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## **THE TRUTH BEHIND "THE TRUTH BEHIND THE WHALING DISPUTE"**

Masayuki Komatsu, Japan's deputy commissioner to the International Whaling Commission, has written a book that has been released by the Institute for Cetacean Research (ICR), an NGO established by the whaling industry. Entitled *The Truth Behind the Whaling Dispute*, the book is full of unsupported claims and accusations. Its thesis rests on a handful of principal arguments. These are that:

1. Antarctic commercial whaling is not a conservation problem because there are 760,000 minke whales in the Antarctic.
2. Whales must be culled because they are rapidly increasing in numbers and eating "too many" fish, to the detriment of humans and other marine wildlife populations, including other whale species.
3. Japan's scientific whaling program is essential if we are to learn what we need to know about whales.
4. The Japanese position on commercial whaling is widely supported by many countries, who support Japan in the IWC and elsewhere because of a confluence of interests, not because of any so-called "vote-buying" initiatives.

There are so many different false claims in the book that countering them would require an additional volume of similar size. This paper therefore seeks only to address those major points listed above, as well as a few other more egregious inaccuracies.

### ***There are 760,000 Minke Whales in the Antarctic***

Throughout his book, Mr. Komatsu repeatedly refers to the supposed number of minke whales in the Antarctic. Its importance to his argument is underlined by the fact that he mentions it no fewer than eleven times: on pages 31, 42, 43, 81, 83, 84, 92, 125, 126, 152, and 169.

The figure is generally presented as an accepted fact (e.g. p.43: "There are 760,000 minke whales in the Antarctic"; p.169: "There is a population of at least 760,000 Antarctic minke whales and after the protection by moratorium over 15 years, some scientist suggest that its increase has hit the ceiling of its own carrying capacity"). Mr. Komatsu stresses his claim that the figure was not derived solely by Japanese scientists but was "worked out by an agreement of the scientific committee of the IWC" (p.84), and takes exception to those who state that the population estimate is "a figure that Japan has contrived to make its claim by taking advantage of the estimates derived from the IWC surveys."

In fact, the figure of 760,000 was never derived as a result of a comprehensive survey of minke whales in the Antarctic. Rather, it was compiled from a series of population estimates, arrived at using different counting methods, from different areas of the Antarctic, that were then aggregated into one figure.

It was never an officially-mandated figure. It was considered the “best available estimate” by the IWC Scientific Committee in 1990.

However, in 2000, the Scientific Committee acknowledged that, in light of recent survey results, it had absolutely no idea how many minkes there are in the Antarctic and Southern Ocean.

In 2001, the IWC, reviewing the report of its Scientific Committee for that year, stated its concern that the report ‘cannot rule out that the Southern Hemisphere minke whale population may have suffered a precipitous decline over the past decade’.

The Committee advanced three possible reasons for the discrepancy between old surveys and the new data:

- i) A change in survey methods;
- ii) Minke whales leaving the area;
- iii) An actual decline in numbers.

Most non-Japanese Antarctic scientists believe the most likely reason is (iii); scientists associated with the Institute for Cetacean research (ICR) generally argue that it is (i).

Either way, Mr. Komatsu must have been fully aware that the Scientific Committee no longer endorsed the 760,000 figure when writing the book, yet he chose not to mention this fact once, but rather to perpetuate the lie that 760,000 is an agreed figure. He has continued to do so in subsequent press releases and statements, almost two years after the Committee first commented that it had no reliable estimate of minke whale numbers in the Antarctic. Particularly given Mr. Komatsu’s insistence on the scientific rigor of his position, such continued misuse of the facts is fallacious and unforgivable.

***Whale Populations Must Be Culled Because They Are Increasing in Numbers, Eating “Too Many” Fish and Imperiling Fish Populations, the Fishing Industry, Food Resources, and Marine Wildlife Including Other Whale Species***

This is another argument of which Mr. Komatsu is inordinately fond. In recent years, it has been forming the centerpiece of the argument put forward by the Government of Japan in defense of increased commercial whaling.

The importance of the argument to Mr. Komatsu and others is underlined by the chapter headings and sub-headings which are dotted throughout the book: “Plight of fishermen due to overprotection of whales” (p.9); “Whales eat three to six times as much marine species as humans eat worldwide” (p.11); “Whale population doubled while Japanese fish catch halved” (p.13); “Humans and whales are competing for fish” (p.14); “We need to cull whales in order to achieve sustainable use of the fish” (p.23); “Blind faith in ‘Save the Whales’ should be overthrown by the knowledge of whales’ predation” (p.24); “Whales are eating the fish to depletion” (p.28); “Whales are competing with humans for fish and other marine biological species” (p.29); “Whales’ amazing appetite sends shock waves through the world” (p.37); etc. There are several elements to the argument, which, for clarity, will be dealt with separately:

### **a) *How Much Fish Do Whales Eat?***

Mr. Komatsu's book regurgitates figures that are frequently bandied about by the ICR and its supporters in the Government of Japan and elsewhere: that whales eat between 280 million and 500 million tons of fish each year. But these figures come only from the ICR, which was created by the whaling industry, and have never been agreed by the Scientific Committee.

These figures are derived by a variety of different methods, each of which requires certain assumptions to be accurate. For example, the upper figure is calculated by assuming that a whale, on average, needs to consume 3.5% of its body weight daily. However, independent studies have suggested that that figure is closer to 1.2%-1.6% and it is well known that most species of whales do not eat every day – they fast for part of each year. In any case it is disingenuous at best of Mr. Komatsu to imply that all those fish would be available for commercial fisheries.

For example, the ICR study on which Mr. Komatsu's figures are based claims that cetaceans in the Southern Ocean eat up to almost 269.5 million tons of food annually. Of this, baleen whales eat a reported 109.5 million tons, with the rest (about 160 million tons) being consumed by toothed whales such as sperm whales and orcas. But baleen whales in the Southern Ocean eat almost exclusively krill, for which there is very little commercial demand. Similarly, the prey of sperm whales, which account for the majority of food consumed by toothed whales, is dominated by deep-sea squid, for which there is also no commercial fishery.

In addition, the ICR claims that, worldwide, sperm whales consume up to 254 million tons annually – half the total upper level figure for global cetacean food consumption. Given the almost complete lack of overlap between sperm whale prey and commercial fisheries, that figure should be deleted from any consideration of the potential conflict over fish resources between whales and humans.

In any case, whales are part of the ocean food web. Fish eaten by whales are not removed from the oceans, unlike fish caught by humans which are.

### **b) *Would "Culling" Whales Increase Fish Availability?***

Whales do not compete with commercial fisheries and it is naively simplistic to assume that removing them will automatically result in a concomitant increase in commercially desirable prey species. This idea is called the surplus yield hypothesis – if you remove a whale from the ecosystem then the fish it would have eaten should become available to commercial fishermen. This is clear and simple theory but unfortunately natural ecosystems do not work this way. In fact, culling marine mammals can produce the opposite of the desired effect. The fish that whales eat may be predators of commercially valuable fish. Removing the whales would increase predation on the commercially valuable fish, decreasing yields instead of increasing them.

Whales and fish existed in balance in the oceans for tens of millions of years at much higher levels of abundance that we have today – the drop in fish population is the result of fisheries, not whales. The surplus yield hypothesis, if it were true would lead to cull all predators of fish, such as seabirds, other marine mammals, or non commercial fish. Indeed, it is predatory fish – and not whales – which consume by far the largest amount of fish in the ocean.

### **c) *Are Whale Numbers Increasing?***

Central to the Komatsu/ICR argument is the notion that not only are whale populations consuming vast amounts of fish, but that their numbers are actually increasing, and at a dramatic rate.

This argument is stated explicitly on a couple of instances in Mr. Komatsu's book. For example: the "population of whales has sharply increased as the result of the unilateral protection measure", (p.12); and "the whale population around the world has nearly doubled since the moratorium" (p14).

Specific attention is paid to an alleged increase in the minke whales of the Antarctic: "The population of the Antarctic minke whale stock is 760,000 at present, and it is growing at the rate of 4 to 7% at present" (p.31). Mr. Komatsu claims that this is having negative impacts on other whale species – specifically that it is impeding the recovery of the region's blue whales: "What is impeding blue whales from recovery? It is believed that minke whales, and not humans, are the culprits." (p.30).

There is absolutely no evidence whatsoever to support any of the above claims. What Mr. Komatsu presents as accepted scientific fact is unsubstantiated propaganda. At its last meeting in Japan (1993) the Scientific Committee agreed unanimously that they did not know if culling the Antarctic minke whales would help or hinder the recovery of the blue whales.

Several whale populations are recovering from decades or centuries of over-exploitation. These include Southern Hemisphere right whales, bowhead whales in the western Arctic, and some populations of humpback whales. Only one population – the Eastern Pacific gray whale – has apparently recovered to pre-exploitation levels (not "well above its virgin stock level" as Mr. Komatsu claims on p.10 of his book). Others, however, have shown little or no recovery, and may still be declining, including Western Pacific gray whales, North Atlantic right whales, bowhead whales in the Eastern Arctic, and most rorquals in the Antarctic.

In fact, whale populations remain at a tiny fraction of their size at the beginning of the twentieth century. For example, in just one decade, whalers in South Georgia killed more humpback whales than are alive in the world today.

In the Antarctic, whale biomass is estimated to be about four to eight per cent of its original level. If we exclude minkes, which were not targeted by whalers until the 1970s, that figure drops to one or two per cent.

If the ICR and Mr. Komatsu were correct, then fish stocks should be much larger now than at the beginning of the twentieth century, when whale populations were substantially larger than they are today. The fact that this is not the case points to the obvious conclusion – that it is human over-exploitation, and not "whales that gluttonously feed on the fish stocks" (p.23), that is responsible for fish stock declines and collapses.

### ***Japan's Scientific Whaling Program Is Essential If We Are To Learn What We Need to Know About Whales***

Not surprisingly, Mr. Komatsu devotes much of his book to a defense of his country's scientific whaling program.

Mr. Komatsu quotes Article VIII of the International Convention for the Regulation of Whaling (ICRW) in defense of lethal research: "recognizing that continuous collection and analysis of biological data are indispensable to sound and constructive management of the whale fisheries ... the Contracting Governments will take all practicable measures to obtain that data." (p.43).

He also argues that "the reason for the moratorium was that there existed "uncertainties" in the knowledge on whale stocks. Japan is conducting its research in order to clarify those "uncertainties"" (p.65).

However, since the research whaling program began in 1987, the IWC's Scientific Committee has unanimously agreed on the scientific component of a management regime. It requires only two

inputs: population estimates, and records of past catches. It does not require any of the data provided by Japan's research program.

Mr. Komatsu continues: "The 'uncertainties' of whether or not there are more than two biological stocks of minke whales in the Antarctic needs clarification and this has been pointed out by many whale scientists. This point can be clarified by examining tissue samples taken out of a whale, as it shows precisely which biological stock the animal belongs" (p.67).

There is an excellent method available for determining stock identity of whales. It is "DNA fingerprinting," the taking of a small biopsy sample and comparing its DNA to that of other samples. It requires the death of not one single whale.

Mr. Komatsu goes on: "The age of baleen whales is identified from their earplug. Each year as the whale repeats its migration to different climatic waters for feeding, a line is formed in its ear-plug. The age of the animal is counted by reading the earplug." Once again, however, this research is of absolutely no relevance whatsoever to the management procedure developed for baleen whales.

Mr. Komatsu also states that, "Other information needed for management of whale population such as reproductive rate, weight, stomach contents etc. can only be obtained by lethal method" (p.67).

This list of justifications, particularly concerning stomach contents, is perhaps the most deceitful of all. Again, none of the above are required for management of minke whales, or any whales, under the RMP. Furthermore, the stomach of every one of the 5,000+ minke whales killed in the Antarctic by Japan's "scientific" whaling program has contained krill, and only krill. This is because baleen whales in the Antarctic eat krill and only krill. This was known well before Japan began its research program in the Antarctic.

Mr. Komatsu claims that "Anybody saying that research is not necessary would be saying so because he/she wants to deny science and accurate information on the population, thereby denying opening of sustainable whaling" (p.68). He must be including in that criticism the Working Group of the IWC's Scientific Committee, which reviewed the Antarctic program and noted that the results of the Antarctic scientific whaling program are "not required for management under the RMP".

***The Japanese Position on Commercial Whaling Is Widely Supported By Many Countries, Who Support Japan in the IWC and Elsewhere Because of a Confluence of Interests, Not Because of Any So-Called "Vote-Buying" Initiatives.***

Key to Mr. Komatsu's argument is the notion that anti-whaling sentiment is a purely Western conceit, which is not representative of the broader global public. He argues that the IWC has been hijacked by a few Western governments which are in the thrall of environmental organizations: "Who is pushing to coerce the ban on whaling? The so-called 'environmentalist' organization and Animal Protectionist Groups of the west are the culprits. Unfortunately, many governments of the Western world have sold their souls to appease these organizations" (p.27); "The United States, United Kingdom, Australia and New Zealand are four staunch anti-whaling nations. They are often seen to be asserting their opinion as if it was 'THE WORLD OPINION' and therefore everybody else must obey their opinion" (p.51); "The current situation in the IWC is such that member governments are puppets manipulated by 'environmental' NGOs" (p.80); "In short, the present-day IWC is a forum whose reason for existence is to misguide the "world" to believe that anti-whaling is an 'international agreement'" (p.80). Although Mr. Komatsu and the ICR like to portray the Japanese public as solidly behind whaling this is not the case. A recent (March 2002) poll by the newspaper Asahi found that 47% of Japanese favoured resumed whaling and 36% opposed it. The last such poll Asahi (1993) did found 53% in favour and 35% opposed – it seems that public opinion is moving against whaling in Japan.

Mr. Komatsu contrasts the situation in the IWC with that of CITES. “We believe that a solution to the whaling issue may be found if certain measures are taken at CITES. CITES meetings 150 nations participating in comparison to around 30 nations attending the IWC. Which organization will be more credible in international policy making is only obvious...” (p.56).

Mr. Komatsu claims that the results of votes on resolutions in CITES to downlist Southern Hemisphere minke whale and other whale populations from Appendix I to Appendix II shows that “Japan is not in the minority in the international community” (p.154).

In fact, the voting records of those meetings – which Mr. Komatsu reproduces across the page from the above comment – show that Japan does indeed remain in the minority. Furthermore, on all four major downlisting proposals, the number of votes opposing downlisting has grown. The only downlisting proposal to achieve a majority was the Northeast Atlantic and North and Central Stocks of Minke Whales, which passed by 57 votes to 51 (6 abstentions) in 1997, and by 53 votes to 52 (8 abstentions) in 2000 – neither close to the two-thirds majority required for downlisting to take place.

Even so, Mr. Komatsu is optimistic that the situation is shifting in Japan’s favor, in the world at large and also within the IWC: “However, we feel more comfortable now than we did in the earlier days. It is because we know that our cause for the sustainable use of marine resources is gaining wider recognition” (p.160-161); “Moreover, we believe that the IWC is changing itself also. There may be a day when we see a much larger number of countries willing to join it. With this possibility, I think Japan may stay a little longer in the IWC and keep fighting for its cause for sustainable whaling” (p.109).

Mr. Komatsu specifically mentions Caribbean islands such as St. Vincent & the Grenadines, which have long been a solid pro-whaling bloc in the IWC. He argues that: “Although these countries are important allies to Japan, there is no notion in those countries that they have been bought off by Japan for their principle” (p.136).

Indeed, Mr. Komatsu goes to great lengths to deny the accusation that Japan is “buying” the votes of Caribbean and other developing nations. “Such a rumor is inexcusable, as it is has no foundation” (p.135); “It is absurd and insulting to say that funding is made to buy votes” (p.136); “The anti-whaling organizations’ mean tactics using such a false allegation for propaganda never ceases to amaze me” (p.136). Mr. Komatsu even states that “some remote nations ring on the phone to the Japanese authorities asking if they could receive financial assistance by offering to cast their votes in support of Japan” (p.137).

Unfortunately for Mr. Komatsu, his indignant protests are countered by his own previous comments. In a 2001 interview with ABC TV in Australia, he admitted that Japan uses Overseas Development Assistance (ODA) in this way, saying that Japan had to use the “tools of diplomatic communications and promises of overseas development aid to influence members of the International Whaling Commission.”

Two years previously, Japan’s then-Vice Minister of Fisheries, Mr. Hiroaki Kameya, told the Kyodo News Service after the 1999 IWC meeting, that the Ministry would work actively, using ODA, to persuade developing nations to join the IWC and support Japan’s position. The wire story, which was published on June 2, 1999, went on to state that, “Because anti-whaling countries’ attitudes are stubborn, it is judged that it is more advantageous for future negotiations to dig up supporting votes by increasing member countries than by trying to split opposing votes.”

On June 11, 1999 a fisheries newspaper reported that Mr. Kameya had set a target of an additional 13 countries joining the IWC and siding with Japan. The paper specifically mentioned Morocco. On August 17 another fisheries paper reported that Mr. Kameya had departed for Namibia, Zimbabwe, and Guinea, to “explain Japan’s position of whaling and the IWC and CITES and appeal to take united steps.”

Guinea joined the IWC for the first time at the 2000 meeting and voted with Japan every time it voted. Morocco joined in 2001, and voted with Japan every time except for some tactical abstentions. Zimbabwe attended as an observer in 2000, and Namibia attended as an observer in 2001.

Accusations of vote-buying are supported by the countries courted by Japan. The Prime Minister of Antigua and Barbuda, Lester Bird, said that, "So long as the whales are not an endangered species, I don't see any reason why if we are able to support the Japanese, and the quid pro quo is that they are able to give us some assistance, I am not going to be a hypocrite; that is part of why we do so."

### **A Few Other Miscellaneous Corrections**

1. The opening line of Mr. Komatsu's book states that, "When the International Whaling Commission (IWC) adopted the moratorium for all commercial whaling in 1982, it agreed to allow commercial whaling to start by 1990 at the latest". This is a lie. The commercial whaling moratorium is scheduled to last for an indefinite period, as Mr. Komatsu should be fully aware.
2. Mr. Komatsu questions the need for implementation of the Revised Management Scheme to be delayed by efforts to construct an international observer scheme. "Even during the time of commercial whaling before the moratorium, whaling vessels, including those operating in the coastal waters of Japan, had foreign observers from the United States, USSR, and other countries on board who checked whaling operations and reported their observations to the IWC. It worked quite well as a checking system" (p.84).

Mr. Komatsu must have an interesting definition of "quite well." The previous observer scheme was constantly and repeatedly the subject of cheating and obfuscation, most famously by the Soviet Union. In 1961-62, the Soviet factory ship *Sovetskya Rossiya* processed 1,568 humpback whales, although the entire fleet reported killing only 270. Between World War II and 1972, the USSR killed almost 48,500 humpbacks, of which they reported only 2,700. They also killed 3,212 right whales, but admitted to killing just one. In 1994, the Russian Federation revealed that a Japanese inspector on board one of the Soviet ships had turned a blind eye to all the falsifications.

Nor are Japanese whalers without responsibility for such blatant contravention of whaling regulations, and playing tricks to keep observers in the dark. An organised pattern of cheating by coastal whalers to keep government inspectors from seeing undersized whales and whales of the wrong sex has been described to the Scientific Committee. And in 2001 a former coastal whaling company manager described how whalers catching Brydes whales exceeded their quota year after year by an average of 60% and kept on doing so until the moratorium stopped their activities.

3. Mr. Komatsu also predictably takes issue with the position and tactics of anti-whaling NGOs, reserving particular scorn for Greenpeace expeditions to confront the Japanese "scientific" whaling fleet in the Antarctic. While it is to be expected that Mr. Komatsu has disagreements with Greenpeace, several factual errors require correction.

Mr. Komatsu claims that during a confrontation during the 1999-2000 season, the Greenpeace ship *Arctic Sunrise* "rammed the Japanese ship" *Nisshin Maru* (p.128). In fact, Lloyd's Database records the incident as a ramming of the *Arctic Sunrise* by the *Nisshin Maru*. The *Nisshin Maru* changed course to overtake the *Arctic Sunrise* on the Greenpeace vessel's port side; Rule 13 of the International Maritime Organization Convention on the International Regulations for Preventing Collisions at Sea states that "any vessel overtaking any other shall keep out of the way of the vessel being overtaken."

Mr. Komatsu claims that the "Japanese fleet is operated with caution to safeguard the life of the scientists and the crew." (p.128) Maybe so, but the fleet has repeatedly shown willful disregard for

the safety of others at sea. In 1992-93, the Nisshin Maru refused to answer a distress call from the French research and resupply ship Astrolabe until a rescue was already underway; in contrast, the Greenpeace responded immediately.

In 1991-92, the Nisshin Maru changed course, overtook the MV Greenpeace and then cut in front of the Greenpeace ship. It performed similar maneuvers with the Arctic Sunrise in 1999-2000 and 2001-2. In 1999-2000, crew members on the whale catchers threw ropes into the water to snag the propellers of Greenpeace inflatables; that year and again in 2001-2, the Nisshin Maru dragged lines in the water to perform a similar function.

Mr. Komatsu claims that Greenpeace activists are 'degrading themselves to the level of international terrorists' (p.130). We totally deny this absurd allegation – our activities are totally non violent. Indeed, the only contact between our ship and theirs in the most recent confrontations in the Antarctic was from very high pressure hoses directed from the whaling ships against our small craft.

Mr. Komatsu claims that: "On their luxury vessels, Greenpeace is providing its activists with some expensive facilities like sport gyms, swimming pool, sauna, and luxury lounge" (p.129). Anyone who has spent any time on a Greenpeace ship knows that such claims are laughable. They are so silly they are barely worth addressing; but the fact that he brazenly states such fabrications as facts further highlights the unreliability of the claims he makes throughout his book.