



Opening Statement to the 57th Meeting of the International Whaling Commission
June 2005

The current draft of the Revised Management Scheme (RMS) is fundamentally flawed, and any attempts to adopt an RMS at this meeting are not only unwarranted but would be extremely dangerous for the future conservation and protection of whales.

The simple truth is that from the IWC's inception, whalers have exploited opportunities to evade whaling management and conservation regulations. Despite IWC regulations, whalers for decades routinely exceeded their permissible take and inaccurately reported the numbers of whales killed. As a result, whale populations continued to decline and by the 1970s, eight out of ten species of great whales covered by the Convention were commercially extinct. Having failed to properly regulate whaling, the Commission adopted an indefinite commercial whaling moratorium in 1982.

However, even when the moratorium went into effect in 1986, whaling continued because of exemptions in the Convention. This problem persists today, and nearly twenty years after the moratorium went into effect, 24,000 whales have been killed.

Recently there has been greater momentum to adopt an RMS and lift the moratorium. This motivation is not based upon the fact that civil society wants to see a return to whaling, or that whales are needed again for their oil or other products. Rather, the desire to adopt an RMS and lift the moratorium is based upon the fact that more and more whales are killed each year and the Commission has no way of controlling this expansion. However, the RMS is not a panacea for unsustainable and uncontrolled whaling.

The RMS draft does not contain even the minimal implementation and enforcement measures found in modern fisheries management organizations. Problems with the current draft include lack of adequate funding for controlling whaling, no procedures for imposing sanctions to address violations, no compliance mechanisms, and no welfare provisions. Most importantly, an RMS even if it addressed the concerns mentioned above, cannot stop the abuses of Article VIII whaling or prevent countries from filing objections or a rejoining with a reservation to any or all regulatory measures in an RMS.

Article VIII of the Convention allows member countries to exploit and kill whales at will for scientific research purposes. This right supersedes all conservation measures outlined in the Schedule including any RMS adopted into the Schedule.

If adopted, the RMS would be a management scheme in name only. It would provide no real safeguards for stocks or for individual whales and it would provide no real consequences to nations that flouted the nominal rules it would impose. In short, the RMS would create the same sort of chaotic conditions that led to the moratorium in the first place.

Instead of negotiating whether to adopt an RMS and lift the moratorium, member governments would better serve whale conservation and bolster the reputation of the IWC by amending the Convention to close the loopholes and modernize its provisions. The unfettered right to issue special permits and to whale under reservation/objection must be removed from the ICRW. Moreover, new provisions allowing for enforcement and compliance, currently adopted in other fishery agreements, should be added to the Convention.

HSI therefore, supports a Protocol to the Convention that would close loopholes and add enforcement mechanisms, as a way to restore credibility to the IWC and provide the necessary protection for whales.

Competition Between Whales and Fisheries

Dr. Daniel Pauly is recognized around the world as a scientific expert on global fisheries and marine ecosystems. He is a Professor at the Fisheries Centre, University of British Columbia (UBC), in Vancouver. Dr. Pauly is the Principal Investigator of the Sea Around Us Project, based at the Fisheries Centre, UBC, which is funded by the Pew Charitable Trusts, Philadelphia, USA, and devoted to studying the impact of fisheries on the world's marine ecosystems. Dr. Pauly and Kristin Kaschner, PhD published a report entitled, "Competition between Marine Mammals and Fisheries: Food for Thought," which will be available at the 57th IWC Meeting and on our website at www.hsus.org/foodforthought

The report states that as the current crisis of global fisheries worsens, the case has been increasingly put forward in international fora that culling whales would not only resolve the problems of fisheries but also help alleviate world hunger. The report presents results that clearly show there is no evidence that food competition between whales and fisheries is a global problem. Consequently, there is little basis to blame whales for the crisis world fisheries are facing today. There is even less support for the suggestion that we would solve any of these urgent global problems caused by a long history of mismanagement of fisheries by reducing whale populations.

The studies in the report show that most food consumed by whales consists of prey types that fisheries do not target. Further, whales consume most of their food in areas where humans do not fish. It is the continuation of present fisheries management approaches and the export of fisheries products from developing countries – not whales – that endanger food security.

Humane Killing

Humane Society International (HSI) firmly believes that all present methods of killing whales are inhumane because, among other problems, they do not routinely or reliably render the animals instantaneously insensible. Immediate insensibility is a requirement in any definition of “humane” in humane slaughter laws.

The IWC has been concerned with whale killing methods since 1957 when it defined “humane killing” as the process by which the animal is rendered instantaneously insensible until death supervenes. In spite of this, very little progress has been made on this issue.

This year the Whaling Killing Methods and Associated Welfare Issues Working Group will meet for the first time in three years. Earlier this year, two expert workshops on killing methods were held. The scientific experts at these meetings concluded that the current criteria that the IWC uses to determine death in cetaceans do not ensure that the animal is actually deceased. They recommend a series of tests in order to determine insensibility. These recommendations should be taken into account at the Working Group meeting.

The criteria for ensuring a painless death for cetaceans should be consistent with laws protecting other animals. According to the 1991 Animal Protection Law of this year’s host country, South Korea, “when animals are slaughtered, it must be done to the maximum extent possible using methods without pain.” HSI strongly supports IWC enacting and implementing strict humane standards for whale killing. It is politically, legally, and ethically inconsistent to require humane slaughter methods for certain animals and not for others.