

## **UNSUSTAINABLE & UNCONTROLLABLE - WHAT'S WRONG WITH THE RMS**

### **INTRODUCTION**

Despite a history of repeated failure to control commercial whaling under a succession of management regimes, the International Whaling Commission (IWC) is currently in the process of developing a new set of rules, known as the Revised Management Scheme or RMS, which could be used to manage commercial whaling operations at some point in the near future and, if agreed, could herald the lifting of the moratorium on all commercial whaling.

Greenpeace believes that whatever provisions might be included in any future RMS, they would not be sufficient to ensure the adequate protection of the world's remaining whales. This briefing sets out the reasons why commercial whaling cannot be conducted on a sustainable basis.

There are a number of factors both biological and economic which explain why commercial whaling inevitably led to the depletion of whale populations in the past (see Greenpeace briefing 'What's wrong with whaling' December 2001). These factors have not changed, and there is a growing body of evidence to suggest that the continuing degradation of the world's oceans, through climate change, ozone depletion, toxic and noise pollution and prey depletion as a result of over-fishing, are all threatening the health of whale populations.

Fisheries management regimes have largely been failures, often leading to the demise of the fisheries they were intended to protect. From the North Sea to the Grand Banks of Newfoundland and around the world, we have seen the collapse of commercial fisheries despite the science based management schemes that were designed with the objective of ensuring that the fisheries were sustainable.

Given this inability to manage fisheries, it is unwise for the IWC to think that it can manage whaling, when whales are inherently more vulnerable to commercial exploitation than most fish species. This is a consequence of their very different biology. Most fish reproduce by releasing huge numbers of eggs into the water. Most do not survive, but as long as there are good conditions for the young fish to grow, the eggs from a small percentage of the population can quickly regenerate the whole population. In contrast, whales have only a single offspring at a time which needs at least a year of maternal care before it can survive on its own and many years before it can reproduce. As a result of these biological characteristics, whales can never recover quickly from overexploitation.

Despite all the evidence to the contrary, the whaling countries, Japan and Norway, continue to claim that things are different now and that commercial whaling could be conducted without depleting whale

populations. However, there is little to suggest that Japan and Norway are either interested in sustainability or prepared to abide with any future RMS.

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### **Greenpeace position statement on whaling and the RMS:**

Greenpeace is opposed to all commercial whaling. We see no need for it, its history shows that it always leads to depletion of whale populations.

At present the IWC is speeding up its work on developing the Revised Management Scheme or RMS. The RMS is the set of rules (including those that cover inspection and observation of whaling operations) that would be used if the IWC agreed to allow commercial whaling again and its completion and adoption into the IWC Schedule are required before the IWC could lift the moratorium.

We believe it is unnecessary and unwise to embark on development of a scheme whose only purpose is to allow for a resumption of commercial whaling. In the past the IWC's so called management of commercial whaling lead to the depletion of stocks. The RMS will bring no conservation benefit to whales and does nothing to assist the recovery of whale populations, which remain depleted. Furthermore, since the moratorium came into force significant and substantial evidence has been presented to indicate that whale populations are being severely impacted by environmental threats such as climate change, over-fishing, and marine pollution.

For these reasons we strongly oppose the completion and adoption of the RMS, its incorporation into the Schedule or its use to set quotas.

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### **MARKET FORCES & OVER-EXPLOITATION**

The commercial whaling industry is a profit driven industry: put simply, the more whales you catch, the more money you make. It is hard to predict exactly how the market would behave were commercial whaling to be made legitimate again, but it is certain that the industry would press for even greater quotas. Already Norwegian whalers are calling for hunts of up to 3,000 minke per year and for quotas of fin whales. Japan expanded its North Pacific hunt to include sperm and Bryde's whales and describes the hunt as 'a feasibility study' the implication is clear it wants to kill whales in increasing numbers and it wants to expand the number of species it targets.

Furthermore, there is no reason to believe that the industry could be confined to the 2 countries currently whaling. At last year's IWC (July 2001), Iceland tried to rejoin the IWC with the express intent of resuming commercial whaling. Iceland's reasons for rejoining are purely commercial, in that it thinks the IWC may soon agree to allow commercial whaling and that the international trade in whale products will also resume. Iceland's whaling has always been an export oriented industry. Iceland has also expressed interest in targeting species other than minke. Korea and Russia are also likely candidates to try and cash in on the commercial opportunities if there is a resumption of whaling.

### **INCENTIVE TO CHEAT**

Cheating both under and outside the IWC has always characterised the whaling industry.

The whaling industry has a shameful history of large-scale organised cheating. For instance, in 1994 it was finally revealed how the Soviet whaling fleet had, over the course of 40 years, systematically carried out the falsification of catch records. Some of this cheating had occurred when there were Japanese observers onboard. For instance, for the 1961/2 season the Soviets claimed that their four whaling fleets had only killed 270 humpback whales, but in reality one fleet had killed 1,568 in total.

Last year came the astonishing account by Mr. Kondo, a former executive of Nihon Hogeï K.K. (Japan Whaling Co. Ltd), detailing the various methods used to manipulate catch data by the Japanese coastal whaling stations right up until the moratorium. This included converting the catches of undersized sperm whales to fewer large whales, stretching the measurements of undersized whales and mis-reporting the sex of female sperm whales. Sometimes inspectors would be taken out to dinner when these illegal activities were taking place.

Mr. Kondo revealed that coastal whalers catching the most valuable species, the Bryde's whale, went over their quotas year after year and falsified their catch reports, until the moratorium stopped their whaling. The false reports were forwarded to the IWC by the government of Japan. These false reports would have increased any future quotas set under the RMS, but the government of Japan took no action to correct them.

## **PIRATE WHALING**

There is also the very real threat of pirate whaling. Before the moratorium, the market for whale products and the high price of whale meat and blubber provided the incentives for opportunists to whale outside the system - a practice known as pirate whaling. Pirate whalers did not respect whether a whale was from an endangered or more abundant population, the larger the species the more profit per whale. This approach to whaling is exactly what led to present situation whereby the world's largest whales were hunted to the verge of extinction first.

We already have evidence of current illegal whaling. Testing samples of whale meat on sale in Japan has found meat from endangered species such as humpback and gray whales on sale. The gray whale products are likely to be from the western North Pacific population - one of the rarest whales in the world with only 100 or so individuals left. There are surprising amounts of meat from fin and sei whales on sale, even though legal imports of these species ended a decade ago.

Most recently researchers working for IFAW purchased 129 samples from various whale markets. DNA analysis revealed that 100 of the samples were Minke whale, two were sperm whale and two were Bryde's - the three species for which Japan issues hunting permits. But of the other 25 samples, two were humpback, five were from fin whale, one was sei whale, fourteen were dolphin and one was *horse*.

Commercial whaling has proved uncontrollable in the past. There is no reason to believe that it is any more controllable now.

Although DNA testing is helpful in detecting illegal whale products it doesn't provide a way to stop illegal trade.

## **SCIENCE - UNCERTAINTY**

The RMP, which is the model which would be used to calculate catch quotas under any agreed RMS, although intended to be precautionary is not necessarily foolproof. All models are a simplification of the real world and may not reflect the reality of environmental fluctuations on whale populations. The

model also relies on population estimates but as ever these are problematic due to the inherent difficulties in counting whales accurately. Most counts are done by the whalers themselves.

Also, the model requires a catch history and, as we have seen, the whalers sometimes conceal their catches which has the effect of increasing any quotas calculated using the RMP.

Even the estimated number of North Atlantic minke whales, the population of whales targeted by Norway and one of the most studied populations of whales in the world, is uncertain. The IWC Scientific Committee currently accepts 2 different population estimates as being valid for use in the RMP these are 118,000 and an earlier figure of 67,500 based on a survey conducted in 1989.

There is massive uncertainty as to the number of minke whales in the Southern Ocean too.

## **ENVIRONMENTAL THREATS**

With each passing year, the evidence that whales are at risk from changes in their ocean environment grows ever larger. This is by itself a good reason not to repeat the dangerous experiment of allowing commercial whaling. Known environmental threats to whales include climate change, pollution, overfishing, ozone depletion, capture in fishing nets and even ship strikes.

At this year's IWC the Scientific Committee was unable to agree a number for the Southern Ocean minke whales. The figure of 760,000 as used by Japan to justify its whaling for the last 10 years is no longer valid and the new estimate could be less than half of this because recent counts indicate much smaller numbers. A number of reasons have been given as to why the new estimate is so much lower than the old, including the hypothesis that the Southern Ocean minke whales may have suffered a major decline as a result of climate change.

Perhaps most disturbing of all the information to come out of this year's meeting of the IWC Scientific Committee was a report on the situation of the western North Pacific gray whales. This population, hunted almost to the verge of extinction in the early part of last century, now only numbers around 100 individuals of which only 12 are calf bearing females. Over the last year some have been found to be emaciated with their bones showing through their blubber. For some reason these whales are not getting enough of the benthic organisms that constitute their prey and this may be due to increased sea temperatures. Despite this, seismic testing is being conducted in their feeding grounds in the search for new oil and gas reserves. That these critically endangered whales may actually be pushed into extinction is an indication of just how far we have degraded the whales' ocean habitats.

## **CHANGING THE RULES**

The whaling nations will always bend the rules to suit their purposes.

A telling example of this is how in 2001 Norway changed the way it calculated its catch quotas. Norway claims that it calculates its catch quotas according to the provisions set out in the Revised Management Procedure or RMP. The RMP is the mathematical model devised by the IWC which would be used to calculate catch quotas if the moratorium were to be lifted. However when Norway realised that if it was to follow the RMP exactly using the IWC agreed tuning level (the tuning level is the % of the pristine population that would be left after 100 years of operating the RMP) it would only have a quota of about 300 whales, it decided to use a lower tuning level so that the quota would be increased. Norway's quota with the lower tuning level was 580 minke whales.

## **INCREASING THE CATCH BY THE BACKDOOR**

In July 2001 the Fisheries Agency of Japan (FAJ) changed the law regarding whales caught as bycatch (i.e. whales which get entangled in fishing nets). Under the old regulations fishermen were obliged to release live whales accidentally captured in fishing gear, but now fishermen are allowed to land the whales and sell the meat, providing they report the catch and take a DNA sample. Figures just released show that 52 whales have been caught since the legislation was changed compared with between 20 and 30 whales a year reported beforehand. This change in regulation by the FAJ is widely perceived as an underhand way of increasing the annual whale catch.

## **SUSTAINABILITY**

As well as conducting its two so-called 'scientific' whaling programmes in the Antarctic and the North Pacific, Japan also conducts a number of hunts on small cetacean species, not covered by the whaling moratorium, including a hand-harpoon hunt targeting the Dall's porpoise. The numbers of this species taken increased rapidly during the mid-1980s, reaching catches of more than 40,000 in 1988 - in part as a result of the markets starting large-scale trading in porpoise meat as a means of compensating for the reduction in large whale catches due to the IWC moratorium.

Over the last decade, the IWC has repeatedly expressed growing concern over the sustainability of the Dall's porpoise hunt. This concern stems not only on account of the size of the hunt: there are no figures for the number of animals struck and lost, hunters are targeting lactating females and many Dall's porpoise are caught as bycatch by the Japanese driftnet fleet that fishes for salmon in the Russian EEZ.

Last year the IWC Scientific Committee 'reiterated its extreme concern for these stocks' and recommended 'that catches be reduced as soon as possible' but the Government of Japan has refused to either provide data to the Committee or reduce the numbers of Dall's porpoise taken. The Fisheries Agency of Japan claims any future whaling will be sustainable but its current hunt for Dall's porpoise is not.

## **THE FUTURE OF WHALING & WHALES**

If the IWC agrees and adopts a RMS into the IWC schedule there will be enormous pressure to lift the moratorium on commercial whaling.

Once the moratorium is lifted it is only a matter of time before the whaling industry ensures that the provisions in the RMS that limit their profitability (i.e. provisions intended to safeguard the whales) are eroded. New countries are likely to start whaling and there will be a marked increase in pirate whaling.

The 20th century saw the greatest devastation of whale populations in history but it also saw recognition of our mistakes. Now the lessons of history are being ignored and the 21st century is likely to see the resumption of factory ship whaling worldwide.

**For further information contact Greenpeace on ++81 (0)90 45438590**