

OPENING STATEMENT OF MINORU MORIMOTO, COMMISSIONER FOR JAPAN AT THE 57th ANNUAL MEETING OF THE INTERNATIONAL WHALING COMMISSION

The Government of Japan expresses its appreciation to the Government of the Republic of Korea and the city of Ulsan for hosting the 57th Annual Meeting of the IWC and for the warm hospitality we have received from the people of Ulsan.

GENERAL OVERVIEW

Japan believes that the outcomes of this year's meeting are particularly important for the future of the IWC. In this regard, since the Scientific Committee has agreed that many whale stocks are abundant it is imperative that the IWC implement a reasonable Revised Management Scheme to provide for the resumption of commercial whaling on a sustainable basis as mandated by the International Convention for the Regulation of Whaling.

It is also imperative that research which will provide the fundamental basis for proper management of whale stocks be continued. We believe that science based rule making and policy that is the broadly accepted paradigm for the management of living resources must consistently apply to whaling. Although Japan has long been committed to this goal, as we noted last year, the general public as well as parliamentarians in Japan have come to the end of their patience with the insincere attitude of the IWC.

Continuing the total protection of all whales – irrespective of their stock status – is contradictory to the ICRW, the principle of sustainable use endorsed by the international community including at the WSSD and to the cultural values of people of Japan and other countries that view whales as a valuable food resource.

Extreme Anti-Whaling Position Prevents the Completion of RMS

Japan's commitment to secure the implementation of a reasonable RMS is demonstrated by the substantial compromises we have made. It is therefore regrettable that the Chair's initiative to complete an RMS was not accomplished at last year's meeting and that no progress was made during three intersessional meetings on the RMS. Japan is willing to accept a practical, effective and cost efficient monitoring and inspection scheme and is intending to propose one at this meeting.

On the other hand, however, IWC members with extreme anti-whaling positions have failed to make any substantive compromises and have delayed negotiations for over 10 years by insisting on unnecessary, duplicative and excessively costly measures for controlling whaling operations. We are particularly disturbed by anti-whaling members of the IWC that have again added another condition to the completion of any RMS namely, the abolishment of the right of IWC members to take whales for research purposes under Article VIII of the ICRW. Japan cannot accept any such condition for legal and scientific reasons. Further, it is simply not logical to have to give up a fundamental right provided by the Convention in order to resume what is the primary purpose of the same Convention – sustainable whaling.

SCIENCE PROVIDES THE WAY FORWARD

Japan maintains its position that the management of all marine living resources must be based on scientific findings. Article V of the ICRW requires that regulations adopted by the Commission be “based on scientific findings”.

At previous meetings, the Scientific Committee confirmed that Japan’s whale research programs are providing valuable information. At this year’s meeting Japan provided the results of an extensive review of 17 years of research in the Antarctic. This review concluded that the research has contributed to the understanding of biological parameters and stock structure of minke whales, physical oceanography, and the Antarctic ecosystem as a whole. Data have shown that significant changes in the ecosystem are occurring. We are witnessing a surprisingly rapid growth in the abundance of fin and humpback whales in the Antarctic and a possible slowing in the increased abundance of minke whales. The review also concluded that data obtained will contribute to the development of ecosystem models necessary for ecosystem-based management of marine resources including whales.

Based on the research findings and this review as well as the continuing need to monitor ecosystem changes, a plan for further research in the Antarctic was submitted to the Scientific Committee. The objectives of this research are to monitor the Antarctic ecosystem, to monitor competition among whale species, to understand changes in stock structure and, to improve the management procedures for Antarctic minke whales. Results of the research will form the basis for the establishment of a new and improved management system for whales, based on the ecosystem approach which would allow for conservation, recovery of depleted species and sustainable use of abundant stocks.

Research catches will be small relative to the size of the populations to be sampled. Catches were calculated as the minimum required to obtain statistically valid results and will have no impact on the stocks and will not diminish whale watching opportunities. We believe that the conduct of this research is vital to the future of whale management in the Antarctic and vital to the future of the IWC. We therefore consider it regrettable that this scientifically valid research plan has generated politically and emotionally motivated criticism without detailed scientific consideration.

Such criticisms and any resolution against Japan’s whale research programs are anti-science, contrary to the broadly accepted need to adopt ecosystem approaches to the management of marine living resources and an unwelcome intrusion against the rights of all contracting Parties under the ICRW.

TIME TO SUPPORT COASTAL WHALING COMMUNITIES

For the past 16 years the Government of Japan has requested an “interim relief allocation” of minke whales for Japan’s small-type coastal whaling communities to alleviate hardships caused by the moratorium on commercial whaling. Despite assurances that the Commission would work expeditiously to alleviate the severe impacts of the moratorium on these four communities, our requests have continued to be rejected by the Commission. Japan’s small-type whaling communities continue to be hurt economically, socially and culturally from the cessation in whaling.

All of the conditions required for the resumption of a sustainable take of whales in Japanese coastal waters are in place. We therefore seek support for our proposals for the sustainable utilization of abundant minke and Bryde’s whales with scientifically

calculated harvest limits and an adequate enforcement and monitoring scheme. We believe this will demonstrate Japan's ability to strictly regulate whaling and to implement inspection and observation measures in a transparent manner similar to that envisioned under an RMS.

Failure to make progress on the RMS, demands that the right to take whales for research purposes be abolished and failure of the IWC to meet its own commitments concerning Japan's small-type coastal whaling communities are unacceptable. We therefore once again reiterate Japan's view that Paragraph 10(e) of the Schedule is no longer in force. Indeed, in addition to their recommendation that we consider withdrawal from IWC, Parliamentarians in Japan (the Liberal-Democratic Party Project Team) are also suggesting that we consider the resumption of sustainable, regulated and controlled whaling within our EEZ.

SANCTUARIES WITHOUT A SCIENTIFIC BASIS ARE CONTRARY TO THE WHALING CONVENTION

Japan will oppose the establishment of new sanctuaries and propose abolishing the Southern Ocean Sanctuary because they are without scientific justification, applied irrespective of the conservation status of whale stocks and therefore contrary to Article V of the ICRW. They are also contrary to the principle of sustainable use of resources that is the world standard. Article V of the ICRW, which sets out the requirements for the Commission's regulations, states that such regulations "shall be based on scientific findings". The Southern Ocean Sanctuary was adopted by the Commission in 1994 without advice from the Scientific Committee, that such measure was required for conservation purposes. The Scientific Committee has not recommended establishment of a sanctuary in either the South Atlantic or the South Pacific.

We concur with the conclusion of outside experts invited to participate in the work of the Scientific Committee last year, who said that "Overall, the SOS [Southern Ocean Sanctuary] – and IWC sanctuaries in general – are not ecologically justified" and that "... the SOS is more prohibitive than precautionary." Sanctuaries without scientific basis have no place within the IWC. We consider that the RMP developed by the Scientific Committee fully addresses the precautionary aspects of sanctuary and marine protected area theory. Therefore, IWC Sanctuaries should be abolished and RMP should be implemented.

TIME FOR A NEW AGENDA

Japan is also concerned that the IWC is wasting time and valuable resources on issues which are outside of the competence of the IWC and/or non-essential while leaving essential issues, such as proper management of whale stocks, unsolved. Japan will therefore propose that the current agenda for the IWC meeting be revised by deleting a number of issues that are not within the mandate of the Commission as provided by the ICRW. These include: whale-watching, whale killing methods and associated welfare issues, health issues and small cetaceans.

CONSERVATION COMMITTEE DETRACTS FROM REAL WORK OF IWC

As Commissioners and delegates are aware, it is the view of Japan that the establishment of the Conservation Committee at the 55th Annual Meeting was an inappropriate attempt to distort the fundamental purpose of the ICRW by a resolution requiring only a simple majority vote. This was clearly demonstrated during that meeting when proponents refused to include the concept of "sustainable use", which is unequivocally supported by the ICRW, into the text of the resolution. Almost half

of the IWC membership opposed the establishment of the Conservation Committee and, for this reason; Japan has not participated in the work of this Committee.

We believe that unless there is a clear and visible change to the Committee's structure to include the concept of "sustainable use", its existence will continue to exacerbate the polarized situation within the IWC and detract from our most urgent task of bringing a return to regulated and sustainable whaling.

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