

STATEMENT REGARDING UNITED STATES POSITION ON DOC 12.2, CITES LISTING OF WHALE STOCKS AND THE INTERNATIONAL WHALING COMMISSION (JAPAN)

This document has been submitted by the United States of America.

In a notice published in the *Federal Register* on Wednesday, September 29, 2004, (69 FR 58184, 58188) announcing our tentative position on the referenced document we said:

Tentative U.S. negotiating position:
Undecided ...

Although we are inclined to support the short operative sentence of Japan's resolution, we disagree with the basic foundation and controversial remarks in the preamble. We plan to work bilaterally with Japan before COP13 to achieve a more neutral document that may be more acceptable to a majority of Parties.

After further consideration and consultation, **we now OPPOSE** this draft resolution for the following reasons:

- The draft resolution contains inappropriate criticism of the IWC.
- The IWC resolution 2004-6 called for the IWC to "move expeditiously towards the completion of the RMS". Therefore, the Japanese proposal is not needed because the IWC has already addressed this.
- The draft resolution urges the IWC to "complete and implement" the RMS. We are particularly concerned with the language urging "implementation" of the RMS.

We do not believe the Secretariat's comments address our concerns because the word "implement" would remain in the resolution.