

OCEANS

THE NEW FRONTIER

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A moratorium on catching whales allowed certain stocks to recover. For some, that proved the need to stop whaling entirely, while others saw the benefit of simply limiting and regulating it. Despite the paralysis of formal negotiations, in this interview representatives of each view discuss the issue and agree on the need to open the debate to other causes of whale deaths, such as water and sound pollution.

PERSPECTIVES ON THE WHALING CONTROVERSY

In 2007, the International Whaling Commission (IWC) launched a three-year Future of the IWC process to create consensus out of long-standing, strongly-held opposing views on whale conservation and whaling among its member states. In June 2010, at the 62nd meeting of the IWC held in Agadir, Morocco, that process concluded in a stalemate, with no consensus and no agreement for further discussions. Joji Morishita, Japan's IWC chief negotiator, and Rémi Parmentier, Senior Policy Advisor to the Pew Environment Group, were both actively engaged in the process. Their perspectives address the key issues and differences involved – views that suggest that the process, despite the lack of accord, could still offer a solid foundation for renewed, good-faith efforts by member states and other stakeholders to find a way out of the stalemate.

In 1986, a commercial whaling moratorium entered into force within the framework of the IWC. How did the international community reach such a position?

Joji Morishita: The 1946 International Convention for the Regulation of Whaling (ICRW 1946) defined principles for the conservation and sustainable use of whale stocks that are still valid more than 60 years later. The first meaningful whale management system established under the ICRW was the so-called Blue Whale Unit (BWU). The BWU was defined as the amount of whale oil that one blue whale can supply, and the total harvest of whales was managed by this unit. The purpose of this system was not the conservation and management of whale stocks but the regulation of oil production. Therefore, the major flaws of the BWU were the lack of biological considerations based on relative abundance of whale species and the lack of management by individual species. The result was depletion of whales in order of size, starting with blue whales.

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Rémi Parmentier: The blue and humpback whales were protected in 1967 and 1965 respectively once they had been severely depleted, but despite scientists' warnings, the Blue Whale Unit was not abandoned until the early 1970s. Nevertheless, concerns grew that the same pattern of over-exploitation would repeat itself with other species – especially with sperm whales, which had been over-exploited by distant fleets since the seventeenth century for lighting oil and later for other industrial purposes, and with fin whales and other rorquals (sei and Bryde's whales).

Pressure on the IWC increased after the UN Conference on the Human Environment held in Stockholm in 1972 called for a ten-year moratorium on commercial whaling. Because amendments to IWC rules require a three-quarters majority to pass, it took ten years to adopt the indefinite moratorium in 1982, effective in the 1985-86 season. However, interim measures were also adopted that began a more positive shift in the IWC. The IWC's Scientific Committee developed a new approach to whaling management to replace the disastrous Blue Whale Unit. The "New Management Procedure" (NMP), implemented in the mid-1970s, was applied on a stock-

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by-stock basis, and quickly brought many species and populations under protection, notably the Antarctic fin and sei whales.

Joji Morishita: Theoretically, the NMP was a valid approach to prevent over-harvesting of whales. However, this system required detailed scientific data on biological parameters, such as natural mortality rates, which were not available or not accurate enough at that time. Because of the lack of scientific information and the consequent uncertainty, the NMP gave the fledgling anti-whaling movement a rationale to call for the prohibition of whaling. Before the NMP could produce the originally intended outcomes, the IWC imposed its moratorium on commercial whaling in 1982.

Rémi Parmentier: Yes, the moratorium was an early manifestation of the precautionary principle. I remember we used to say at the time that whales, not the whalers, should get the benefit of the doubt.

Today there are three main whaling nations – Japan, Norway, and Iceland. Has this always been the case?

Rémi Parmentier: I suppose Joji will tell us that at the beginning of the IWC, Japan was less active in whaling than the UK, the Netherlands and Norway, especially in the great Antarctic whaling grounds. However, this does not deny former whaling countries the right to be advocates of whale protection; one can even say that it increases their legitimacy. By the 1960s Japan, along with the USSR, was the dominant whaling country, with a large domestic whale meat market at the time. Japan also actively supported whaling outside the aegis of the IWC, with land stations in Brazil, Peru, Chile, Spain, South Africa and South Korea, where whale catchers dropped prey for flensing and packaging before exporting the products to Japan. Japan also became the main export market for Icelandic and, to a lesser extent,

Norwegian whale meat. At that time no one had coined the acronym “IUU” for Illegal, Unregulated and Unreported fishing, but that’s exactly what was happening with whales, with the active involvement of Japanese interests. The most flagrant case was a Japanese and South African consortium set up to operate at least two combined whale catchers and factory ships; these roamed the West African coast for several years, using the ports of Las Palmas and Porto to transfer the frozen meat onto Japanese freighters. The fact that IUU whaling could operate in Europe as recently as the end of the 1970s gives an idea of the lack of enforcement and control at the time, in whaling as well as global fisheries at large.

The Japanese connection to IUU whaling was documented and publicly exposed in 1979, leading Japan to adopt domestic legislation to ban the import of whale products from non-IWC countries; the US also passed a law allowing fisheries sanctions on countries whaling outside of the IWC. This precipitated the entry of several “outlaw” whaling countries into the IWC (Spain, Brazil, Peru, South Korea, Chile). This helped Japan to maintain its blocking minority in the short term, but it also brought these countries’ whaling operations under control. 1979 also saw a ban on the use of factory-ships for whaling all species except the smaller minke whale, a result of several combined factors: a number of pro-whale delegates adopted an “activist” approach; Japan was on the defensive because of the IUU whaling scandal, and had not had time to coordinate properly with the five whaling countries who had just joined the commission. Finally, in the same year a whale sanctuary was declared in the Indian Ocean, proposed by the then very young Republic of the Seychelles. Complementing these events, the Convention on International Trade in Endangered Species (CITES) held meetings in the late 1970s and early 1980s and eventually placed all great whales on its Appendix 1, prohibiting trade in their products (CITES 1973).

Why does Japan oppose the moratorium?

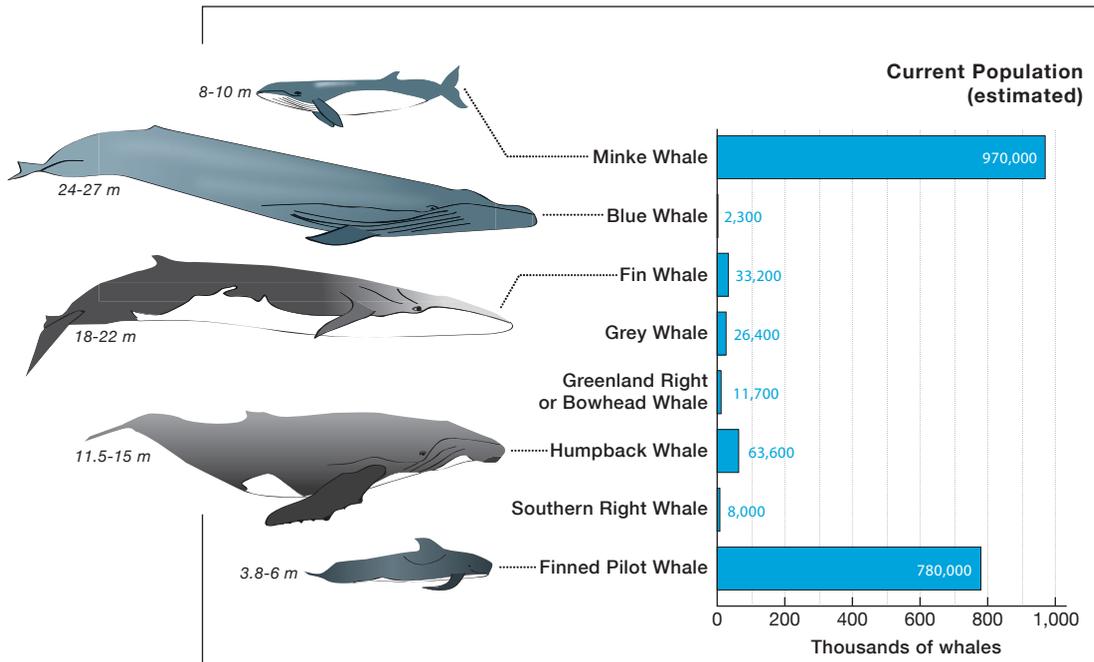
Joji Morishita: Japan opposes the moratorium because it was adopted without a unanimous recommendation from the Scientific Committee. It should be clearly understood, however, that Japan does not seek unregulated and unlimited whaling. As with any other marine living resource, we support science-based conservation and management. In other words, Japan supports regulated and controlled utilization of abundant whale species, such as minke whales, while supporting the protection of endangered whales that have declined drastically due to past excessive hunts, such as blue whales or right whales. The issue is not a simplistic choice between protecting all whales with the moratorium or hunting all whales.

Contrary to common perception, the commercial whaling moratorium does NOT permanently prohibit whaling NOR characterize whaling as evil or wrong. The moratorium temporarily suspends whaling during a comprehensive scientific assessment of whale populations. This decision was made because scientific data for whaling management remained uncertain in the 1980s, and there was a clear timeline for the assessment. The language of the legal decision that established the

moratorium is clear: it provides “catch limits for the killing for commercial purposes of whales from all stocks for the 1986 coastal and the 1985/86 pelagic seasons and thereafter shall be zero. This provision will be kept under review, based upon the best scientific advice, and by 1990 at the latest the Commission will undertake a comprehensive assessment of the effects of this decision on whale stocks and consider modification of this provision and the establishment of other catch limits” (IWC 1982)

Japan’s research whaling was initiated to contribute to this comprehensive assessment. The legal basis for research whaling is also unequivocal. Article VIII of the ICRW grants its signatories the right to assign themselves whaling quotas for research purposes (IWC 1946). The quota is calculated, within a sustainable level, to obtain statistically and scientifically meaningful data. The research objectives, statistical bases for the sample size, and all results are provided to the IWC and made publicly available (GOJ 2004, 2005, 2010; ICR 2010) – again, contrary to common perception. Hundreds of scientific papers have been submitted to the IWC Scientific Committee and some published in peer-reviewed scientific journals (GOJ 2010). After research and data collection, the meat is released to the Japanese commercial market, in accordance with the requirement of Paragraph 2 of Article VIII which reads: “Any

FIGURE 1. HUNTED WHALE TYPES AND POPULATIONS



Source: Based on Antarctic and Southern Ocean Coalition poster (2010)

whales taken under these special permits (scientific whaling) shall so far as practicable be processed...” (IWC 1946). The utilization of carcasses is not only legal, but obligatory under the Convention.

Rémi Parmentier: Everything Joji has just said is interesting because it speaks volumes to the influence of policy on scientific advice, and to the role of value judgements often conditioned by political instructions or, at the very least, political considerations. Disagreements within the Scientific Committee should therefore not come as a surprise. In keeping with the precautionary principle, disagreements should not lead to paralysis; it is the role of policy-makers to assess and resolve them.

Since this moratorium entered into force, what is the status of whales stocks?

Joji Morishita: Many whale species and stocks are now abundant, increasing and recovering from past over-harvesting. The IWC’s website (IWC 2010a) provides population figures agreed by its Scientific Committee. In 1990, the Scientific Committee agreed that there were 760,000 minke whales in the Antarctic. This estimate is currently under re-evaluation. Even if the new estimate shows lower abundance, a large number of minke whales may still be utilized sustainably. The Scientific Committee also agrees that humpback whales are increasing at about 10% per year. These estimates clearly show that under strict quotas whaling would be sustainable.

Past commercial whaling did result in over-harvesting. However, much has been learned in the interim about the science of whales and of resource management. The IWC’s Scientific Committee has developed a risk-averse method of calculating catch quotas, adopted by the IWC as a whole in 1994. This “revised management procedure” (RMP), together with a monitoring and inspection scheme, would ensure the sustainability of commercial whaling and the enforcement of regulations. Furthermore, past commercial whaling reflected a worldwide oil market that regarded whales as industrial material, resulting in over-harvesting to support industrial developments. However, whaling is now a food catch with limited markets and demand. Over-harvesting will not be repeated. As to the stock status of different species of whales, the IWC website (IWC 2010b) provides a good summary.

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The introduction of the moratorium reduced the catch of whales substantially. Around 40,000 whales were caught annually in the Antarctic Ocean in the 1950s and 1960s; recent takes by Japan’s scientific whaling run to several hundred per year. A recent New York Times article (Broder 2010) also indicates the drastic decline of catches from over 6,000 in 1985 to less than 2,000 in 2009 (Fig. 2). Additionally, the recent catch is mainly of abundant minke whales. To equate the current catch level to the past over-harvest is inappropriate.

Rémi Parmentier: Unfortunately, this is our current situation: a moratorium still exists on the books, but three countries (Japan, Iceland and Norway) are seeking to kill approximately 4,000 whales annually for commercial purposes, with self-allocated catch quotas (even though in recent years they have caught less than half that number, for a variety of reasons); meanwhile, there is no international control whatsoever. This is what I call the whaling paradox.

The minke whales caught by Japan in the Southern Ocean are thought to be relatively abundant, although there are currently no agreed population estimates, despite years of effort by the Scientific Committee. But other species still being caught, such as fin, sei and sperm whales, are classified as endangered on the IUCN Red List, and were determined by the IWC to be depleted and protected (IWC 2010b). Even the so-called Sea of Japan stock of minke whales, caught by Japanese and Korean vessels (Pew 2009; IWC 2010b), is very depleted. The good news, though, as mentioned by Joji, is that certain whale species and populations show signs of recovery, especially some populations of humpback whales. The slow humpback whale recovery provides two lessons: international whale conservation efforts and campaigns have been far from futile or useless, but such efforts must be maintained over very long periods of time (the IWC began protecting humpback whales as early as 1965).

Finally, the IWC Scientific Committee failed to evaluate the moratorium's effects on

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whale stocks by 1990, as required by the original 1982 decision; they attributed this failure to insufficient available data and noted that the moratorium had not been in force long enough for visible results. Evidence now exists that some populations of whales have begun to recover, but these species

(e.g. gray, humpback) had IWC protection long before the moratorium was agreed – an indication of the many decades needed for these slow-reproducing animals to rebuild their numbers.

In another way, the moratorium's main effect was to freeze the appetite for whales, in both the figurative and literal sense. Figuratively, the majority of countries engaged in commercial whaling at the time of the moratorium have abandoned the practice (USSR/Russia, Spain, Peru, Chile, Brazil and South Korea¹). Literally, the consumption of whale meat in Japan has decreased considerably, despite the efforts of Japan's Fisheries Agency (JFA). JFA says that whale meat consumption would increase if the moratorium were lifted, but this may be wishful thinking: public opinion polls show that younger Japanese have really no taste for whale meat, and meanwhile the country possesses large stockpiles of frozen meat. There is even a school of thought – led by Atsushi Ishii, a professor at Tohoku University studying his country's attitude to whaling and whale conservation – suggesting that if the moratorium were lifted

1. However, in Korea there has been an increase in minke whale entanglements in nets, which is believed not to be a coincidence (see e.g. Pew 2009).

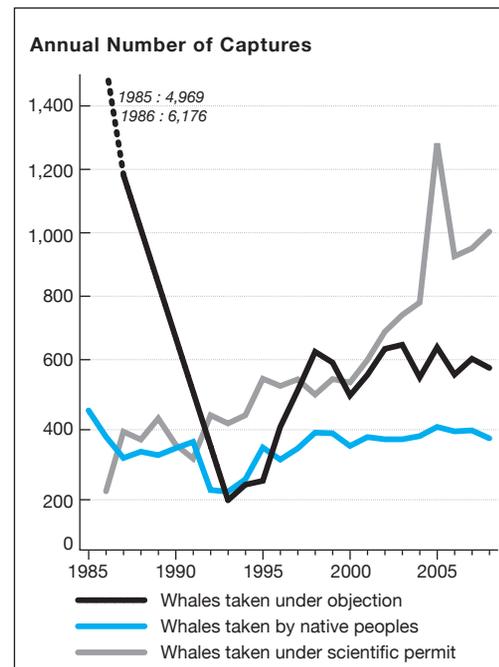
now, and subsidies for “scientific” whaling removed as a result, the private sector would give up whaling altogether.

It seems that the situation that led states to adopt the moratorium has changed to such an extent that they may now consider abolishing it.

Rémi Parmentier: For many years, the IWC has been atypical among multilateral fora and fisheries organizations. In the run-up to the moratorium, voting was the rule, not the exception. And in the period that followed the 1982 adoption, we saw two realignments: on the one hand, the number of whaling countries diminished considerably (with former whaling countries from Latin America and Spain becoming ardent defenders of the moratorium); on the other hand, tension increased as Japan solidified and increased its scientific whaling strategy after 1987, including incentivizing the IWC membership of developing countries in a bid to gain a voting majority. This trend culminated in 2006 at the IWC annual meeting held in St. Kitts and Nevis, where the pro-whaling nations obtained a simple majority for the first time since 1981. While the St. Kitts Declaration, promoted by Japan and adopted by simple majority, spoke of “normalizing the IWC,” Japan announced a scaling-up of its scientific whaling programme, including a proposed kill of fifty humpback whales per year in the Southern Ocean (IWC 2006). St. Kitts was also a wake-up call for the pro-moratorium countries, who then also scaled up their effort to regain the majority (countries from the European Union and Latin America were encouraged to join the IWC). At the following annual meeting (Anchorage, Alaska, 2007), the IWC went back into stalemate, and the newly-appointed US Chair encouraged everyone to adopt a more constructive attitude; the so-called Future of the IWC process was launched, and Japan announced that it was postponing (not cancelling) its plan to catch fifty humpback whales.

Joji Morishita: To be exact, the Future of the IWC process specifically agreed to keep the moratorium in place during the ten-year interim agreement period. The public perception was that the agreement would lift the moratorium and resulted in unregulated and unlimited whaling. The proposed agreement would have achieved the exact opposite: it would bring all existing whaling activities under the control of the IWC with strict quotas and enforcement measures to prevent over-harvesting. It is perfectly logical to

FIGURE 2. WHALE CAPTURES SINCE 1985



Source: IWC (2010b)

keep the moratorium while allowing controlled whaling, because the moratorium was NOT intended as a permanent ban, as I already explained.

Some anti-whaling countries were willing to accept controlled and limited whaling, at least during the ten-year period, because they recognized that some whaling will continue in the future; it is better to control these activities by accepting their existence, rather than sticking to a total ban that simply results in no control over them. The Future of the IWC proposal is not a perfect solution for the anti-whaling countries, but better than the current situation. The USA and New Zealand supported this approach while keeping their basic opposition to commercial whaling.

From Japan's perspective, the proposed compromise solution was unsatisfactory in many respects. However, given Japan's position of supporting science-based conservation and management of all marine living resources, we saw merit in the proposal. We believe that the acceptance of regulated whaling by the IWC while keeping the moratorium will help restore the IWC as a functional resource management organization, in accordance with the ICRW. In light of this, Japan offered a number of substantial compromises toward a consensus: reduced quotas, international observers on board whaling vessels, satellite-based real-time vessel monitoring systems (VMS), registers and market monitoring with DNA "fingerprints," conservation programs, among other measures – provided that compromises come from all member countries and that the final outcome is fair and balanced.

The anti-whaling countries had two options at the Agadir meeting:

(a) Keeping the status quo. (No agreement. The moratorium remains but no control exists over current whaling).

(b) Accepting the Chair's proposal. (The moratorium remains, contrary to public and press perception. All existing whaling comes under IWC control. This carries the risk of mistaken public outcry: "The moratorium is lifted!" and "Whaling will be resumed!").

Apparently, public pressure deterred many anti-whaling countries from accepting option (b). Unless this situation changes, it would be very difficult, if not impossible, to expect the IWC to accept a similar proposal.

Rémi Parmentier: To be exact, there was a third option that both "anti-whaling" and "pro-whaling" countries should have exercised: negotiating improvements to the Chair's proposal.

The last IWC meeting saw a divide within the environmental community between "pragmatists" and "fundamentalists." After three years of negotiations that the media dubbed a "whale peace process," disagreement persisted on the best strategy: whether to maintain the moratorium intact on paper, knowing full well that the three whaling countries would continue to exploit loopholes (scientific whaling and objections): to continue whaling with less control than ever; or to seek agreement on exemptions to the moratorium, in order to bring all whaling activities back under the control of the IWC. The "fundamentalists" prevailed in Agadir, but it is unclear what will happen in the future.

There are at least three reasons to seek a solution to the present stalemate: (1) the

current situation is not good for whale conservation; (2) it provides the foundation for the Japanese government's subsidies to "scientific whaling;" and (3) it does not provide a good example of international stewardship. If we cannot resolve this stalemate with relatively few interests in play, what does it say about our political will to resolve wider challenges of marine biodiversity conservation, let alone climate change?

I think that in Agadir, Japan came to practice judo – they genuinely came to seek a compromise. But some other countries thought they were in a boxing ring, not on a tatami mat. In a negotiation, no one envisages a compromise at any cost; hence it is very difficult to find the right balance. Japan offered too little, too late to win over a sufficient number of pro-moratorium countries. Some NGOs, together with the Government of Australia, have celebrated the collapse of the negotiations in Agadir. Others, such as New Zealand, the USA, and the coalition formed by Pew, Greenpeace and WWF, which argued for three main elements: the abandonment of scientific whaling, an end to Antarctic whaling, and prohibition of the international trade in whale products, were much more cautious (Pew et al. 2010). When the dust settles, we will see whether the negotiation can be rescued. This will largely depend on Japan.

The moratorium vs quota allocation issue was at the heart of the Agadir meeting.

Rémi Parmentier: First, strictly speaking, the moratorium is a quota (or catch limit) allocation set at zero: it is spelled out in Paragraph 10(e) of the IWC Schedule, which says: "[...] catch limits for the killing for commercial purposes of whales from all stocks for the 1986 coastal and the 1985/86 pelagic seasons and thereafter shall be zero." (IWC 1982). The dilemma is whether it is better for whale conservation to maintain

the integrity of the moratorium, knowing that uncontrolled whaling by Japan, Iceland and Norway will continue, or whether whale populations and the international whale conservation regime would in fact benefit if agreed exemptions brought those three countries back under IWC control. In Agadir, some delegates (Australia and the Latin American countries) believed that this would reward "bad behaviour;" others (the US, New Zealand, Sweden, *inter alia*) believed, albeit reluctantly, that under the right terms and conditions, it could become a pragmatic solution.

Joji Morishita: To characterise this issue as "moratorium vs quota allocation" is incorrect, even though I recognize that this is the public perception. Paragraph 10(e) Rémi just mentioned also states that "catch limits for the killing for commercial purposes of whales will be kept under review, based upon the best scientific advice." (IWC 1982). A straightforward reading of this provision is that when a comprehensive scientific assessment of a whale stock identifies a sustainable catch quota, a non-zero catch limit can be established for that stock. Therefore, quota allocation is still consistent with this "moratorium" language. 10(e) did not introduce

SOME NGOS, TOGETHER WITH THE GOVERNMENT OF AUSTRALIA, HAVE CELEBRATED THE COLLAPSE OF THE NEGOTIATIONS IN AGADIR

a permanent ban on commercial whaling, nor did it establish a value judgement to the effect that commercial whaling is wrong or illegal. The negotiation history of the 10(e) language supports this argument. But the public perception that the moratorium means a permanent ban and even a criminalization of commercial whaling was the main cause the breakdown of the Future of the IWC process. Ms. Yasue Funayama, Japan's Vice-Minister of Agriculture, Forestry, and Fisheries, recognized in her Agadir statement at the IWC's 62nd meeting that "some hold the opinion that 'No whaling is acceptable, except for indigenous subsistence whaling,' and 'Not a single whale should be taken' [...] However, adherence to such positions and repeated requests for the elimination of whaling mean the breakdown of our visionary efforts in the Future of the IWC process" (IWC 2010c).

Rémi Parmentier: At the end of the meeting in Agadir, it was reported that Japan had agreed privately to reduce their catches in the Southern Ocean to 150

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minke whales. Had the conservation community been able to present a more united front, I believe this could have been further reduced, maybe to zero. Instead, with no agreement in Agadir, Japan, Iceland and Norway went home with the assurance that they can continue to catch as many whales as they want, where they want, with no international oversight.

I don't think anyone won anything in Agadir. There was nothing to celebrate. What is clear is what has been lost: the IWC whale conservation regime comes out of Agadir weakened and hurt, and the opportunity to put commercial whaling back under international control has slipped away again. This does not look good. The IWC was created to regulate and control all whaling activities. As long as it cannot do that, it is at an impasse. For the time being, the only activities the IWC still controls are indigenous subsistence whaling activities, in the Arctic and on the Island of St. Vincent and the Grenadines. This clearly reflects a governance failure. In the meantime, the IWC's Scientific Committee and the recently formed Conservation Committee continue to do useful work. But the results are hampered and limited as long as the whaling controversy remains unresolved.

Beyond the moratorium vs quota allocation discussion, many experts emphasize that the IWC has not sufficiently considered other causes of whale death (collision, noise pollution, chemical pollution, fishnets...).

Rémi Parmentier: That's what we term IWC's need to move into the twenty-first century. Commercial whaling is a thing of the past, even if three countries still believe that it has a future. Contemporary threats to whales include the effects of climate change, especially in the polar regions; entanglement in fishing nets – with overfishing pressuring their food supplies, cetaceans are attracted to nets to look for food, and can get trapped in them; collision with ships – with the increase of international trade in the globalized economy, ever-faster, larger and more numerous merchant vessels collide with whales; noise pollution from seismic testing for oil and

gas offshore exploration, military activities, and shipping; increased concentrations of organic substances and heavy metals in cetaceans' bodies, with related threats to their health and reproductive capacity. It has been suggested many times that the word "whaling" should be dropped from the name of the IWC, and replaced by the word "whale." That would help broaden its horizon, I suppose.

Joji Morishita: We also have an interest in addressing other whale mortality causes because healthy and abundant whale stocks are the prerequisite for whaling. In the present controversy, however, we often hear the argument that with so many other threats to whales, such as pollution and climate change, no whaling at all should be permitted. This attitude is unfortunate, because sustainable-use and anti-whaling countries could work together on these issues, with the common goal of healthy whale stocks for the future. If the Agadir meeting had produced agreement, other whale mortality causes could have received more appropriate treatment through cooperation from all IWC members. The controversial nature of whaling issue prevents the IWC from addressing many such important issues. This is another reason for promoting the Future of the IWC process. ■

WORKS CITED

- Broder, J. M. (2010) U.S. leads new bid to phase out whale hunting. *New York Times* (Environment), 14 April. Retrieved from <http://www.nytimes.com/2010/04/15/science/earth/15whale.html?scp=23&sq=whaling&st=nyt>
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (1973) Text of the Convention signed by the parties in Washington DC on 3 March 1973 and amended at Bonn on 22 June 1979. Geneva; CITES Secretariat. Retrieved from <http://www.cites.org/eng/disc/text.shtml>
- Government of Japan (GOJ) (2010) Scientific Contributions of JARPA/JARPAII and JARPN/JARPNII. Submitted by Japan, IWC/62/20, submitted at the 62nd Annual Meeting of the IWC, Agadir, Morocco.
- Government of Japan (GOJ) (2004) Revised Research Plan for Cetacean Studies in the Western North Pacific under Special Permit (JARPN II), submitted at the 56th Annual Meeting of the IWC, Sorrento, Italy.
- Government of Japan (GOJ) (2005) Plan for the Second Phase of the Japanese Whale Research Program under Special Permit in the Antarctic (JARPA II) – Monitoring of the Antarctic Ecosystem and development of New Management Objectives for Whale Resources, submitted at the 57th Annual Meeting of the IWC, Ulsan, Republic of Korea.
- Institute of Cetacean Research (ICR) (2010) *Research results: JARPA/JARPA II*. Tokyo: ICR. Retrieved from <http://www.icrwhale.org/JARPAResults.htm>
- International Whaling Commission (IWC) (2010a) *IWC home page*. Cambridge, UK: IWC. Retrieved from <http://www.iwcoffice.org/index.htm>
- International Whaling Commission (IWC) (2010b) *Status of whales*. Cambridge, UK: IWC. Retrieved from <http://www.iwcoffice.org/conservation/status.htm>
- International Whaling Commission (IWC) (2010c) Statement by H.E. Yasue Funayama, Vice-Minister of Agriculture, Forestry and Fisheries, Japan, 62/28 under agenda item 3. IWC 62 Conference, Agadir, Morocco, 30 May-11 June. Cambridge, UK: IWC. Retrieved and re-translated from http://iwcoffice.org/_documents/commission/IWC62docs/62-28.pdf
- International Whaling Commission (IWC) (2006) Paragraph 10 Normalizing the International Whaling Commission – Japan and paragraph 16 St. Kitts and Nevis Declaration at the 53rd Annual Meeting, St. Kitts, 18 June. Cambridge, UK: IWC. Retrieved from http://www.iwcoffice.org/_documents/commission/IWC58docs/iwc58docs.htm

International Whaling Commission (IWC) (1982) Paragraph 10(e) of the International Convention for the Regulation of Whaling, 1946 Schedule, as amended by the Commission at the 34th Annual Meeting, Cambridge, 23 July. Cambridge, UK: IWC.

International Whaling Commission (IWC) (1946) International Convention for the Regulation of Whaling, Article III. 2 December. Cambridge, UK: IWC.

Pew Environment Group (2009) *Policy Guide for the Pew Whales Commission (2009), Bycatch and Infractions*. Washington, DC: Pew Trusts. Retrieved from <http://www.pewwhales.org/pewwhalescommission/policy%20guide%20-%20twelve%20elements.html>

Pew Environment Group, Greenpeace and WWF (2010) *Six Fundamental Elements for the Proposed IWC Consensus Decision*. Washington, DC: Pew Trusts. Retrieved from <http://pewwhales.org/iwc-agadir/Joint%20Statement%20NGO.html>