Commission

13. (a) Notwithstanding the provisions of paragraph 10, catch limits for aboriginal subsistence whaling to satisfy aboriginal subsistence need for the 1984 whaling season and each whaling season thereafter shall be established in accordance with the following principles:

- (1) For stocks at or above MSY level, aboriginal subsistence catches shall be permitted so long as total removals do not exceed 90 per cent of MSY.
- (2) For stocks below the MSY level but above a certain minimum level, aboriginal subsistence catches shall be permitted so long as they are set at levels which will allow whale stocks to move to the MSY level.¹
- (3) The above provisions will be kept under review, based upon the best scientific advice, and by 1990 at the latest the Commission will undertake a comprehensive assessment of the effects of these provisions on whale stocks and consider modification.
- (4) For aboriginal whaling conducted under subparagraphs (b)(1), (b)(2), and (b)(3) of this paragraph, it is forbidden to strike, take or kill calves or any whale accompanied by a calf. For aboriginal whaling conducted under subparagraphs (b)(4) of this paragraph, it is forbidden to strike, take or kill suckling calves or female whales accompanied by calves.**
- (5) All aboriginal whaling shall be conducted under national legislation that accords with this paragraph.**

(b) Catch limits for aboriginal subsistence whaling are as follows:

(1) The taking of bowhead whales from the Bering-Chukchi-Beaufort Seas stock by aborigines is permitted, but only when the meat and products of such whales are to be used exclusively for local consumption by the aborigines and further provided that:

- (i) For the years 2003, 2004, 2005, 2006 and 2007, the number of bowhead whales landed shall not exceed 280. For each of these years the number of bowhead whales struck shall not exceed 67, except that any unused portion of a strike quota from any year (including 15 unused strikes from the 1998 – 2002 quota) shall be carried forward and added to the strike quotas of any subsequent years, provided that no more than 15 strikes shall be added to the strike quota for any one year. []
- (ii) This provision shall be reviewed annually by the Commission in light of the advice of the Scientific Committee.
- (iii) The findings and recommendations of the Scientific Committee's in-depth assessment for 2004 shall be binding on the parties involved and they shall modify the hunt accordingly.

(2) The taking of gray whales from the Eastern stock in the North Pacific is permitted, but only by aborigines or a Contracting Government on behalf of aborigines, and then only when the meat and products of such whales are to be used exclusively for local consumption by the aborigines []

- (i) For the years 2003, 2004, 2005, 2006 and 2007, the number of gray whales taken in accordance with this sub-paragraph shall not exceed 620, provided that the number of gray whales taken in any one of the years 2003, 2004, 2005, 2006 and 2007 shall not exceed 140. []
- (ii) This provision shall be reviewed annually by the Commission in light of the advice of the Scientific Committee.

(3) The taking by aborigines of minke whales from the West Greenland and Central stocks and fin whales from the West Greenland stock is permitted and then only when the meat and products are to be used exclusively for local consumption.

- (i) The number of fin whales from the West Greenland stock taken in accordance with this sub-paragraph shall not exceed the limits shown in Table 1.
- (ii) The number of minke whales from the Central stock taken in accordance with this sub-paragraph shall not exceed 12 in each of the years 2003, 2004, 2005, 2006 and 2007, except that any unused portion of the quota for each year shall be carried forward from that year and added to the quota of any subsequent years, provided that no more than 3 shall be added to the quota for any one year.
- (iii) The number of minke whales struck from the West Greenland stock shall not exceed 175 in each of the years 2003, 2004, 2005, 2006 and 2007, except that any unused portion of the strike quota for each year shall be carried forward from that year and added to the strike quota of any subsequent years, provided that no more than 15 strikes shall be added to the strike quota for any one year. This provision will be reviewed if new scientific data become available within the 5 year period and if necessary amended on the basis of the advice of the Scientific Committee.

(4) For the seasons 2003-2007 the number of humpback whales to be taken by the Bequians of St. Vincent and The Grenadines shall not exceed 20. The meat and products of such whales are to be used exclusively for local consumption in St. Vincent and The Grenadines. [] The quota for the seasons 2006 and 2007 shall only become operative after the Commission has received advice from the Scientific Committee that the take of 4 humpback whales for each season is unlikely to endanger the stock.