Council of the European Union

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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	69th meeting of the International Whaling Commission (IWC69) (Lima, Peru, 23 - 27 September 2024) - Information from the Presidency and the Commission

Delegations will find in the Annex an information note from the Presidency and the Commission on the above subject, to be dealt with under "Any other business" at the Council (Environment) meeting on 14 October 2024.

ANNEX

69th meeting of the International Whaling Commission (IWC69)

(Lima, Peru, 23 - 27 September 2024)

- Information from the Presidency and the Commission -

The International Whaling Commission held its 69th biennial meeting (IWC69) from 23 to 27 September 2024 in Lima, Peru. The meeting took place at a critical juncture for the IWC, amid a severe budget crisis, over one million GBP in arrears, quorum disputes, growing commercial whaling and trade in whale products, and growing challenges to the IWC's authority as the primary body for cetacean conservation and management. 65 countries and about 400 participants gathered, including 22 EU Member States (Greece, Latvia and Malta are not Parties; Estonia and Slovenia were absent). As with previous meetings, IWC69 revealed the persistent divide at the core of its work between:

- **The "Sustainable Use – Pro-Whaling" Camp (minority)**: Key members include Iceland, Norway, Russia, and most West-African, Caribbean, and Pacific countries, influenced heavily by non-member Japan. They argue that whaling can be managed sustainably, particularly for food security and cultural reasons, and that whale populations have recovered enough to justify such practices.
- **The "Conservation – Anti-Whaling" Camp (majority)**: Comprised of the EU Member States alongside the United States, Australia, New Zealand, the Buenos Aires Group, Monaco, Israel, and a few others, this camp opposes all forms of commercial whaling and pushes for stronger conservation measures, including the establishment of whale sanctuaries and an indefinite continuation of the global moratorium on whaling.

Outcomes of IWC69

Quorum, Exceptional Circumstances, and Repayment Plans: No agreement was reached on changing quorum rules, which have previously hindered decision-making, as seen at IWC68 when sustainable use countries walked out. New proposals will be presented at IWC70. The IWC introduced a process allowing countries to request the restoration of voting rights if exceptional circumstances, like natural disasters, prevent them from paying contributions, subject to IWC leadership's approval. Additionally, a more accessible repayment plan was adopted, enabling countries in arrears to restore voting rights by making an initial partial payment and committing to repay the remaining debt over time.

Aboriginal Subsistence Whaling (ASW) Quotas: While the process has usually been marked by lengthy negotiations, the IWC made a historic decision to automatically renew the ASW quota for 2025-2031 by consensus, the first time this has been achieved. This renewal highlights the cultural and subsistence needs of Indigenous Peoples in Alaska, Greenland, the Russian Arctic, and St. Vincent and the Grenadines. Further, debate arose over the term "aboriginal," with some countries advocating for more inclusive language. The ASW Sub-Committee will address this issue and report on any changes at IWC70.

South Atlantic Whale Sanctuary (SAWS): A proposal to establish the SAWS, led by Brazil, Argentina, and Uruguay, again fell one vote short of the required three-fourths majority. Proponents argued it would protect cetaceans in the South Atlantic, while opponents questioned its scientific basis and saw it as a shift from the IWC's original mandate. Despite this setback, the proponents plan to reintroduce it at IWC70.

Resolutions: All EU-proposed resolutions were adopted, with those on cooperation with the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) to strengthen whale protections in the Southern Ocean, and synergies between the IWC, the Convention on Biological Diversity (CBD), the Global Biodiversity Framework (GBF), and the Agreement on Marine Biodiversity Beyond National Jurisdiction (BBNJ) passing by consensus. A more contentious resolution reaffirming international legal obligations on whaling, submitted in response to recent activities by Japan, Iceland and Norway, also passed with 37 votes. Proposals on whaling and food security, as well as lifting the 1986 moratorium, sparked debate but were withdrawn for further work during the intersessional period.

Budget: At IWC69, budget discussions highlighted the IWC's ongoing financial difficulties. A revised biennial budget was approved with a 3% increase in member contributions for 2025 and 2026, down from an initially proposed 5%. This lower increase led to cuts in areas like digital upgrades and IWC Secretariat travel. The reduction in the Scientific Committee's budget, considered crucial to the IWC's work, sparked concern, with several countries and NGOs pledging voluntary contributions to mitigate the impact. Additionally, funding was reallocated to support a global risk assessment on marine plastic pollution in follow-up to the respective EU resolution adopted at IWC68.

Looking Forward to IWC70

IWC70 is scheduled for September/October 2026 in Australia (possibly Brisbane). It will be chaired by Dr Nick Gales (Australia), who served as Acting Vice-Chair during IWC69 due to Chair Amadou Telivel Diallo (Guinea) being unable to attend the meeting because of transit visa issues. Dr Urbain Brito (Benin) was elected Vice-Chair. IWC70 will be prepared by the EU Council Presidency's of Cyprus (January-June 2026) and Ireland (July-IWC70). In the intersessional period, a new Council decision on a common position for the next IWC meetings will have to be prepared.