

# Eco

International Whaling Commission Annual Meeting

Wednesday evening, the IWC majority voted to end the illegal, immoral, and unscientific Japanese “research” whaling scheme.

But will Japan listen? Stay tuned. See you in Santiago!

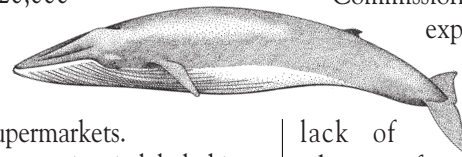
*Previous issues: <http://eii.org/immp/>*

## Japan’s Coastal Whaling Plea

Once again, the Japanese Fisheries Agency made a poignant plea for a quota for their “villagers” who “depend” on whaling. Japan is seeking a quota for minke whales for four (very modern) coastal towns (including Taiji). Commissioner Joji Morishita stated they had been waiting for support from the IWC “for twenty years – twenty years of broken promises.”

Of course, what the Japanese

Fisheries Agency did not mention was that these “villages” take part in the largest dolphin slaughter still allowed in the world—more than 20,000 dolphins and small whales each year are killed for commerce in local supermarkets. (Often, the dolphin meat is mis-labeled in stores as whale meat, and, as ECO stories confirmed earlier, much of the dolphin and small whale meat is contaminated with



poisons and pollutants.)

Furthermore, Japan announced that any minke whales that were approved for commercial catch would be taken off the Japanese scientific permits.

Commissioner Morishita did not explain to the IWC how these Japanese “villages” have suffered due to a lack of commercial whales when in fact the scientific permits have provided abundant whale meat to Japan’s market via the same whalers?

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## Chile’s Whales Massacred by Japanese Pirates

As Chile prepares to host the 2008 IWC meeting in beautiful Santiago, it is uncovering the dark history of Japan’s pirate whalers, approved by its government, in the waters of its magnificent fjords.

The icy waters of southern Chile once sheltered tens of thousands of blue, fin, humpback and right whales. The long coastline was the wintering

ground for the great whales that spent the Antarctic summer feeding on the boundless krill of the Southern Ocean.

But by the late 1950s, all the populations of large whales were crashing under the onslaught of pelagic whaling led by Japan and the Soviet Union. The IWC banned the killing of right, humpback and blue whales, but only after these whale stocks were commercially extinct in the

southern hemisphere.

The Japan Fisheries Agency only agreed to stop hunting blue whales after its seven whaling fleets - with more than 100 catcher boats - could not find a single blue whale in 1964.

Tragically, the last of the blue whales (probably 1% of the original southern population) were still not safe from the Japanese harpoons. The ruthless Japanese whalers knew that a

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## Pesky Facts!

The whaling nations like to present themselves as great upholders of “science,” which they claim underlies their every action, with a strong suggestion that everyone who does not agree with them is driven by “emotion”, the opposite of “science.” But when science goes against these nations’ interests, they not only want to ignore it—they want to ban it!

A paper published in a peer reviewed journal used data from a market sampling program to determine that the catch of minke whales in Korea was almost double that reported by the Korean authorities, as noted in ECO #1. “Pay no attention,” said the Korean delegation, a strong supporter of Japan, et. al. “This paper is full of mistakes,” although the delegation didn’t actually mention any of these mistakes or explain how they got past the peer review process.

Then came the killer argument: “This paper could damage the reputation of Korea. It says there is illegal whaling underway when everyone knows that Korea does not allow whaling. So it is misleading and should not be presented to the IWC.”

You heard it first in ECO: scientific facts that are embarrassing to a nation’s interests and “reputation” should not be presented to the IWC.

**Chile**, concluded from page one remnant group of blues - primarily females and calves - were hiding in the sheltering fjords of Chile. The slaughter continued.

At the same time the Japan Fisheries Agency was piously assuring the IWC and the world that it was giving full protection to the blue whale, the Japanese government licensed its whalers to set up shore stations in Chile, which was not a member of the IWC at that time.

For four years between 1964 and 1968, the Japanese whalers killed 690 blue whales in Chilean waters, and even took other "protected" species: 13 humpbacks and 3 right whales. Moreover, they slaughtered 1,600 fin and sei whales, and 1,500 sperm whales, all outside the IWC quota system.

The unregulated massacre was so rapacious that mother blue and humpback whales and their calves were pursued deep into the Chilean fjords, where the still waters were stained with the blood of the great whales.

The Japan Fisheries Agency's illegal whaling operations in Chile were shut down in 1968 when the profitable blue and fin whale populations reached "commercial extinction"—a cold economic term used to describe completely collapsed fisheries.

The Japanese government was deeply complicit in the destruction of Chile's whale stocks. Sources in Japan state that the Fisheries Agency financed

the construction of the shore stations in Chile in 1964 and 1965.

Even after the closure of the Japanese-owned shore stations, a Chilean-owned whaling station continued to supply Japan with whale meat and oil. The Macaya Brothers Co. took sei and sperm whales on the central coast. But by 1976 its three old catcher boats were in disrepair.

Taiyo Fishery Co., the largest of Japan's whaling companies and the owner of numerous outlaw whaling operations around the world, tried to export one of its surplus catcher boats to the Macaya company. But the Japanese government, stung by rising criticism of trade with

such procurement is its use for shrimp trawling off the coasts of Panama."

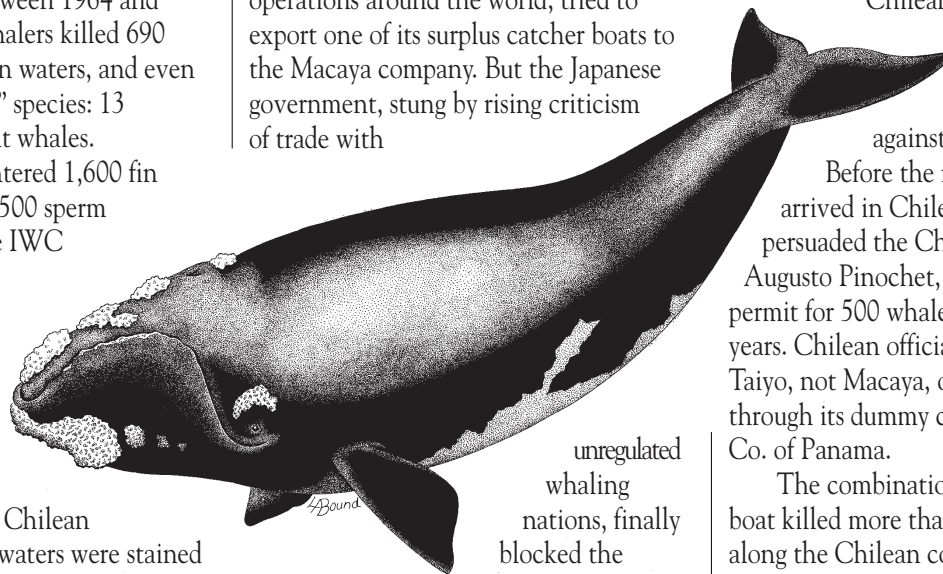
The ship was renamed the *Paulmy Star #3* and registered under the Panamanian flag as a *camaronero*—a shrimp boat. It left Japan in April 1977, but never got within 3,000 miles of Panama. Instead, it sailed south to Tahiti, where a harpoon gun and heavy winches were installed and the stern slipway widened to accommodate huge whales. As one observer bitterly noted when the *Paulmy Star* arrived in the

Chilean port of Chome, "A harpoon gun is not famous as a productive weapon against shrimp."

Before the new whaling ship arrived in Chile, Taiyo Fishery Co. persuaded the Chilean dictator, Augusto Pinochet, to grant Macaya a permit for 500 whales a year for five years. Chilean officials disclosed that Taiyo, not Macaya, operated the ship through its dummy company, Paulmy Co. of Panama.

The combination factory/catcher boat killed more than 1,000 whales along the Chilean coast—including several extremely rare right whales—over the next three years. The Japanese pirate operation stopped only when the U.S. threatened economic sanctions under the Pelly Amendment, compelling Chile to join the IWC, which promptly set zero quotas on all Chilean whale stocks.

The Chilean government should call upon the Japanese Fisheries Agency and its IWC delegation to account for its whaling piracy.



unregulated whaling nations, finally blocked the

export permit.

Undaunted, Taiyo concocted another, more successful scheme to increase its outlaw whaling. A Taiyo subsidiary, Taito Seiko, purchased a modern Japanese stern trawler, the *Orient Maru #2*. Taito Seiko then sold the ship to Paulmy Co. of Liberia, a dummy company designed to hide the identity of the owner. The export document filed with the Japanese government stated that "the purpose of

### **Whaling Plea**, concluded from page one

The New Zealand delegation offered a stiff response to the claims of the Japanese delegation. New Zealand noted that there was one major reason why the IWC has not accommodated Japan's requests for minke whale quotas in the past, and that is because, as the

Japanese request demonstrates, the meat is meant to be sold on the (very modern) meat market. It is, in every sense of the word, a commercial use of whale meat, not subsistence anything like what takes place in the Arctic and other subsistence cultures.

Voting on the item was put off until

today, the last day of the IWC meetings. It is unlikely that the IWC will undermine the international moratorium on commercial whaling simply to support Japan's powerful fishing industry and the bureaucrats who slavishly cater to it.

## Bowhead and Gray Consensus

Despite fears by the US that the delegations of Japan and its client states would block IWC approval of quotas for bowhead whales

for Alaska's Inuit people, the measure was adopted unanimously by acclamation. Alaskans may kill up to 51

bowhead whales per year, in accordance with the strict conservation measures adopted by the Alaskan Whaling Commission and the US government.

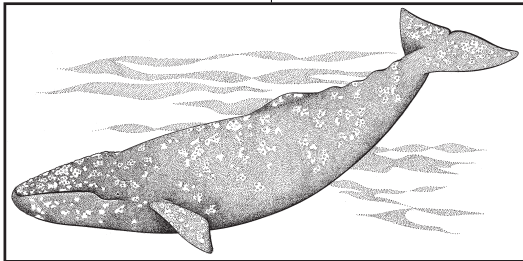
Japan and Iceland, not surprisingly,

did not let the good fellowship get terribly far. They reminded the IWC nations that they fully expected

“consistency” in the IWC—meaning of course that if Japan and Iceland approve bowhead whale hunting, then the IWC should

approve their own local industries' whale hunting, too.

Also approved by acclamation was the request by the Russian Federation and the US to jointly kill up to 140 gray



whales each year in the North Pacific for the Siberian and Chuckchi natives of Russia and the Makah tribe of the US.

These hunts, now officially approved for another five years, are not without controversy. Many animal welfare organizations are concerned with the inherent cruelty of killing large whales with exploding harpoons. And the gray whale quota has been challenged as being more to feed foxes in cages (bred for their furs) in Siberia, rather than the subsistence needs of the local people. The Makah tribe had not hunted whales for 70+ years before they finally killed a gray whale in 2000 amidst a media frenzy. The issue is still locked up in court battles in the US.

## Court Won't Weaken Dolphin Safe Label

A US appeals court panel unanimously refused to allow the weakening of the “Dolphin Safe” tuna label and condemned the failure of the Bush Administration and federal agencies to follow science. The three-judge panel of the Ninth Circuit Court of Appeals handed down a unanimous judgment against the Bush Administration, ruling that the Commerce Department based its findings, in an effort to weaken the standards for determining if tuna is “Dolphin Safe”, on political issues, not science.

The Bush Administration has been trying to weaken the Dolphin Safe standards in the Marine Mammal Protection Act for 6 years, in an effort to allow tuna from Mexico, stained with the blood of dolphins, to be imported to the US with a phony “Dolphin Safe” label.

“This is a total victory for dolphin protection and for a ‘Dolphin Safe’ tuna label that can be trusted,” noted David Phillips, Director of Earth Island Institute’s International Marine Mammal Project.

“Congress required the Bush Administration to base their decision about the standards of the ‘Dolphin Safe’ tuna label on science,” Phillips continued. “But the pressure from the State Department and the Mexican government to gut dolphin protections were enormous. The 9th circuit recognized this in their strong decision against the Bush Administration—a decision that benefits dolphins, American consumers, and the global tuna industry, which follows the rules and protects dolphins during fishing trips.”

The Court in its decision noted: “We agree with the district court’s conclusion that this record demonstrates the Secretary was improperly influenced by political concerns.”

“The Bush Administration cannot weaken the Dolphin Safe tuna label again without going through Congress,” Phillips added. Senator Barbara Boxer, author of the original Dolphin Safe label legislation, now occupies a leadership position in the US Senate.

Earth Island has been litigating the issue of protecting dolphins from the

tuna fleets for more than 18 years. District court Judge Thelton Henderson has issued two major rulings including his statement, noted in the new court ruling:

“This court has never, in its 24 years, reviewed a record of an agency action that contained such a compelling portrait of political meddling. This portrait is chronicled in documents which show that both Mexico and the United States Department of State ... engaged in a persistent effort to influence both the process and the ultimate finding, and that the high ranking officials (sic) in the Department of Commerce were willing to heed these influences notwithstanding the scientific evidence to the contrary.”

Judges Mary Schoeder, Jerome Farris, and Johnnie Rawlison heard oral arguments last November. Both the Bush Administration and several foreign countries that continue to kill dolphins when catching tuna (Mexico, Venezuela, and others) testified at the hearing. Plaintiffs included Earth Island Institute, Defenders of Wildlife, Animal Welfare Institute, International Wildlife Coalition, and the Humane Society of the US.

## Australia: Cold Welcome for Japanese Whalers

The leader of Australia's Labor Party, which will probably win the parliamentary elections later this year, has vowed to send the Australian navy to Antarctic waters to "monitor" the Japanese Fisheries Agency's whaling fleet and to take Japan to international courts to enforce the IWC whaling ban.

The opposition Labor leader, Kevin Rudd, declared two weeks ago that, "a Federal Labor Government will take an international and domestic leadership role in a bid to stop the illegal slaughter of whales." Japan's Fisheries Agency has announced its intention to harpoon 50 humpback whales each year, in addition to hundreds of minke and rare fin whales. The humpbacks winter along the coasts of Australia, New Zealand and South Pacific island states.

Recent polls show Labor ahead by more than ten points. A nationwide poll

by Australians for Animals last month found that more than 60 percent of the public supports direct action against Japan's outlaw whaling.

In a policy statement, Rudd laid out a battle plan against Japan.

"Federal Labor's plan will:

- "Take Japan to international courts such as the International Court of Justice or the International Tribunal for the Law of the Sea to end the slaughter of whales;
- "Make formal representations to the Japanese authorities – at bilateral and multilateral meetings – about its practice of whaling;
- "Enforce Australian law banning the slaughter of whales in the Australian Whale Sanctuary;
- "Monitor whaling vessels operating in Australian waters, intercept vessels operating illegally; and

- "Establish a national network of whale and dolphin sanctuaries."

The influential Australian Greens Party strongly supports the Labor plan. Greens leader Bob Brown declared: "We back action against Japan in the international courts, and we back naval patrols to interrupt illegal whaling activity and to film and document the slaughter so the world can see what a shameful, bloody business whaling is."

"As well as being an environmental necessity," Rudd states, "there is also a solid economic reason to oppose whaling. Humpback whales are the mainstay of Australia's whale-watching industry – which injects \$300 million indirectly into the national economy through tourism. The Australian community has spoken; they want Australia to lead the international campaign against international whaling—in our region and internationally."

## Homeland Insecurity Redux

Celebrities that are getting kicked out of the Captain Bligh ... excuse us, Captain Cook Hotel keep mounting.

On Sunday, Richard O'Barry, dolphin activist and the trainer of TV's Flipper, was booted from the Captain Cook Hotel by a phalanx of police and NMFS enforcement personnel.

On Monday, it was Captain Paul Watson's, of Sea Shepherd fame, turn.

Paul tells us he walked into the

lobby and was told by security guards, police and two NMFS agents that he should leave, or he would be arrested for trespass. Watson's supporters have been calling and writing to protest his treatment; security has responded by saying that Paul was removed because he has "a history of disrupting the IWC meetings."

This is a real head-scratcher—Paul says he has not attended an IWC

meeting for ten years. Never has he ever "disrupted" any IWC meeting.

In contrast, Senator Ted Stevens, under investigation by the FBI and a federal grand jury, was welcomed at Monday's opening ceremonies. One might logically conclude that, since the IWC hasn't seen a notable security incident in fifty-nine years, the FBI hasn't bothered to talk to the small militia (larger than the Costa Rican Army) that's providing paranoia, er, security, at this year's meeting.

## No Consensus on Sanctuary

Having insisted during discussion of subsistence whaling that the IWC should be consistent and seek consensus, Iceland and Japan instead insisted on blocking consensus over the designation of a South Atlantic Whale Sanctuary.

The delegation of Brazil gave an excellent explanation of the need for the Sanctuary for Brazil and other supportive countries to protect whales while

building new uses for live whales, such as promoting tourism and scientific non-lethal research on wild whales. The Sanctuary would not impinge on other countries' whale uses, Brazil noted.

Japan's client nations joined the whaling nations in opposition, resulting in 39 votes in favor, 29 votes against the sanctuary, and 3 abstentions. As the Sanctuary would amend the whaling

Convention, the proposal needed a 3/4 majority vote of the full IWC.

Brazil noted that they would continue to bring the Sanctuary proposal to a vote in the IWC, until the IWC itself indeed changed for the future to fully embrace non-lethal uses of whales.

ECO thanks Brazil and the other supportive governments for their continued support of whale sanctuaries.