Western Gray Whale Advisory Panel

STORIES OF INFLUENCE

In the early 2000s, the future looked bleak for the small population of western gray whales that spent the ice-free summer and autumn months feeding in the seas off Sakhalin Island in the far east of the Russian Federation.

For years, environmentalists and scientists had been publicly voicing their concerns about the potential impact of oil and gas activities on the critically endangered whales and their fragile habitat in the Sea of Okhotsk. But with companies such as Sakhalin Energy planning to expand their operations and with no solution on the horizon, the situation seemed likely to worsen.

Indeed, conditions could not have been better primed for conflict – a vulnerable ecosystem, an iconic and endangered species, an organized and vocal national and international NGO coalition, an active scientific community, the existence of rich oil resources, and a multi-national oil and gas company poised to move to the next stage of development.

However, these unfavourable conditions also created an unprecedented opportunity to try and transform oil and gas operations in Sakhalin – and develop a model that could be adopted by governments, companies and conservationists facing similar challenges elsewhere.

While Sakhalin Energy was seeking funds for the next phase of its operations, NGOs used the power of the global media to highlight the plight of the whales and put pressure on public banks around the world, which were interested in providing the company with the loan. And the international outcry paid off, helping to secure the inclusion of a number of mitigating conditions in the loan agreement, including one very unusual requirement:

Sakhalin Energy would have to work with, and take advice from, an independently convened group of scientists so as to minimize the impact of its activities on the whales for the duration of the project and the loan agreement.
This is believed to be the first time such a mechanism has been included in project financing, demonstrating how financial institutions can play a significant role in conservation and development.

Convened and administered by the International Union for Conservation of Nature (IUCN), the group of scientists – boasting a wealth of expertise on a range of topics, including cetacean population dynamics, whale bioacoustics, and whale behaviour – was formally constituted in 2004: the same year that there were estimated to be just 115 western gray whales left in Sakhalin. The scientists would become known as the Western Gray Whale Advisory Panel or WGWAP.

For the past decade, WGWAP has provided objective, independent advice – including publicly available recommendations and reports – on the conservation and recovery of western gray whales, particularly those that feed off Sakhalin Island. It has also served as a unique platform for coordination and cooperation among interested parties, including governments, companies, financial institutions, and civil society. And over the years, the Panel has helped to influence company policy and action, science and conservation practice, and conservation discourse in the Russian Federation.

In 2005, Sakhalin Energy altered the route of its pipeline after IUCN’s independent
The WGWAP process has helped to ease tensions by creating an open forum for dialogue, particularly between NGOs and the company. The organizations that first campaigned against financing for Sakhalin Energy and then successfully sought to delay it as well as incorporate stringent conditions into it, now participate as observers in the WGWAP meetings to monitor the company’s activities. Indeed, the overall aim of the NGO campaign is no longer to oppose the Sakhalin Energy oil and gas project, but to ensure it has no impact or a minimal impact on the whales and their habitat, and that other operators on the shelf adopt similar practices.
WGWAP also provides a platform for crucial scientific work, which includes regularly updated photo-id records, and a population dynamics model that estimates the size and composition of the population, its rate of increase, and other vital indicators. In 2010 WGWAP offered a forum for discussion and planning of a satellite-tagging programme, which demonstrated that some whales travelled 10,880 km to wintering grounds along Mexico’s Baja California peninsula, the longest recorded one-way migration of any mammal. And underlined the importance of protecting their summer feeding grounds.

New regional and national fora in the Russian Federation have also been established since the WGWAP process commenced, increasing the arenas where the conservation of western gray whales is discussed. Meanwhile, the Scientific Committee of the International Whaling Commission is gathering signatories for a Memorandum of Cooperation on Conservation Measures for the Western Gray Whale Population, which is based on a Conservation Management Plan that was initially developed by members of the Panel.

Over the past decade, WGWAP has had a substantial influence on the approach to oil and gas extraction and whale conservation in Sakhalin, with partners working together to find the best solutions to mitigate impacts on the whales, while enabling the company to meet its operational objectives. And the population of gray whales has steadily increased, growing from an estimated 115 animals in 2004 to 174 in 2015. However, prevention of significant impacts will require the active involvement of all oil and gas operators in Sakhalin, as well as other sectors (especially fisheries), to ensure cooperation and implementation of best practices.

But the experience of WGWAP can also influence future developments far beyond Sakhalin, including in other oil and gas producing or developing regions with important conservation challenges such as the Arctic.

WGWAP has shown that independent science-based panels can turn arenas of potential conflict into spaces for cooperation and even collaboration, and help companies in any sector reduce their impact on ecologically sensitive areas or vulnerable species.
Who’s Who?

This process has involved a wide range of actors – both Russian and international, from public and private sectors, civil society organizations and academic institutions. The main players include:

**Western Gray Whale Advisory Panel (WGWAP)**

The Panel currently consists of two Co-chairs, ten other scientists and experts from universities and private research institutions, and one Emeritus Member. The Panel includes a mix of Russian and international scientists, and is convened and administered by IUCN.

**Sakhalin Energy Investment Company Ltd.**

Also called Sakhalin Energy, this is the company that holds the loan agreement and is developing some of the oil and gas fields off the northeastern coast of Sakhalin as part of the Sakhalin-2 Project. Shareholders include Gazprom, Royal Dutch Shell, Mitsui, and Mitsubishi.

**NGO Coalition**

Non-Governmental Organizations (NGOs) have been working in the Sakhalin region since the 1990s, focusing on western gray whales and various environmental and social issues. The NGOs have organized themselves into a broad international coalition. Key players include WWF, the International Fund for Animal Welfare (IFAW), Sakhalin Environment Watch, Friends of the Earth, and Pacific Environment. Other groups have participated in letter writing campaigns and direct advocacy work over the years.

**IUCN**

The International Union for Conservation of Nature is the convenor and administrator of WGWAP. IUCN maintains the independence of the Panel, and ensures the transparency of the Panel’s reports and recommendations.

**Russia Gray Whale Project**

This scientific research programme, which began in 1995, has brought together scientists from Russia and other countries to study and monitor the western gray whales in the Sakhalin region. Their activities include collecting population data via photo identification and biopsy sampling of the whales for genetic (and other) analyses. The programme’s data and findings have been incorporated into the WGWAP process, and several of the scientists have been, and some still are, WGWAP members.
Who’s Who?

International Whaling Commission (IWC)

An intergovernmental organisation whose mandate is to manage whaling and conserve whales. The IWC has provided a forum for sharing and discussing WGWAP findings and recommendations, and garnering support for them from other governmental and non-governmental actors. The IWC Head of Science is one of the WGWAP Co-chairs.

The Sakhalin Oblast Government Expert Working Group on Biodiversity

This group was officially established in 2008 by the Sakhalin Oblast Environmental Council. (An oblast is an administrative division or region in Russia.) The Expert Working Group is an advisory body set up to advise the Environmental Council on a range of local environmental issues. Among others, Sakhalin Energy, Exxon Neftegas Limited (ENL), regional regulatory representatives, scientists from research institutes and universities, and Sakhalin Environment Watch, a local NGO and a WGWAP observer, take part in its meetings.

The Russian Federation Interdepartmental Working Group (IWG) on Gray Whale Conservation

This is an inter-agency group established in 2009 to oversee efforts to conserve the Okhotsk-Korean (western) gray whale population under the auspices of the Ministry of Natural Resources and Ecology of the Russian Federation. It convenes businesses in the Sakhalin region, whale scientists and related government agencies. The IWG’s role is to promote effective regulation and management of industrial activities in waters near Sakhalin Island.

Lenders

This group includes the following banks that financed the Sakhalin Energy loans with conditions to minimise impacts on western gray whales: Japan Bank for International Cooperation, Mizuho Bank, BTMU, SMBC, BNP Paribas, Credit Suisse and Standard Chartered.