

Opening Statement of the Animal Welfare Institute to the 62nd Meeting of the International Whaling Commission

On April 20, 2010 the Deepwater Horizon drill rig exploded in the Gulf of Mexico. Over two months later it continues to spew tens of thousands of oil and natural gas into the Gulf. By the time the leak is plugged, this will be, by far, the worst environmental disaster ever in North America and possibly in the world with a marine ecosystem damaged for decades at a minimum and likely billions of marine organisms killed and their habitat destroyed. Beyond the human victims of this spill, the animal victims include fish, shrimp, sea turtles, dolphins, and whales. While there's a growing body count of these victims, the true number of those who perish will never be known. This accident was a product of BP's negligence as well as incompetence, corruption, and a lack of transparency within those agencies responsible for the permitting and regulation of oil/gas exploration in the Gulf.

On April 22, 2010, the International Whaling Commission published a Proposed Consensus Decision to reform itself and, ostensibly, to gain control of all whaling, reduce whaling quotas, and increase protection for the world's great whales. The Animal Welfare Institute (AWI) appreciates the effort made by members of the IWC Support Group to develop this plan and concedes that there are elements of the plan that it can support but, the deficiencies in the Proposal far outweigh the benefits necessitating its strenuous opposition to the Proposal. AWI notes that the IWC Proposal was also a product of a process that lacked transparency; where civil society was not included in the effort to craft the Proposal but only asked for its input after the Proposal had been subject to months of discussions.

These two events, occurring within 24 hours of each other, will both impact whales. The first will kill whales as they are exposed to the toxic effects of millions of gallons of oil and gas or when they can no longer find food. The impacts of the second are significant yet more subtle, yet it too will kill whales. Admittedly, the short term numbers may be reduced though, long-term, the implications of an ill-conceived deal would be worse for whales.

The future of the IWC must be one of whale conservation not commercial whaling and where the IWC member nations embrace the potential of whalewatching and not the cruelty of whaling. Some claim that the Proposal represents a significant step toward these goals. AWI disagrees.

If approved, the Proposal will legitimize commercial whaling for the first time in twenty-five years. The whaling itself will remain illegitimate but the practice of commercial whaling will be given the green light by the world's governments. The implications of this are far reaching, having economic, social, legal, and perceptual implications. No longer will the world's whaling nations have to defend their actions to the public or the press as they will have been given a stamp of approval by the IWC with the inherent cruelty of whaling also deemed acceptable by the world's governments. While removing the cloak of "science" from whaling in the Southern Oceans is warranted, this will reward a government for decades of belligerence and tactics designed to promote dysfunction, and, as reported recently, years of corruption linked to vote-buying scandals.

If approved, the commercial whaling moratorium will be lifted. Though some governments have argued that, in fact, the moratorium will remain intact, if commercial whaling is allowed under the Proposal then the moratorium on commercial whaling logically is not longer in effect. It may remain intact on paper but whales don't live on paper, they live in the oceans where they need real protection. The moratorium has saved tens of thousands of whales since 1986 and, though some claim the moratorium has lost its effectiveness as whaling nations increase their self-allocated quotas, AWI believes the increase in whaling is not because the moratorium but is in spite of the moratorium undertaken pursuant to a loophole in the International Convention on the Regulation of Whaling that was never intended to be used to justify the slaughter of whales in such numbers for "science" only for those whales to be cut up, processed and sold for commercial profit.

If approved, there's no guarantee that the Proposal will ban international trade in whale parts, pieces, and products. Bracketed language to restrict use of whale products for domestic purposes only is included in the Proposal but, based on recently concluded Future of the IWC discussions, are not acceptable to all. International trade must not only be permanently banned by IWC member countries but those who have CITES reservations used to circumvent CITES trade restrictions must rescind them.

If approved, the Proposal will allow commercial whaling to continue in a designated sanctuary. A sanctuary represent a place of safety and protection for the world's whales and not a haven for whalers where they can pursue their prey relentlessly and inflict a level of suffering on their victims which is beyond that which should ever be tolerated in a civilized society. AWI concedes that whaling is not the only type of animal exploitation that is cruel but this must not be used as an excuse to whale but, rather, as a reason for all governments to ensure that they too reject those practices that are inherently cruel.

If approved, the Proposal will allow commercial whaling under reservations to continue. The Proposal repeatedly claims that it will achieve a significant reduction in the number of whales killed when, in fact, the reduction is far from significant. In some cases, far from a reduction of any kind, the Proposal will increase the number of whales killed by certain whaling nations unjustly awarding them for decades of intransigence and the willful disregard of international opinion.

If approved, commercial whaling will not be ended as it should and must be, but may continue indefinitely. While AWI concedes that the Proposal contains whale catch limits for the Southern Ocean that are less than numbers currently killed, those numbers were fabricated by the IWC Chair and Vice-Chair and have not been agreed to by any contracting government. Moreover, though the Proposal is replete with claims of what may be done or could be done over the next ten years, there is nothing that ensures that anything will be done to address Article V, Article VIII, reservations or many of the other critical issues that must be resolved to save the whales and their habitat.

AWI is not more interested in saving the moratorium than in saving whales. It is interested in saving both. Though some may label this as unrealistic, AWI would ask, why? The moratorium has been one of the greatest conservation achievements in history so why should AWI or any conservation-minded organization allow it to be extinguished when the consequences of doing so are so severe. And why can't the whales be saved? They should have already been saved and would have been had it not been

for a few countries electing to ignore the will of the majority and/or to abuse provisions in the Convention that were never intended to be interpreted as they are today. Some governments are quick to wave the sustainable use or science banners to defend and justify whaling but why must whales be killed at all? There's little and declining demand for their meat and blubber and, as the majority of whale scientists acknowledge, we don't need to kill whales to study or manage them. Considering the plight of this world's wildlife and wild habitats, it can (and has) been said that if we can't save the whales than what chance do the other wildlife species have.

For three years, the IWC has been so focused on fixing its own perceived dysfunction that it has failed to engage in substantive debates and to make critical decisions to address the abundance of threats to the world's whales. This dysfunction is not real but manufactured by those who stand to benefit from creating a culture of inaction and stalemate within this august body. Now, contracting parties are contemplating a deal that would award those who have created the dysfunction by undermining the significant gains made for whales and their habitats over the past several decades.

This is not to suggest that IWC has become useless over the past several years. Indeed, stellar work continues to be accomplished by the IWC's Scientific Committee and many of its working groups. Most of the world's whale stocks or population, including some believed to be recovered, remain threatened by an assortment of anthropogenic factors (i.e., climate change, pollution, ocean noise, entanglements, ship strikes). Some claim that the Proposal must be approved so that the IWC can focus on these threats. AWI believes that the IWC can do both – continue to discuss its own future while advancing efforts to conserve whales and their habitats. All countries have a duty to their own citizens and to the citizens of the world to fully engage in such efforts as we all share this planet and are responsible for all of its inhabitants.

The IWC is not finished if the Proposal is not adopted though certain delegations are using such preposterous claims as leverage to strike a deal. It will and must continue and, AWI fully expects, that it will continue to discuss its own reform but not at the expense of making substantive progress on protection and conserving the world's whales and their habitats. While the present effort of reform is based on the false premise of dysfunction and stalemate, reform is possible but it must be based on the objective of ending all commercial whaling, prohibiting international trade in all whale products, immediately ceasing whaling in sanctuaries, and reforming the Convention into a meaningful, modern, conservation treaty.