


Procedure file

| Basic information | |
|--|---------------------|
| INI - Own-initiative procedure | 2008/2101(INI) |
| Community action in relation to whaling | Procedure completed |
| Subject | |
| 3.15 Fisheries policy | |
| 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity | |

| Key players | | | |
|-------------------------------|--|---|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | PECH Fisheries | | 02/04/2008 |
| | | ALDE ATTWOOLL Elspeth | |
| | Committee for opinion | Rapporteur for opinion | Appointed |
| | ENVI Environment, Public Health and Food Safety | | 11/07/2008 |
| | | Verts/ALE SCHLYTER Carl | |
| Council of the European Union | Council configuration | Meeting | Date |
| | Environment | 2784 | 05/06/2008 |
| European Commission | Commission DG | Commissioner | |
| | Maritime Affairs and Fisheries | BORG Joe | |

| Key events | | | |
|------------|--|---|---------|
| 19/12/2007 | Non-legislative basic document published | COM(2007)0823 | Summary |
| 24/04/2008 | Committee referral announced in Parliament | | |
| 21/01/2009 | Vote in committee | | Summary |
| 27/01/2009 | Committee report tabled for plenary | A6-0025/2009 | |
| 19/02/2009 | Results of vote in Parliament |  | |
| 19/02/2009 | Decision by Parliament | T6-0067/2009 | Summary |
| 19/02/2009 | End of procedure in Parliament | | |

| Technical information | |
|----------------------------|---|
| Procedure reference | 2008/2101(INI) |
| Procedure type | INI - Own-initiative procedure |
| Procedure subtype | Initiative |
| Legal basis | Rules of Procedure EP 52-p4; Rules of Procedure EP 52 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | PECH/6/61077 |

| Documentation gateway | | | | | |
|---|------|-------------------------------|------------|----|---------|
| Non-legislative basic document | | COM(2007)0823 | 19/12/2007 | EC | Summary |
| Committee draft report | | PE405.970 | 14/10/2008 | EP | |
| Committee opinion | ENVI | PE412.088 | 11/11/2008 | EP | |
| Amendments tabled in committee | | PE415.183 | 18/11/2008 | EP | |
| Committee report tabled for plenary, single reading | | A6-0025/2009 | 27/01/2009 | EP | |
| Text adopted by Parliament, single reading | | T6-0067/2009 | 19/02/2009 | EP | Summary |
| Commission response to text adopted in plenary | | SP(2009)2154 | 26/06/2009 | EC | |

Community action in relation to whaling

PURPOSE: to establish an effective international regulatory framework for the comprehensive protection of whales.

CONTENT: extensive exploitation of whales and environmental degradation have severely depleted the populations of many whales. The international work to conserve and manage whale stocks carried out by the International Whaling Commission (IWC) is weakened as a result of the endless discussions between 'pro-whaling' and 'anti-whaling' States. The European Union has not yet been able to use its political weight in the IWC context mainly because of the lack of a coordinated and agreed Community position.

With this communication, the Commission intends to underline the need for the EU to act as a united major player in international whaling policy.

The International Whaling Commission (IWC), set up by the International Convention for the Regulation of Whaling signed in Washington D.C., on 2 December 1946, is the international organisation competent for the conservation and management of whale stocks. The European Community has observer status. The IWC adopted a moratorium on commercial whaling in 1982, which is in force since 1985. In adopting this measure the IWC took into account the uncertainties in the scientific information on whale stocks and the difficulty in obtaining the required data.

The need to develop new management objectives and procedures was recognised at the outset of IWC discussions on future management of commercial whaling, following the entry into force of the moratorium. Accordingly, work was undertaken to develop a Revised Management Procedure (RMP). The RMP would establish catch limits based on scientific data on whale populations. Although the procedure was adopted in 1994, it has not been applied yet pending further work on the Revised Management Scheme (RMS). The RMS would seek to ensure that the regulations of the IWC are complied with. It would include a wide range of control measures in this context.

The lack of effective application of the ban due to reservations and objections and the lack of appropriate regulation of scientific whaling, which is carried out outside any adequate international management regulatory framework, undermine the purpose of the moratorium on commercial whaling. Any long-term solution for a better regulation of whaling should in principle address comprehensively all whaling activities currently carried out under the different legal headings of the Convention, be they commercial whaling, scientific whaling, whaling conducted under an objection (Norway) or a reservation (Iceland), as well as aboriginal subsistence whaling. Issues such as a stringent compliance regime, monitoring and reporting, etc. would also need to be addressed.

The overarching long-term objective of the Community should be to ensure an effective international regulatory framework for the comprehensive protection of whales. In this respect, the Community should support strengthening cooperation in and enhancing the effectiveness of the IWC. It should assess, relying, *inter alia*, on the invaluable expertise in the Member States, the work carried out so far on the draft RMP and RMS, as well as past proposals to bridge the gaps among Parties to the Convention with a view to play a positive role to unblock the deadlock in the IWC.

Only acting together and developing a Community position the EU Member States would stand a chance to ensure the development and enforcement of an adequate and strict international regulatory framework for the protection of whales. To this end, the Commission is proposing an appropriate decision to the Council.

Community action in relation to whaling

The Committee on Fisheries adopted the own-initiative report by Elspeth ATTWOOLL (ADLE, UK) welcoming the Commission Communication on Community action in relation to whaling and the decision on whaling, which was adopted by qualified majority at the Council. It supports the maintenance of the global moratorium on commercial whaling and a ban on international commercial trade in whale products.

MEPs seek to end "scientific whaling" and supports the designation of substantial regions of ocean and seas as sanctuaries in which all whaling is indefinitely prohibited. The Council is called upon to adopt a new common position under Article 37 as well as Article 175 of the EC Treaty.

The report calls for any such hunting to take place only with clear quotas based on the advice of the IWC Scientific Committee and regulated under strict controls incorporating full recording and reporting to the IWC. It also calls for the establishment, in suitable locations around the world, of more Marine Protected Areas in which whales would receive special protection. In this context, the report draws attention to the need to use more selective fishing gear to avoid by-catches of other species, particularly cetaceans.

The committee calls for threats to the cetacean population arising from climate change, pollution, ship strikes, fishing gear, anthropogenic ocean noise (including sonar, seismic surveys and vessel noise) and other hazards to be tackled outside such protected areas.

MEPs consider that the Commission should, in advance of global action, bring forward further

proposals to counter such threats in respect of Community waters and Community vessels.

Lastly, the report dictates that the EU must promote, in key international fora, in a coordinated and coherent way, the highest level of protection for whales at a global level.

Community action in relation to whaling

The European Parliament adopted by 626 votes to 12, with 19 abstentions, a resolution welcoming the Commission Communication on Community action in relation to whaling and the Decision on whaling, which was adopted by qualified majority at the Council.

Ban scientific whaling: the Parliament supports the maintenance of the global moratorium on commercial whaling and a ban on international commercial trade in whale products. It seeks to end "scientific whaling" and supports the designation of substantial regions of ocean and seas as sanctuaries in which all whaling is indefinitely prohibited. The Council is called upon to adopt a new common position under Article 37 as well as Article 175 of the EC Treaty. MEPs also call on the Council, the Commission and those Member States participating in the International Whaling Commission (IWC) Working Group to work toward the achievement of a broad agreement enabling the development of measures to protect whales and other cetaceans.

Hunting quotas: the Parliament respects the need for a limited amount of hunting to be done by those traditionally engaged in it for the purposes of sustenance, but calls for much greater emphasis on research into and the employment of humane killing methods. The resolution calls for any such hunting to take place only with clear quotas based on the advice of the IWC Scientific Committee and regulated under strict controls incorporating full recording and reporting to the IWC.

More protected areas: the Parliament also calls for the establishment, in suitable locations around the world, of more Marine Protected Areas in which whales would receive special protection. In this context, the resolution draws attention to the need to use more selective fishing gear to avoid by-catches of other species, particularly cetaceans. The resolution also calls for threats to the cetacean population arising from climate change, pollution, ship strikes, fishing gear, anthropogenic ocean noise (including sonar, seismic surveys and vessel noise) and other hazards to be tackled outside such protected areas. MEPs believe that the Commission should, in advance of global action, bring forward further proposals to counter such threats in respect of Community waters and Community vessels.

Whale-watching: the Parliament calls on the Commission to define a revised regulatory framework for the practice of whale-watching that protects the economic and social interests of coastal regions where this activity is carried out, taking account of its recent development. The EU is also called upon to promote, in key international fora, in a coordinated and coherent way, the highest level of protection for whales at a global level.