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Appendix I: The International Convention for the Regulation of Whaling

Washington, 2nd December 1946

The Governments whose duly authorized representatives have subscribed hereto,

- Recognizing the interest of the nations of the world in safeguarding for future generations the great natural resources represented by the whale stocks;
- Considering that the history of whaling has seen overfishing of one area after another and of one species of whale after another to such a degree that it is essential to protect all species of whales from further overfishing;
- Recognizing that the whale stocks are susceptible of natural increases if whaling is properly regulated, and that increases in the size of whale stocks will permit increases in the numbers of whales which may be captured without endangering these natural resources;
- Recognizing that it is in the common interest to achieve the optimum level of whale stocks as rapidly as possible without causing wide-spread economic and nutritional distress;
- Recognizing that in the course of achieving these objectives, whaling operations should be confined to those species best able to sustain exploitation in order to give an interval for recovery to certain species of whales now depleted in numbers;
- Desiring to establish a system of international regulation for the whale fisheries to ensure proper and effective conservation and development of whale stocks on the basis of the principles embodied in the provisions of the International Agreement for the Regulation of Whaling, signed in London on June 8, 1937, and the protocols to that Agreement signed in London on June 24, 1938, and November 26, 1945; and
- Having decided to conclude a convention to provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry;

Have agreed as follows:

ARTICLE I

1. This Convention includes the Schedule attached thereto which forms an integral part thereof. All references to 'Convention' shall be understood as including the said Schedule either in its present terms or as amended in accordance with the provisions of Article V.
2. This Convention applies to factory ships, land stations, and whale catchers under the jurisdiction of the Contracting Governments and to all waters in which whaling is prosecuted by such factory ships, land stations, and whale catchers.

ARTICLE II

As used in this Convention:

1. 'Factory ship' means a ship in which or on which whales are treated whether wholly or in part;

2. 'Land station' means a factory on the land at which whales are treated whether wholly or in part;
3. 'Whale catcher' means a helicopter, or other aircraft, or a ship, used for the purpose of hunting, taking, killing, towing, holding on to, or scouting for whales;
4. 'Contracting Government' means any Government which has deposited an instrument of ratification or has given notice of adherence to this Convention.

ARTICLE III

1. The Contracting Governments agree to establish an International Whaling Commission, hereinafter referred to as the Commission, to be composed of one member from each Contracting Government. Each member shall have one vote and may be accompanied by one or more experts and advisers.
2. The Commission shall elect from its own members a Chairman and Vice Chairman and shall determine its own Rules of Procedure. Decision of the Commission shall be taken by a simple majority of those members voting except that a three-fourths majority of those members voting shall be required for action in pursuance of Article V. The Rules of Procedure may provide for decisions otherwise than at meetings of the Commission.
3. The Commission may appoint its own Secretary and staff.
4. The Commission may set up, from among its own members and experts or advisers, such committees as it considers desirable to perform such functions as it may authorize.
5. The expenses of each member of the Commission and of his experts and advisers shall be determined and paid by his own Government.
6. Recognizing that specialized agencies related to the United Nations will be concerned with the conservation and development of whale fisheries and the products arising therefrom and desiring to avoid duplication of functions, the Contracting Governments will consult among themselves within two years after the coming into force of this Convention to decide whether the Commission shall be brought within the framework of a specialized agency related to the United Nations.
7. In the meantime the Government of the United Kingdom of Great Britain and Northern Ireland shall arrange, in consultation with the other Contracting Governments, to convene the first meeting of the Commission, and shall initiate the consultation referred to in paragraph 6 above.
8. Subsequent meetings of the Commission shall be convened as the Commission may determine.

ARTICLE IV

The Commission may either in collaboration with or through independent agencies of the Contracting Governments of other public or private agencies establishments, or organizations, or independently

- (a) encourage, recommend, or if necessary, organize studies and investigations relating to whales and whaling;
- (b) collect and analyze statistical information concerning the current conditions and trend of the whale stocks and the effects of whaling activities thereon;
- (c) study, appraise, and disseminate information concerning methods of

maintaining and increasing the populations of whale stocks.

2. The Commission shall arrange for the publication of reports of its activities, and it may publish independently or in collaboration with the International Bureau for Whaling Statistics at Sandefjord in Norway and other organizations and agencies such reports as it deems appropriate, as well as statistical, scientific, and other pertinent information relating to whales and whaling.

ARTICLE V

1. The Commission may amend from time to time the provisions of the Schedule by adopting regulations with respect to the conservation and utilization of whale resources, fixing (a) protected and unprotected species; (b) open and closed seasons; (c) open and closed waters, including the designation of sanctuary areas; (d) size limits for each species; (e) time, methods, and intensity of whaling (including the maximum catch of whales to be taken in any one season); (f) types and specifications of gear and apparatus and appliances which may be used; (g) methods of measurement; (h) catch returns and other statistical and biological records; and (i) methods of inspection.
2. These amendments of the Schedule (a) shall be such as are necessary to carry out the objectives and purposes of this Convention and to provide for the conservations, development, and optimum utilization of the whale resources; (b) shall be based on scientific findings; (c) shall not involve restrictions on the number of nationality of factory ships or land stations, nor allocate specific quotas to any factory ship or land station or to any group of factory ships or land stations; and (d) shall take into consideration the interests of the consumers of whale products and the whaling industry.
3. Each of such amendments shall become effective with respect to the Contracting Governments ninety days following notification of the amendment by the Commission to each of the Contracting Governments except that (a) if any Government presents to the Commission objection to any amendment prior to the expiration of this ninety-day period, the amendment shall not become effective with respect to any of the Governments for an additional ninety days; (b) thereupon, any other Contracting Government may present objection to the amendment at any time prior to the expiration of the additional ninety-day period, or before the expiration of thirty days from the date of receipt of the last objection received during such additional ninety-day period, whichever date shall be the later; and (c) thereafter, the amendment shall become effective with respect to all Contracting Governments which have not presented objection but shall not become effective with respect to any Government which has so objected until such date as the objection is withdrawn. The Commission shall notify each Contracting Government immediately upon receipt of each objection and withdrawal and each Contracting Government shall acknowledge receipt of all notifications of amendments, objections, and withdrawals.
4. No amendments shall become effective before July 1, 1949.

ARTICLE VI

The Commission may from time to time make recommendations to any or all

Contracting Governments on any matters which relate to whales or whaling and to the objectives and purposes of this Convention.

ARTICLE VII

The Contracting Governments shall ensure prompt transmission to the International Bureau for Whaling Statistics at Sandefjord in Norway, or to such other body as the Commission may designate, of notifications and statistical and other information required by this Convention in such form and manner as may be prescribed by the Commission.

ARTICLE VIII

1. Notwithstanding anything contained in this Convention, any Contracting Government may grant to any of its nationals a special permit authorizing that national to kill, take, and treat whales for purposes of scientific research subject to such restrictions as to number and subject to such other conditions as the Contracting Government thinks fit, and the killing, taking, and treating of whales in accordance with the provisions of this Article shall be exempt from the operation of this Convention. Each Contracting Government shall report at once to the Commission all such authorizations which it has granted. Each Contracting Government may at any time revoke any such special permit which it has granted.
2. Any whales taken under these special permits shall so far as practicable be processed and the proceeds shall be dealt with in accordance with directions issued by the Government by which the permit was granted.
3. Each Contracting Government shall transmit to such body as may be designated by the Commission, in so far as practicable, and at intervals of not more than one year, scientific information available to that Government with respect to whales and whaling, including the results of research conducted pursuant to paragraph 1 of this Article and to Article IV.
4. Recognizing that continuous collection and analysis of biological data in connection with the operations of factory ships and land stations are indispensable to sound and constructive management of the whale fisheries, the Contracting Governments will take all practicable measures to obtain such data.

ARTICLE IX

1. Each Contracting Government shall take appropriate measures to ensure the application of the provisions of this Convention and the punishment of infractions against the said provisions in operations carried out by persons or by vessels under its jurisdiction.
2. No bonus or other remuneration calculated with relation to the results of their work shall be paid to the gunners and crews of whale catchers in respect of any whales the taking of which is forbidden by this Convention.
3. Prosecution for infraction against or contraventions of this Convention shall be instituted by the Government having jurisdiction over the offence.
4. Each Contracting Government shall transmit to the Commission full details of each infraction of the provisions of this Convention by persons or vessels under the jurisdiction of that Government as reported by its inspectors. This information shall include a statement of measures taken for dealing with the

infraction and of penalties imposed.

ARTICLE X

1. This Convention shall be ratified and the instruments of ratification shall be deposited with the Government of the United States of America.
2. Any Government which has not signed this Convention may adhere thereto after it enters into force by a notification in writing to the Government of the United States of America.
3. The Government of the United States of America shall inform all other signatory Governments and all adhering Governments of all ratifications deposited and adherences received.
4. This Convention shall, when instruments of ratification have been deposited by at least six signatory Governments, which shall include the Governments of the Netherlands, Norway, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, enter into force with respect to those Governments and shall enter into force with respect to each Government which subsequently ratifies or adheres on the date of the deposit of its instrument of ratification or the receipt of its notification of adherence.
5. The provisions of the Schedule shall not apply prior to July 1, 1948. Amendments to the Schedule adopted pursuant to Article V shall not apply prior to July 1, 1949.

ARTICLE XI

Any Contracting Government may withdraw from this Convention on June thirtieth of any year by giving notice on or before January first of the same year to the depository Government, which upon receipt of such a notice shall at once communicate it to the other Contracting Governments. Any other Contracting Government may, in like manner, within one month of the receipt of a copy of such a notice from the depository Government, give notice of withdrawal, so that the Convention shall cease to be in force on June thirtieth of the same year with respect to the Government giving such notice of withdrawal.

Appendix II: Questionnaire Examining the Attitudes on Japanese Youth on Whaling Issues

To answer the questions in this survey, please select one option from the choices below and mark it as follows [✓].

Section 1 – Your Views		Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Not sure	No Answer
To what extent do you agree or disagree with the following statements?								
1.	“Whales that are not endangered can be killed to provide food for humans”.	A []	B []	C []	D []	E []	F []	[]
2.	“There is nothing wrong with harvesting whales if whaling is managed under strict international regulations”.	A []	B []	C []	D []	E []	F []	[]
3.	“I cannot imagine why anybody would want to kill anything as wonderful as a whale”.	A []	B []	C []	D []	E []	F []	[]
4.	“I am opposed to the hunting of whales under any circumstances”.	A []	B []	C []	D []	E []	F []	[]
		Global Warming	Overfishing	Whales feeding on fish	Damage to ecosystems	Marine Pollution	Not sure	No Answer
5.	Scientists have differing views on why the world's fish stocks are declining. Which one of the following do you think is most responsible for declining fish stocks?	A []	B []	C []	D []	E []	F []	[]
To what extent do you agree or disagree with the following statement:		Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Not sure	No Answer
6.	“Certain whale species are decimating fish stocks and must be killed to ensure there is a plentiful supply of fish for humans”.	A []	B []	C []	D []	E []	F []	[]

	Section 2 - Your Experience	Yes	No				Not sure	No Answer
7.	Have you ever eaten any whale products?	A <input type="checkbox"/>	B <input type="checkbox"/>				C <input type="checkbox"/>	<input type="checkbox"/>
		Not at all	A few times	About once a month	2-3 times a month	More than once a week	Not sure	No Answer
8.	If yes, how often have you eaten whale products in the last six months?	A <input type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>	E <input type="checkbox"/>	F <input type="checkbox"/>	<input type="checkbox"/>
		Always	Sometimes	On special occasions	Rarely seen	Never seen	Not sure	No Answer
9.	Are whale products readily available to you?	A <input type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>	E <input type="checkbox"/>	F <input type="checkbox"/>	<input type="checkbox"/>
		Never	A few times a year	About once a month	2-3 times a month	More than once a week	Not sure	No Answer
10.	If whale products were more available to you, how often would you eat them?	A <input type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>	E <input type="checkbox"/>	F <input type="checkbox"/>	

Section 3 – About Scientific Whaling

The International Whaling Commission (IWC) agreed to an international ban on commercial whaling, which took place effect in 1986. Japan started scientific whaling in 1987 and now conducts two programmes: (1) Japanese Whale Research Programme under Special Permit in the Antarctic (JARPA); and (2) Japanese Whale Research Programme under Special Permit in the North Pacific (JARPN). Over the past 19 years, Japan has increased the numbers of whales killed each year as well as including a number of different whale species to be killed for scientific research. During 2005/6, Japanese whaling vessels killed about 1,120 whales as part of Japan's scientific research in the Antarctic and North Pacific.

		Yes	No				Not sure	No Answer
11.	Before this survey, did you know of either of Japan's scientific whaling research programmes (i.e. JARPA or JARPN)?	A []	B []				C []	[]
<p>Scientists have differing views on whether only non-lethal methods (where the whale is not killed) should be used to conduct scientific research on whales. These non-lethal scientific research methods include: skin samples (that can determine different whale population structures) and satellite tags (that can monitor the movement of tagged whales across the oceans).</p>								
To what extent do you agree or disagree with the following statement:		Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Not sure	No Answer
12.	"Only non-lethal methods should be used to conduct scientific research on whales".	A []	B []	C []	D []	E []	F []	[]

Section 4 – About Aboriginal Subsistence Whaling

Aboriginal subsistence whaling is based on traditional, cultural and dietary needs. Mostly the whale products from Aboriginal subsistence whaling are used for food. Other parts of the whales are used for fuel, shelter, clothing or tools. There may also be some trading or sharing of whale products with people who share familial, social, cultural, or economic ties with whalers.

The International Whaling Commission (IWC) has approved the take of small numbers of whales by Aboriginal subsistence communities in Greenland, Alaska, Siberia and St. Vincent & The Grenadines.

For many years, Japan has campaigned for small coastal whaling to be allowed for coastal communities at Abashiri, Ayukawa, Taiji and Wadoura. The IWC has not agreed to Japan's request for 50 minke whales to be taken by each of the four coastal communities, because Japanese coastal communities do not satisfy the criteria for an Aboriginal subsistence whaling quota (e.g. there is no dietary need) and this whaling is seen to be on a commercial scale.

To what extent do you agree or disagree with the following statements:		Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Not sure	No Answer
13.	"Aboriginal subsistence whaling should be allowed when based on traditional, cultural and dietary needs".	A []	B []	C []	D []	E []	F []	[]
14.	"If a whale species is not endangered, small coastal communities in Japan, who previously hunted these animals, should be allowed to return to whaling".	A []	B []	C []	D []	E []	F []	[]

Section 5 – Whale Watching								
Scientists have differing views on whether whale-watching, which is a rapidly expanding industry worldwide, should replace commercial whaling in whaling towns. This would allow local communities to still benefit commercially from whales by encouraging tourists to pay to see them.								
To what extent do you agree or disagree with the following statement:		Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Not sure	No Answer
15.	"If it is possible, whale watching should replace whaling in whaling towns.	A []	B []	C []	D []	E []	F []	[]
		Yes	No				Not Sure	No Answer
16.	Would you want to go on a whale-watching trip?	A []	B []				C []	[]

Section 6 – Whaling Policy

17. How important do you think the following goals should be when whaling policy is being established?

		Very important	Moderately important	Neither important or unimportant	Moderately unimportant	Very unimportant	Not sure	No Answer
i)	Ecological goals, e.g. the roles whales have in ocean ecosystem management	A []	B []	C []	D []	E []	F []	[]
ii)	Economic goals, e.g. maintaining a profitable commercial whaling industry	A []	B []	C []	D []	E []	F []	[]
iii)	Resource use goals, e.g. maintaining supplies of whale products for human consumption	A []	B []	C []	D []	E []	F []	[]
iv)	Animal welfare concerns, e.g. considering the pain and suffering of whales when they are killed	A []	B []	C []	D []	E []	F []	[]
v)	Social goals, e.g. maintaining jobs and the wellbeing of local people in coastal communities.	A []	B []	C []	D []	E []	F []	[]
vi)	Environmental goals, e.g. protecting whales and their habitat from marine pollution or industrial activity	A []	B []	C []	D []	E []	F []	[]
vii)	Cultural goals, e.g. maintaining whaling by Aboriginal subsistence communities	A []	B []	C []	D []	E []	F []	[]

Section 7 – Environmental Non-Governmental Organisations (NGO)

The following are examples of international environmental non-governmental organisations (NGOs) that actively campaign on whale conservation issues: Greenpeace International, the World Wildlife Fund (WWF), and the International Fund for Animal Welfare (IFAW).

Examples of Japanese environmental NGOs include: Friends of the Earth Japan, the Nature Conservation Society of Japan, the Wild Bird Society of Japan, and the IRUKA and KUJIRA Action Network (IKAN).

		Yes	No		Not Sure	No Answer
18.	Including the organisations above, before this survey, did you know of any environmental NGOs based in Japan?	A []	B []		C []	[]
19.	Have you ever seen any anti-whaling protests before, e.g. on television, the Internet, in newspapers or in person?	A []	B []		C []	[]

Anti-whaling protests are held all over the world. These protests give people a chance to voice their opposition about the killing of whales by humans. Protests are organized by many different environmental NGOs. Here is a photo of an anti-whaling protest organized by Greenpeace International. [The letters R.I.P. mean 'Rest in Peace'. This is a phrase used by many people to bless the souls of the deceased.]



		Yes	No				Not Sure	No Answer
20.	Does this photo encourage you to learn more about whaling issues?	A []	B []				C []	[]
		Yes	No	I am already a member of an anti-whaling NGO			Not Sure	No Answer
21.	Does this photo encourage you to join environmental groups that protest against whaling?	A []	B []	C []			D []	[]
To what extent do you agree or disagree with the following statement:		Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Not sure	No Answer
22.	"I distrust environmental NGOs on whaling issues because they are anti-government and rebellious."	A []	B []	C []	D []	E []	F []	[]
Section 8 – The Younger Generation To what extent do you agree or disagree with the following statements:								
		Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Not sure	No Answer
23.	"It is important for children to have access to whale meat".	A []	B []	C []	D []	E []	F []	[]
24.	"Children in Japan should be encouraged to consume whale meat".	A []	B []	C []	D []	E []	F []	[]

Section 9 – What about other countries?

The questions that follow are being asked to help understand your views on whaling issues and how you perceive the views of other countries.

25. To what extent do you agree or disagree with the following statements:		Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Not sure	No Answer
i)	“Countries that oppose whaling do so because they do not understand Japan’s whaling culture”.	A []	B []	C []	D []	E []	F []	[]
ii)	“Countries that oppose whaling are misinformed about whaling issues”.	A []	B []	C []	D []	E []	F []	[]
iii)	“Countries that oppose whaling do so because they are racist towards Japanese people”.	A []	B []	C []	D []	E []	F []	[]
iv)	“Countries oppose whaling because they want to impose their whale conservation policies upon Japan”.	A []	B []	C []	D []	E []	F []	[]
v)	“Some countries that oppose whaling are treating Japan unfairly”.	A []	B []	C []	D []	E []	F []	[]
vi)	“People in non-whaling countries use emotion more than scientific data to support anti-whaling campaigns”.	A []	B []	C []	D []	E []	F []	[]
vii)	“Whaling has been part of Japanese culture, but is no longer necessary as part of modern-day Japanese society”.	A []	B []	C []	D []	E []	F []	[]
viii)	“Whaling is part of Japanese culture and should be allowed to continue”.	A []	B []	C []	D []	E []	F []	[]
		Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Not sure	No Answer

Appendix II The Questionnaire

ix)	"Whaling is a traditional activity that I associate with Japan".	A []	B []	C []	D []	E []	F []	[]
x)	"The Government of Japan should continue to support Japan's whaling activities".	A []	B []	C []	D []	E []	F []	[]
xi)	"Commercial whaling should be banned".	A []	B []	C []	D []	E []	F []	[]
xii)	"Scientific whaling should be banned".	A []	B []	C []	D []	E []	F []	[]
xiii)	"Aboriginal subsistence whaling (by Aboriginal, native or Indigenous peoples) should be banned".	A []	B []	C []	D []	E []	F []	[]

Section 10 – Sources of Whaling Information								
		Yes	No				Not Sure	No Answer
26.	Have you ever heard or seen information about whaling issues in Japan's media?	A []	B []				C []	[]
27.	In your opinion, should Japan's media report on whaling issues more often?	A []	B []				C []	[]
To what extent do you agree or disagree with the following statements:		Strongly agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Strongly disagree	Not sure	No Answer
28.	"I trust the information I receive on whaling issues from Japan's media".	A []	B []	C []	D []	E []	F []	[]
29.	"I trust the information I receive on whaling issues from the Government of Japan".	A []	B []	C []	D []	E []	F []	[]
30.	"I trust the information I receive on whaling issues from environmental non-governmental organisations (NGOs)".	A []	B []	C []	D []	E []	F []	[]

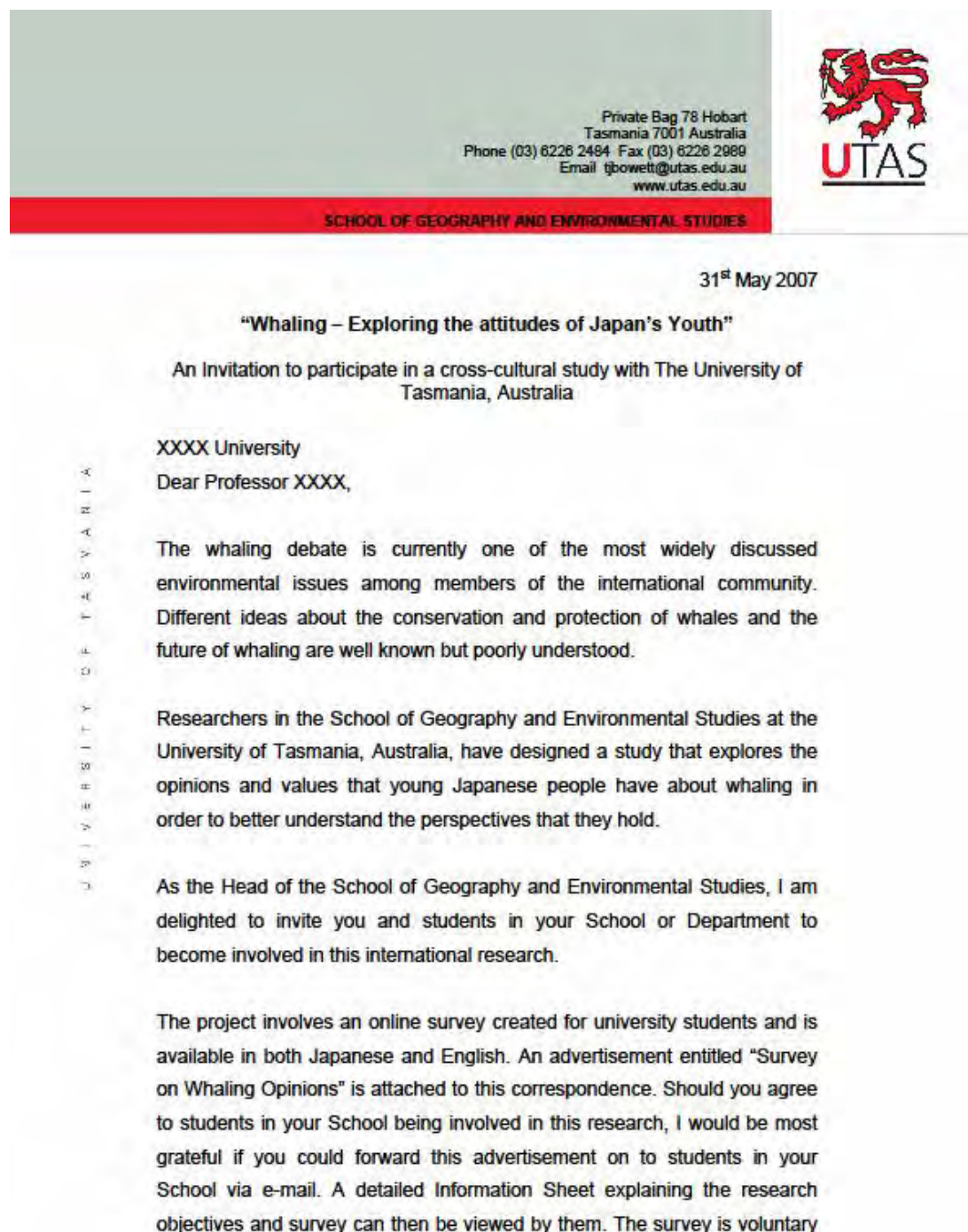
Section 11 – About You									
31.	Nationality								
32.	In which Prefecture in Japan were you born? (If applicable)								
		15-20	21-26	27-32	33-40	41-50	50+	No Answer	
33.	Age	A []	B []	C []	D []	E []	F []	[]	
		Male	Female					No Answer	
34.	Sex	A []	B []					[]	
35.	In which Prefecture in Japan do you now spend the most time?								
36.	Name of University								
		Yes	No				Not Sure	No Answer	
37.	Are any members of your family (immediate or extended) involved with whaling?	A []	B []				C []	[]	
		1	2-5	More than 5			Not Sure	No Answer	
38.	If you answered yes to Q.37, how many are involved with whaling?	A []	B []	C []			D []	[]	
		Coastal Whaling	Scientific Whaling				Not Sure	No Answer	
39.	If you answered yes to Q.37, which type of whaling are they involved in?	A []	B []				C []	[]	

If there are any other comments you would like to make about the issues covered by this survey, please add them below.

THANK YOU FOR YOUR KIND ASSISTANCE WITH THIS RESEARCH

Appendix III: Letters to Japanese University Staff

Figure 24. Letter to Japanese academics from the Head of the School of Geography and Environmental Studies, University of Tasmania, inviting participation in the research project.



and students are therefore free to decide whether they wish to participate in the research, which has been examined as ethically sound by the Human Research Ethics Committee (Tasmania). Student participation will remain anonymous and confidential. The results of this study will be available to you and your students upon request.

Due to the international scope of this study, the research outcomes will have wide-ranging potential to enhance environmental cross-cultural understanding. It will also promote collaborative research relationships between the University of Tasmania and XXXX University.

This project is part of the doctoral research by PhD candidate Julia Bowett who is supervised by Dr Peter Hay (University of Tasmania).

Finally, if you are interested in participating in this research project or require further information, please contact:

Julia Bowett (Primary Researcher)
School of Geog & Environmental Studies
University of Tasmania
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OR Dr Peter Hay (Supervisor)
School of Geog & Environmental Studies
University of Tasmania
Tel: +61 3 6226 2836
E-mail: Peter.Hay@utas.edu.au

Yours sincerely,



Elaine Stratford, PhD
Head of School

Figure 25. Letter to Japanese academics from the Head of the School of Geography and Environmental Studies, University of Tasmania, inviting participation in the research project (Japanese version).



<Date>

若者の捕鯨に対する意識調査
オーストラリア、タスマニア大学博士課程研究員による比較文化研究ご協力をお願い

The University of XXXX
XXXXXXXX 様

学部長様

捕鯨は、現在の国際社会において、多様な論点が激しく論争される問題の一つだと言えます。鯨の保護や捕鯨産業の将来について相反する論点があることはよく知られています。が、同時にそこには多くの誤解があると言えます。そこで、タスマニア大学、地理・環境学部では若者の捕鯨に関する意識の実態を解明すべく、日豪比較調査を行うことになりました。未来のリーダーである今日の若者が、環境管理に対して意見表明することは重要だと考えます。現在、タスマニア大学と提携協定のある日本の各大学にご協力をお願いしていますが、貴大学にも是非ご参加いただきたく、ここにお願い申し上げます。

調査はインターネット・アンケートの形式をとり（質問・回答ともに日・英両語可）、リンクはEメールにより配布されます（アンケートは下記）。調査の実施方法につきましては、ご参加に同意いただいた後、詳細、ウェブサイトのリンク先等をEメールで送付いたしますので、それを対象学部、講座で配布していただくことになります。なお、調査への参加は各学生の皆さんの任意によるものとし、個人情報公表、研究以外の目的に使用される可能性は一切ありません。本研究はタスマニア大学人文研究倫理課によって承認されています。（アンケートの詳細は、

www.geol.utas.edu.au/surveys/whaling_advert_ip.htm）

本研究は、博士課程在籍のジュリア・ボーウェットによるもので、アドバイザーは、本学部ピーター・ヘイに加え、「環境と文化」の専門家であるクイーンズランド大学加藤久美先生を招き、本研究が社会・文化的に適切なものとなることを期しております。本研究は環境に関する意識向上と国際相互理解により文化間摩擦を軽減し、より効果的な種の保全、産業管理を図ることを主旨としています。調査へのご協力を是非お願い申し上げます。

調査への同意、また、お問い合わせは、Eメールを通して下記までお願いいたします。

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本研究が、貴大学との更なる提携、共同活動の一環となることを祈っております。

タスマニア大学地理・環境学部
学部長
イレイン・ストラットフォード



Elaine Stratford, PhD
Head of School

Figure 26. Letter to Japanese academics from the Director of International Services, University of Tasmania, inviting participation in the research project (Japanese version).

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UNIVERSITY OF TASMANIA - INTERNATIONAL SERVICES

<Date>

The University of XXXXXXXX
XXXXXXXXX 様

タスマニア大学は、現在、貴大学と国際提携に関する正式な協定(MOU)を結んでおります。これは国際教育に貢献する、重要な協定であります。今回、本学大学院(博士課程)在籍のジュリア・ボウエットによる「捕鯨に対する日豪比較研究」にご協力いただきたく、お願い申し上げます。本研究は、捕鯨に関して、日豪の若者の意識についてインターネット・アンケートを通して調査するものです(www.geol.utas.edu.au/surveys/whaling_advert_ip.htm)。

地球環境に関する研究は、政治、社会性が大きいと言えますが、本研究は客観的な視点による分析を期し、教育目的以外の意図は一切持たないこと、また、アンケート回答に関しましては、個人情報は一切外部に漏れることがないことを保障いたします。また、本研究が社会・文化的に適切なものとなるよう、アドバイザーとして、環境と文化の専門家であるクイーンズランド大学加藤久美先生を招いております。

研究の詳細について、また、不明な点などありましたら、下記までご連絡ください。

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今後も、貴大学との協定が、ますます日豪間の教育提携に生かされることを願っております。

タスマニア大学国際課
ポール・リグビー



Paul Rigby
Director

Appendix IV: Written Comments from Japanese Students

S007

I have eaten the whale meat once at a restaurant in Shikoku Island. I did not like it particularly and did not think I want to eat again.

Many young people think that the whale meat was once supplied as a replacement of beef or pork in economically hard time. I think only reason that people still want to eat whale meat, even if they became more expensive than beef or pork, is simply miss to eat it for older generations.

S008

Because I grew up in Nara Prefecture which is not surrounded by ocean, I did not get much feeling of reality about whaling. However, TV documentary programs which often focus on environmental issues such as whaling helped me to understand the fact and its basic knowledge. I found some information of the questionnaire were new to me and some are not. I would like to involve anything I can in order for protection of whale.

S018

I could not answer some questions because of my lack of knowledge about whaling.

S019

Whaling issue has not really concerned especially by young generations in Japan.

S026

In Japan, whaling is given few concerns. I think right that Japanese mass media should report this problem.

S030

I did not even have much opportunity to think about whaling. I think people in Japan have not even raised a question about it. I personally think that the traditional whaling could be valued highly as cultural habit and tradition, as long as not damaging to whale's ecosystems seriously. Excessive hunting for a commercial purpose should not be allowed.

S032

The whaling issue seems to be used for taking advantage of Japanese politic [sic] or economic criticism. I felt very childish to the people who argue like "why do you kill such a harmless animal?" and they do not see the reality. There even exists country people eat dog.

S035

Locky sensei, sorry I'm late.

S053

I disagree with some anti-whaling people who only have emotional opinions and ignore the culture and tradition of whaling. These people focus only on some specific types of whales that would be extinct, even though the population of some other species has increased. I think it is OK to catch whales if some people want to eat them (even though I do not eat whales). If these people eat whale meat, then the lives of other animals, for example, pigs and cows can be saved. I do not agree with opinions that only consider the life of the whale.

S055

Last summer, I went to Tasmania to learn English. The teacher from the university said that I should not talk about whaling with my foster family and the teacher explained some reasons why.

S061

I have little knowledge about whaling but I answered the questions anyway.

S064

I have had a class about whaling in Australia. Most Australians were saying that whales were pretty and they are cute so they should not be killed. Australians use emotional opinions to voice their disdain about whaling. Many people did not know about scientific fact of Japanese tradition. So, Japanese people are more appropriate to talk about whaling because Australian's have too emotional opinions. Some countries like Norway are allowed to whale, but Japan cannot and this is unfair. I think that a lot of Japanese people do not know about this issue. Australian and Japanese people both need to understand the aspect of the culture of whaling.

S073

My parents used to have whale meat provided in school lunches. Now, they do not have whale meat in school lunches anymore. When I think about whales, I think about whale watching.

S074

Even though it is important to keep culture and tradition, culture does change with time and sometimes cultures are even abandoned because we do not need them anymore. Cultures are changeable with time. It is wrong to focus only on culture and not to care about the environment. In whaling, people only focus on culture and forget about the destruction of the Earth.

S076

Some anti-whaling people have the opinion that we should not kill whales because they are intelligent. So, what about pigs, oxen or chickens? Can they be killed

because they are not intelligent? Humans should not decide these kinds of things because all of us are living things and we should not decide to kill something because it is not intelligent. This is snobbery! In the real world, the stronger animals eat the weaker ones. Now that humans are at the top of the food-chain, they control what is killed. Unless this relationship is changed, the opinion from anti-whaling people should not be accepted. Pig, cow, whale, chicken should all be considered equal. It is wrong that only one specific standard of a culture decides the value/worth [of a whale] and currently they are more towards preservation of the whale and ignoring the whaling culture. Also, as a fact, too much protection of the whales has disrupted the ecosystem of the ocean.

S079

Some people in certain regions who are familiar with whaling culture look forward to getting whale meat from somewhere, for New Year. Especially middle-aged and older people are very happy when they get these meats. I think they may be sad when people say that Japan does not have a whaling culture.

S120

Traditional Japanese whaling use all parts of a whale body including bones and skins; the way seems to respect the whale. On the other hand, lots of anti-whaling countries such as US used to do whaling, but they only exploit oil from the body and dumped the rest of parts. By following this point, these anti-whaling countries don't deserve to criticise Japanese whaling. At least they should try to understand Japanese traditional whaling.

S125

It is bad to hunt whales that are endangered, can be rare or about to be extinct species. However, I agree with whaling the other species.

S139

She recommends that I ask younger school children this survey as its [sic] important that young people start to think about whaling."

S143

I have no idea because I have never considered this issue.

S145

My parents told me that school sometimes provided whale meat for school lunches. This means whale meat used to be familiar with Japanese. Including this, Japanese whaling is tradition or culture, and has long history. If whaling is banned by the reason of the value of whales' life, it can apply to any other living thing and humans cannot maintain their life. Whaling for scientific research is different from whaling for food.

S153

I am not interested in whaling issue as it's not an issue which influences me a lot. I became a little more interested in it after filling in the questionnaire.

S158

I did not know there were such a big number of organisations. To me this issue seems to be global so I want to keep thinking about it.

S159

I heard that the number of whale and there were too many of them, so whaling to some extent should be permitted.

S169

I was a little embarrassed by this questionnaire. I thought the result would be used to say that Japanese did not think whaling was bad.

S170

I do not understand what for they are whaling.

S172

To be honest we have little knowledge about whaling. Media should deal with this issue more often.

S178

As whales can be used for many products/purposes not only for food, whaling may be permitted.

S208

It's easy to think we are familiar with this problem, but we are not.

S210

I want to eat whales. Foreigners should eat whales as they are tasty.

S217

I realised that my knowledge about whaling issues was little compared to that about other environmental problems and food issues.

S219

It is wrong that other countries say "no" to those countries where whale eating is a tradition. It is the "ego" of other countries. They should listen to Japan's voice saying

“we want to eat whale meat”.

S221

Whales are delicious aren't they? I love to eat deep fried whale meat.

S222

Organisations like Sea Shepherd think they are here to protect nature, but that is a misunderstanding. They are arrogant in their methods of campaigning. They believe they are doing justice but they are not.

S225

Every year the number of whales is increasing by ten thousands, so I don't understand to criticise whaling.

S265

Japanese used to consume all parts of whales including blubber and bones not only as food. Countries which were whaling and reduced the number of whales should not complain.

S272

Young Japanese would not have good knowledge about whaling.

S273

It was interesting. The issue is the same kind as many countries criticise dog culture eating in China.

S283

I think that both whale and other fish are same. If we have to ban whaling, we should also ban fishing.

S297

I wanted more explanation about whaling before filling out the questionnaire.

S299

This questionnaire is structured based on the idea, “It's wrong that Japan is whaling.

S302

This research is important.

S306

I did not think that whale meat was tasty when I ate it as a child. But for people who

like whale meat like my parents, it is a pity they cannot eat whale products which they used to eat. Also, for a group of people that who need whales as food, whaling ban means collapse of their life. Unless there is a way to change their situation, a ban from whaling from other countries should be impossible.

S307

Whale meat is found in some shops, but they are more expensive than other meats. I do not feel like eating whale meat and paying a lot of money. If I had a good amount of money, I buy a good quality beef which can be purchased for the same sort of cost for whale meat.

S309

Whaling is supporting local culture as well as food culture. As long as whales are not forced to become extinct, sustainable whaling is necessary. I don't understand emotional argument about whaling. Why is it cruel to kill whales and not cow or pigs?

S311

A wise consumption of whales would be better for the entire ecosystem of the Earth, than consumption of livestock which seems to require more energy.

S316

Greenpeace should respect the culture of other countries more.

S320

I can't easily say that I am against whaling as there are people relying on whaling as a means of supporting their life.

S349

Although whaling is banned by anti-whaling movement and organisations are doing anti-whaling campaigns, I don't understand why whales are special while we are eating fish and pigs etc.

S358

I wonder whether Japanese whalers are taking more than the necessary amount [of whales]. I am not sure but maybe this is true. If they are taking the necessary amount [of whales], why is it [whaling] criticised by other countries? Japan should try leaving the IWC and I am interested in how other countries would treat Japan if they left.

S359

If whales are not endangered then it seems to be no problem to catch whales. It is not that different to eating pork or beef. It is short sighted to say that eating intelligent

animals is primitive.

S360

Countries which criticise whaling like the US are criticising Japan whilst ignoring their own problems.

S361

Personally, I think other countries have overly strong beliefs in protecting animals as they don't have a whaling culture. I would like them to understand Japanese culture that we consume all parts of the whale when we catch them.

S363

When whale meat was considered a normal part of our diet, whales were exploited. Too many whales used to be caught so the number was reduced, but if we only eat it [whale products] sometimes, there would be more of a balance.

S365

Whaling should be limited for conservation, however, we don't want to be forced to limit or restrict whaling catches from other countries. Especially, it does not make sense that countries such as the US, Australia and France kill and eat cows so why not whales? We Japanese like cows so why do you eat it?

S376

I am not familiar with whaling [issues].

S378

I have not eaten whale meat since school. I had whale meat for school lunch but not since. Are Japanese people really exploiting whales?

S379

Only whales are thought of as special so I wonder how they [anti-whaling proponents] think about pigs and cows which we eat every day.

S402

India does not criticise Japan which consumes beef. European countries seem to force their ideas.

S409

These whaling issues are not only about whales. These issues are also related to small animals like plankton. I would like to review the issue considering all aspects of the ecosystem and not just one species.

S426

The results of this survey depend on whether you are pro or anti-whaling. I do not know what the truth is. At this point, neither side should be emotional.

S435

I was surprised that such a large number of whales are caught by Japan. This survey helps me to think about the bigger picture. I understand that the fishery agency have a need to protect the fishing industry, but I don't think they should insist that its a right [to whale] in our society. i was brought up in a mountain area so I don't know about Japanese whaling culture but whaling may be permitted to conserve culture. If we completely stop whaling, it's like forcing a religion on the Japanese and this is an arrogant act.

S444I do not understand the idea of animal welfare. I do not like the selfish idea that whaling is wrong and killing livestock is acceptable.

S445

I don't understand the criticism of whaling while eating beef, pork and fish [occurs] on a large scale.

S449

It's wrong to think that any type of whaling is wrong. Whaling for scientific research can be permitted.

S451

I have not eaten whale products. I've heard that people of my parents generation or older used to eat whale meat often, so I am interested in the taste of whale meat.

S460

Japan should start commercial whaling and leave the IWC. Japan does not need to co-operate with western countries to conserve whales for their self-satisfaction. I don't understand why western countries see whales as sacred.

S478

Information about whaling should be released not only from environmental NGO's and the Government, but also from neutral and objective researchers.

S504

Whaling is not the only problem. It is human's selfish idea to protect whales because they are pretty.

S506

Overexploitation of whales was a problem in European nations, but not in Japan because there are so many whales.

S508

Whales should not receive special treatment.

S519

Thinking about threatened species or whaling issues illustrates many opinions. These problems are not easy to solve. Therefore, more media should provide general public opportunities to think about these issues.

S522

I was asked about Japanese whaling issues when I was a high school student. When I first heard about it I was very surprised. I could accept the whaling as Japanese traditional culture. There are popular Chinese dishes using monkey and bear hand. But these are now prohibited in China. I am against whaling to a certain extent. I think whaling can be allowed but only if it is controlled and considers the natural environment.

S524

I have never eaten whale meat and I cannot imagine clearly the whaling issue. I have heard that whale meat was often consumed in my parents' generation and it is hard to believe that whale meat was so popular at that time.

S525

I have had a lecture about whaling before at university. I recognise that it is a very serious problem, however, I think it is possible to carry on whaling rather than simply banning it as long as we recognise its seriousness. Hunting should be limited so that animals should not become extinct.

S529

I am not sure how many whales are hunted commercially now. My parents (40s) have said that "We used to eat whale in school lunches, but never these days". I think there is no-one eating whale meat anymore.

S531

I personally oppose the whaling ban because each country has its own culture, such as eating dog in South Korea.

S535

The massacre is unacceptable, but I think that simply banning whaling would affect the ecosystem to badly.

S537

Why should only whaling be banned when there are more endangered species?

S550

It is important to protect the ecosystem, but also cultures. I disagree the banning against people who eat whale meat by the people who eat beef and pork. I am Japanese but I have never eaten whale meat.

Below are additional comments made by Japanese students sent to the author several weeks after visiting Japan. Because the comments were supplied outside of the survey format provided during the presentations and their source could not be verified, the comments were not included in the content analysis.

The WDCS has discovered that whale meat produced in Japan's scientific whaling is being turned into dog food. Whaling is a cruel activity and the fact that Japan is turning these amazing animals to produce dog food is shocking for WDCS. WDCS hopes to expose the scientific whaling program as a politically motivated sham and cause politicians to rethink any sympathy they might have for Japan's arguments that killing whales meets pressing human needs.

It seems to me that their stance of anti-whaling is too emotional. In my opinion, they have two problems about their argument. First, it is true that some kinds of whales are in danger of extinction, others such as minke whales are increasing in numbers and now they eat too much other seafood's. Second, Europeans only use whale's oils or fats, but Japanese uses meats, bones, internal organs, and leather. Japanese whaling is not so cruel. We don't waste their life. So, whaling some kinds of whale increasing in numbers should be permitted.

In Japan, whale meat is stocked about the hundreds of tonnes and its price falls down. Then, whale meat is used to make dog food because Japan rolls in it. I think Japan does not catch whales to eat but to commence research. So it is not proper to say 'Japan catches whales to turn it into dog food'. I think it is necessary to catch whales to commence study of their ecological interactions.

Appendix V: Questions from Japanese Students during Q&A Sessions

Below are the questions asked by Japanese students during the Question and Answer sessions after the author had presented a lecture on global whaling history and the students had completed the survey.

1. It seems to me that we rarely see whaling related products in the market. To be honest, it is difficult to argue about the whaling depletion issue. We are not anti-whaling or pro-whaling. Julia mentioned that Japanese are taking over 14,000 whales in the name of the scientific research since 1986. Do we need that much for scientific research?
2. These 14,000 whales, are they to be consumed after the study? And if so, why do we not see them?
3. Japanese young people have little knowledge about whaling. We should be interested in the issue for protecting whales. How long do whales live?
4. After listening to your presentation we realised that we do not have any knowledge about whaling. So we should have knowledge of whaling to protect. People should make compromise in order to take action. How many times do you do scuba diving? Have you had any dangerous accidents during scuba diving?
5. Because we Japanese do not think about it very much. When did you become interested in marine biology?
6. What are whaling products used for?
7. We would like to discuss whaling with Australian students and share our knowledge. Why did you study your research?
8. After your presentation we are interested in whaling but we cannot decide on the opinion whether whaling is good or not. We do not need to get whale meat but someone says that it tastes good. Japanese youth should make up their own opinion.
9. What is your most dangerous opinion in the sea?
10. We are against commercial whaling because we do not know the exact population of whales so if we catch too many whales they would die out. How often do you catch sharks for research?
11. We think that whaling is not whaling for scientific purposes but commercial whaling, therefore commercial whaling should be banned. We think that the opinion that whaling should be stopped because whales have emotions is wrong. We think this is probably right [that whales have emotions] but this should not be reason banning whaling because other animals like pig as emotions too. What do you think that the best situation about whaling is?
12. Do you think whales have emotions?
13. We realise that we do not know anything about whaling. We respect you for your research. Why are you interested in Japanese whaling?
14. Do you think that whaling is a good or a bad thing?
15. If it is OK to eat dog, then why not whale?
16. In Japan, they do not think it is OK to eat dog meat but they think it is OK to eat whale meat. The foundation for the difference in this opinion is cultural.
17. What does the Japanese Government say is the official reason why they need so many whales?

18. We have heard that increasing whale numbers can damage marine ecosystems. What do you think about this?
19. There is much conflict but there needs to be more mutual understanding. What do you think will be the solution in the future? Do you think that keeping whaling as a tradition is a good compromise [versus the re-introduction of commercial whaling]?
20. Translated: 'He is interested in the manner taken by the radical environmental NGOs that campaign against whaling like Sea Shepherd and also Greenpeace, specifically the activity of the Sea Shepherd and in some cases they print very strong pictures of small whales and dolphins being culled taken in Denmark or the Faeroes. They use very strong picture of whales and dolphins dying and he is feeling that it is too much, it hurts him, so he is questioning the validity of the use of these images and the manner of the campaign that these images cause.'
21. They kill dolphin or small whale by stick. Is there a better way of killing whales or dolphins?
22. Is it true that whaling have been banned because of American propaganda, an American strategy to protect nature to deflect attention from American military environmental damage through Agent Orange during Vietnam War? That the United States wanted to re-build its reputation by conserving whales.
23. Is there a Green Party in the United States?
24. Why is that that countries such as United States and Australia take a quite passive view on global warming but are so actively and loudly anti-whaling? That is a strange relationship. Is that green-washing?
25. Is the IWC appropriately controlled? It is said that it [the organisation] is not working well.
26. Is the IWC corrupt? Does bribery occur between governments or small countries?
27. Whales are so big and magnificent and they represent another form of intelligent life other than humans. For this reason, she feels that whales should not be killed.
28. Does the research program JARPA or the IWC research about whaling culture?
29. The whaling with killing and the whaling without killing (non-lethal scientific data collection techniques), which produces the most accurate data?
30. The Australian government is very anti-whaling but what does most of the Australian public think about whaling?
31. I have heard that the numbers of whales has increased since the moratorium. Is this true or not?
32. Is it true that because there are a large number of minke whales feeding on the fish that forces the reduction of human consumption?
33. Whale, as one species should not be excluded from hunting due to it being unethical so is there any other examples of campaigns against the killing of animals for unethical reasons, such as cattle?
34. The best way for this issue to be resolved is to get knowledge about whaling. But, if we want to get clear, accurate information about whaling, where do we get this from, even if we do not know the clear numbers of whales either?

Appendix VI: Categories and Category Definitions for the Comments by Japanese Students

1. **Reject Animal Welfare** - These students did not agree with animal welfare issues.
2. **Reject Anthropomorphism** - These students rejected any anthropomorphism of whales.
3. **Anti-whalers too emotional** - These students referred to the anti-whaling viewpoint or anti-whaling advocates as being too or over emotional.
4. **Culture not important** - These students felt that the protection of a culture and its constituent parts was not as important as protecting the natural environment.
5. **Protection of Earth more important** - These students felt that the protection of the Earth should be a higher priority than the protection of whales.
6. **Economic importance** - These students referred to whaling as being important for economic purposes.
7. **Ecosystem approach** - These students felt that when considering the management of whales, other organisms or trophic levels in the marine ecosystem should also be considered.
8. **Equality of animal life** - These students referred to anti-whaling views being hypocritical if based upon the view that whales should not be killed because they are special. Many students commented on how many dogs, cows, pigs and chickens are killed for food and to value one animal greater than other is hypocritical.
9. **High cultural value** - These students felt that whaling was of high cultural/traditional value and significance.
10. **Cultural Imperialism** - These students referred to Japan being the subject of cultural imperialism, whereby other nations are forcing their whaling policies upon Japan.
11. **JP leave IWC** - These students felt that Japan should leave the IWC.
12. **Lack whaling knowledge** - These students felt that they lacked knowledge on whaling issues.
13. **Media report more** - These students felt that the Japanese media should report on whaling issues more.
14. **More information** - These students felt that there should be more information about whaling issues available to the public.
15. **More understanding needed** - These students referred to the need for both Australia and Japan to promote a greater understanding of the various issues surrounding whaling.
16. **Multiple use of whales** - These students felt that whaling was an acceptable activity because the carcass can be used for many different products, not just for consumption.
17. **Never eaten whale meat** - These students had never eaten whale meat.
18. **Never thought about whaling** - These students had never considered whaling issues.
19. **NGO criticism** - These students were critical of the actions of anti-whaling NGOs.
20. **No moratorium** - These students felt that a global moratorium on whaling

- should not be in place.
21. **Not concerned w/ whaling**- These students felt that Japanese people were not really concerned with whaling or whaling issues and/or Japanese people were not concerned with whaling, especially the younger generations.
22. **Not want to eat whale meat** - These students did not want to eat whale meat.
23. **Not understand why whaling occurs** - These students said they were unsure whaling occurs.
24. **Ex-whaling nations hypocritical** - These students criticised ex-whaling nations such as Australia, Britain, and the US (referring to either the excessive exploitation of whales or the wastefulness of the whaling activities by these nations in not utilising the whole whale carcass). Many students referring to the above went on to comment on how Japanese whalers were not as wasteful as the whole of the whale carcass is utilised.
25. **Gyoshoku bunka** - These students referred to the memories of whale meat eating in older Japanese generations and/or the importance of a Japanese whale meat eating culture.
26. **Other nations permitted to whale** - These students felt that anti-whaling nations should not impose their viewpoints onto nations other than Japan, who might want to hunt whales.
27. **Preservationist** - These students felt that whaling should be banned under all circumstances.
28. **Remember school lunches** - These students remember eating or seeing whale meat during their schooling.
29. **Scientific whaling acceptable** - These students felt that whaling for scientific purposes was acceptable.
30. **Scientific whaling different** - These students acknowledged a difference between whaling for subsistence and whaling for scientific purposes.
31. **Sustainable use of cetaceans** - These students felt that whaling was acceptable as long as there was not an existential threat to the survival of cetacean populations.
32. **Too many whales** - These students felt that too many whales existed so whaling should be permitted to control their population.
33. **Too many/ emotional involvement** - These students felt that there is too much emotion involved in the whaling debate.
34. **JP treated unfairly** - These students felt that Japan was being treated unfairly by anti-whaling advocates. They considered Japan a ‘victim’.
35. **Wanted to learn more** - These students wanted to learn more about whaling issues.
36. **Wants to eat whale meat** - These students want to eat whale meat or approve of the promotion of whale meat eating.
37. **Whale watching** - These students referred to whales in the context of whale watching.
38. **Whale meat unpopular** - These students felt that eating whale meat was not a common occurrence or that it is unpopular.
39. **Whales damaging ecosystems** - These students felt that too many whales could potentially damage marine ecosystems.
40. **Whales eat fish** - These students felt that whales consume excessive amounts of fish and are thus a threat to commercial fisheries.
41. **Whaling as propaganda** - These students felt that whaling was being used to

Appendix VI Categories and Category Definitions used for the Written Comments

generate international propaganda. (Although many students did not divulge further this concept).

42. **Whaling culture not understood** - These students felt that anti-whaling advocates did not have enough knowledge or understanding about Japan's whaling culture.
43. **Youth should learn more** - These students felt that young Japanese people should learn more about whaling and referred to the issue as being one of importance.

Appendix VII: Full Version of Morikawa's Scenarios

In Jun Morikawa's book *Whaling in Japan: Power, Politics and Diplomacy* (2009), the author outlines four possible whaling policy scenarios that the Japanese Government may take in the future.

Scenario One: The Status Quo

In this *status quo* scenario Japan would maintain its existing policies. It would stay in the IWC for the time being and continue working towards the reopening of commercial whaling in the Antarctic and the Northwest Pacific. Naturally, this option involves the continuation of 'research whaling' in the Antarctic and Northwest Pacific as well as the ongoing, large-scale commercial whaling targeting small whale species in Japan's coastal waters. Efforts to build a majority of nations inside the IWC that are either pro-whaling or neutral, and implementation of an effective negative campaign against anti-whaling factions, are vital to this option of remaining in the IWC while working to transform the organisation to suit Japan's priorities.

Scenario Two: A More Drastic Approach

The second option would be to adopt more drastic and confrontational policies. In concrete terms, this scenario would mean withdrawing from the IWC and unilaterally resuming deep-sea commercial whaling targeting large whale species, as well as boosting whaling in Japan's coastal seas.

However, while this second option would temporarily satisfy nationalistic sentiments, the political, diplomatic and economic costs and risks would be very high by comparison with the expected benefits. None of the former major Japanese whaling companies are interested in getting back into the whaling business in Japan. If this policy were actually introduced, there would very probably be a negative impact in a wide variety of fields, and quite likely an international movement to boycott Japanese products would be encouraged. It is indeed surprising that Japan's largest pressure group, the Japan Business Federation (Nippon Keidanren), has made no statements concerning whaling, although Keidanren and member corporations

such as Canon Inc., whose president Fujio Mitarai is the Chairman of Nippon Keidanren, widely publicise their positive efforts to contribute to 'protection of the natural environment'.

Unfortunately, government actions taken in 2008, such as the announcement that Japan would be buying whale meat from Norway and Iceland and would conduct scientific whaling research in the Northwest Pacific just before the opening of the G8 Summit in Hokkaido in Japan in July 2008, show that the government still has little realisation of the possible negative impact of its actions. The Japan Fisheries Agency, with the backing of politicians with vested interests in the fishing industry, is charging ahead recklessly, leaving the Foreign Ministry unable to control its actions adequately.

The course chosen by the Japanese Government to date has been the first option. However, since Japan's unilateral announcement of the doubling of its research whaling catch at the 57th IWC Meeting at Ulsan in Korea in June 2005, it has shown a distinct inclination towards the second, more confrontational approach. The problem with both the first and the second options is that they do not incorporate an exit strategy.

No doubt, the Japanese Government and the Fisheries Agency believe that just a little more effort on their part will increase the number of nations in the IWC supporting Japan, until finally the pro-whaling faction is in the majority. However, even if Japan should achieve a majority in the IWC, it would take a two-thirds majority to override the moratorium on whaling, and this would be very difficult if not impossible to achieve. And even if the Fisheries Agency somehow were able to achieve this, it would not simultaneously achieve resolution of the whaling issue and legitimisation of Japan's position and so provide a way out. It is quite likely that the national interest and national pride espoused by the Japanese delegation at the IWC conferences will bring about just the opposite result. This would clearly lead Japan not to a way out but into a maze of significant proportions.

Scenario Three: A Realistic Transition

The third scenario is a search for an alternative to allow a realistic transition away

from the confrontational approach of the second scenario. This transitional option would bring a complete end to the lethal 'research whaling' carried out in the Antarctic, the Northwest Pacific and the seas around Japan. On the other hand, scientific research using non-lethal methods could be strengthened and expanded and the proposals and results of that research made generally available within Japan and abroad. The ICR could become independent of the Japanese Government and re-emerge as a neutral international research body and even become allied with the United Nations University which is located in Tokyo. In this scenario, whaling activities would be limited to small-scale commercial whaling targeting small whale species in Japan's coastal waters.

This option could involve the Japanese Government actively supporting whale and dolphin watching as a local revitalisation policy and reemployment strategy for whaling industry workers in municipalities with a historical involvement with whaling, as well as in areas where whale and dolphin watching industries are now being developed. Local communities and local governments would naturally participate and it would be necessary to increase the involvement and contribution of other government agencies such as the Ministry of the Environment, the Ministry of Economy, Trade and Industry and the Ministry of Land, Infrastructure, Transport and Tourism. This plan would no doubt be helpful in terms of achieving sustainable local development and also in obtaining the participation and cooperation of international organisations and domestic foreign NGOs involved in such fields as tourism, the environment, and environmentally viable development.

There has been a rapid increase, in recent increase years, in the influx of tourists into Japan from neighbouring countries enjoying economic boom times, such as Taiwan, Korea and China.

The bountiful seas around the Japanese archipelago have great potential as an international tourist destination, rivalling the snow and hot spring resorts of Hokkaido, the culture and tradition of Kyoto and the entertainment centres of Tokyo Disneyland and Akihabara. If the government were to promote and support whale and dolphin watching, they would become an important international tourist resource and those in the whaling industry would be able to experience at first hand the

benefits of allowing whales to live. In this regard, pioneering efforts have already commenced in localities including Muroran in Hokkaido, Kochi Prefecture on Shikoku, Ogasawara Island and Okinawa. The positive impact and results, not only on the economy but also in terms of education, culture and environmental conservation, are receiving attention both within and outside Japan.

However, the question of how far the participation and cooperation of the Japanese 'silent majority' could be promoted and encouraged would greatly affect the success or failure of this third option (and the fourth as well). This scenario would require suspension of the expansion of whale meat consumption and pro-whaling policies currently being implemented by the Japan Fisheries Agency. Left to market forces, the domestic demand for and supply of whale meat would no doubt contract and balance out, and this would bring about a reduction in the large-scale catching of small whale species off the Japanese coast. This shift in Japan Fisheries Agency whaling policy, from killing whales to putting living whales to use, would probably not only protect and foster the fishing industry but also provide balanced development of fishing villages. Also, this could create a diversity of new model projects for the Japan Fisheries Agency itself, which is engaged in the promotion of international fisheries cooperation. It goes without saying that efforts to control poaching and the distribution of poached whale meat would be vitally important during this transitional period.

Scenario Four: The Demise of Whaling

This fourth scenario is a policy option that would require massive effort over the long term. Implementation would be difficult since the idea would mean the dramatic, simultaneous curtailment or suspension of not only the lethal 'research whaling' carried out in the deep seas but also large-scale coastal whaling targeting dolphins and porpoises. Obviously, it is to be expected that restrictions on whaling targeting small whale species would give rise to strong opposition and resistance from local industry groups, local communities, and the entire fishing industry. It follows that the central and local governments would need to invest considerable time and energy in the effort to gather the views and counter proposals of the various stakeholders and submit alternative plans for social and economic development and

concrete support programs acceptable to those stakeholders. Yet, when considering the generally severe difficulties the Japanese fishing industry is facing and the aging and depopulation of fishing villages, a shift towards whale tourism may represent a much more viable alternative than many in the fishing industry can now imagine.

If this option were chosen, there is another pressing matter to be considered. This is the problem of formulating and applying practical methods to prevent organised poaching and the distribution and consumption of poached whale meat. While the domestic demand for whale meat tends to be small in terms of scale, uneven in terms of region and concentrated in the over-50 generation, it would be wrong to underestimate the existence of a certain level of entrenched domestic demand for whale meat. If, in addition to the suspension of research whaling, coastal whaling targeting small whale species was also curtailed or prohibited, the domestic supply of whale meat would be drastically cut and whale meat would no doubt become a more expensive, high-status gourmet product to some. Thus, high prices would very likely make poaching lucrative and thus further encourage poaching and the distribution and consumption of poached whale meat.

This fourth option also would require the government's active support for whale and dolphin watching programs, including the establishment of linkages to tourism and environmental education and regional promotion activities that would involve financial support and the preparation of infrastructure.

Objectively speaking, the conditions that would enable the introduction of the third or fourth options are, if slowly, definitely gradually coming together against the backdrop of Japan's 'silent majority'. The Japanese Government's pro-whaling policy is now confronted with the epochal tide of opinion in favour of protecting the global environment. Increased awareness has spread that the Earth's abundantly diverse natural ecosystem is an asset held jointly by the international community. It is increasingly understood that the members of the international community (including citizens, states, international organisations, multinational corporations and NGOs) all have a responsibility to protect the irreplaceable Earth and pass it on to future generations. In the context of this epochal tide, the view also is spreading that the whaling issue should be understood and dealt with as a symbol of worsening

environmental problems, by means involving cross-border efforts. Despite this growing awareness, the Japanese Government and the whaling industry continue to focus on short-term benefits, persisting with their unilateral claim that the question is how to use whales as a marine resource to serve the particular interests of Japan.

As it is the second¹¹¹ greatest economic power in the world and a nation that claims a desire to contribute to global peace and development, much is expected of Japan by the international community. The disappointment with and opposition to Japan's outdated claims and power politics-style approach to the whaling issue are all the greater as a result.

¹¹¹ Since the time of writing by Morikawa (2009), Japan has been succeeded by China as the world's second largest economy.

Appendix VIII: Draft International Convention for the Conservation and Sustainable Use of Cetaceans

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**International Convention for the Conservation of Cetaceans
Or
International Convention for the Conservation and Protection of Cetaceans
Or
→ International Convention for the Conservation and Sustainable Use of
Cetaceans
International Convention to Manage the Sustainable Use of Cetacean
Resources
(Place and Date)**

The Governments whose duly authorized representatives have subscribed hereto,

HAVING REGARD to their common concerns for the rational management, conservation and optimum utilization of the living aquatic resources in accordance with generally accepted principles of international law including those reflected in the 1982 United Nations Convention on the Law of the Sea (UNCLOS);

RECALLING the general principles of conservation and sustainable use of natural resources as reflected for example in the report of the World Commission on Environment and Development;

APPRECIATING that the sustainable use of the components of biological diversity is one of the objectives of the Convention on Biological Diversity specified in Article 1 of that Convention;

NOTING that many of the world's cetacean stocks are abundant and can be sustainably utilized;

EMPHASIZING that the consumptive use of cetaceans in many parts of the world contributes to sustainable coastal communities, sustainable livelihoods, food security and poverty reduction;

INTERPRETING "optimum utilization" as reflected in Article 64 of UNCLOS to include support for sustainable consumptive use of cetacean resources as well as the possible [reduction] [control] of cetacean populations as part of ecosystem management aimed at increasing yields from other fisheries;

RECALLING among other Conferences, reports and documents, the 1995 International Conference on the Sustainable Contribution of Fisheries to Food Security jointly hosted by FAO and Japan that noted the continuously growing world population and the need to secure enough food for present

and future generations, and the significant contribution of fisheries to income, wealth and food security for all people, and its critical importance in some low-income food-deficit countries;

RECOGNIZING food sovereignty as a right of each Contracting Government to this Convention to define with respect to the utilization of marine resources its own food policies that are ecologically, socially, economically and culturally appropriate to its unique circumstances in order to ensure for its citizens the universal human right, as codified in the Universal Declaration of Human Rights and supporting international covenants, to physical and economic access to adequate, safe and nutritious food to meet their dietary needs;

COMMITTED to the principle that cultural diversity is as necessary for humankind as biodiversity is for nature and that traditional food cultures and systems must be preserved and encouraged through science-based international management regimes as a means to help alleviate the suffering of millions of malnourished people in the world;

NOTING that international resource management organizations dealing with resources that can be used as food have at least a moral obligation to explore ways in which they can help alleviate the suffering of millions of malnourished people in the world;

BEARING IN MIND the need to develop management procedures which take into account the relationship between cetaceans and other marine living resources and **DESIRING** to increase research related to ecosystem management particularly related to interactions between cetaceans and fish that are utilized as food for humans;

FURTHER DESIRING to establish an effective system of regulation for the cetacean fisheries appreciating in particular the principles of the need for science based management, optimum utilization and the need to consider the interests of the consumers of cetacean products while ensuring the proper and effective conservation of stocks;

Have agreed as follows:

Article 1.

1. This Convention applies to all waters within which cetaceans occur.
2. This Convention includes the Schedule attached thereto which form an integral part thereof. All references to "Convention" shall be

understood as including the said Schedule either in their present terms or as amended in accordance with the provisions of Article –

3. The purpose of this Convention to be pursued in accordance with the relevant provisions is to manage sustainable consumptive use of cetaceans while ensuring their proper and effective long-term conservation, taking into account the interests of the harvesters and the consumers of cetacean products in order to provide sustainable economic, environmental and social benefits.

4. In order to achieve the purpose described in paragraph 2 of this Article, this Convention is open to signature by those countries that support the sustainable consumptive use of cetacean resources and promote the objectives of optimum utilization of such species both within and beyond exclusive economic zones as reflected in Article 64 of UNCLOS.

Article 2. Definitions

Article 3.

1. The Contracting Governments agree to establish an International Commission for the Conservation of Cetaceans (or other name in accordance with the title), hereinafter referred to as the Commission, to be composed of one member from each Contracting Government. Each member shall have one vote and may be accompanied by one or more experts and advisers.

2. The Commission shall elect from its own members a Chairman and Vice-Chairman and shall determine its own Rules of Procedure and financial regulations.

3. As a general rule, decision-making in the Commission shall be by consensus. For the purpose of this Article “consensus” means the absence of any formal objection made at the time the decision was taken. If all efforts to reach a decision by consensus have been exhausted decisions shall be taken by a three-fourths majority of those present and voting provided that for administrative and financial matters, such majority includes the three members paying the highest contributions. The Rules of Procedure may provide for decisions otherwise than at meetings of the Commission.

4. The Commission may recognize and cooperate with regional organizations, agreements and/ or arrangements in order to achieve the purpose of this Convention and facilitate the implementation of conservation and management measures.

5. The Commission may consult with and consider the views of interested non-member governments when management measures are being decided or recommended for species that migrate in or through their waters.

6. The Commission may appoint its own Secretary and staff and may set up, from among its own members and experts or advisers, such committees as it considers desirable to perform such functions as it may authorize.

7. The Commission shall arrange for the publication of reports of its activities as it deems appropriate.

8. Meetings of the Commission shall be convened as the Commission may determine.

Article 4.

1. The Commission shall establish a Scientific Committee. Its budget, work program and agenda shall be subject to approval by the Commission. The work program of the Scientific Committee shall respond to specific management tasks assigned to it by the Commission.

2. The Commission may either in collaboration with or through independent agencies of the Contracting Governments or other public or private agencies, establishments, or organizations, or independently encourage, recommend, or organize studies and investigations relating to cetaceans and the interactions between cetaceans and fisheries;

Article 5.

Nothing in this Convention shall prejudice the rights, jurisdiction and duties of States under the 1982 UNCLOS. This Convention shall be interpreted and applied in the context of and in a manner consistent with the 1982 UNCLOS.

Article 6.

In order to manage and conserve cetacean stocks, the members of the Commission shall, in giving effect to their duty to cooperate in accordance with the 1982 UNCLOS;

- (a) adopt measures to ensure the long-term sustainability of cetacean stocks and promote the objective of their optimum utilization,
- (b) ensure that conservation and management measures established for the high seas and those adopted for areas under national jurisdiction are compatible and,
- (c) implement and enforce conservation and management measures through effective monitoring, control and surveillance.

Article 7.

1. The Commission may, consistent with the relevant (international law) (articles of UNCLOS) and based on scientific advice, amend from time to time the provisions of Schedule 1 by adopting conservation and management measures including total allowable catches with respect to the utilization and conservation of cetacean resources in waters beyond national jurisdiction in order to achieve the purpose of this Convention.

2. These amendments to Schedule 1 shall (a) be such as are necessary to carry out the objectives and purposes of this Convention and to provide for the conservation and optimum utilization of the cetacean resources; (b) be based on scientific findings and; (c) take into consideration the interests of the consumers of cetacean products.

3. Each of such amendments shall become effective with respect to the Contracting Governments ninety days following notification of the amendment by the Commission to each of the Contracting Governments, except that (a) if any Government presents to the Commission objection to any amendment prior to the expiration of this ninety-day period, the amendment shall not become effective with respect to any of the Governments for an additional ninety days; (b) thereupon, any other Contracting Government may present objection to the amendment at any time prior to the expiration of the additional ninety-day period, or before the expiration of thirty days from the date of receipt of the last objection received during such additional ninety-day period, whichever date shall be the later; and (c) thereafter, the amendment shall become effective with respect to all Contracting Governments which have not presented objection but shall not become effective with respect to any Government which has so objected until such date as the objection is withdrawn.

4. The Commission shall notify each Contracting Government immediately upon receipt of each objection and withdrawal and each Contracting Government shall acknowledge receipt of all notifications of amendments, objections, and withdrawals.

Article 8.

At the request of any Contracting Government, the Commission may, consistent with the relevant [international law] [articles of UNCLOS] and based on scientific advice, provide recommendations with respect to the utilization and conservation of cetacean resources in waters under the national jurisdiction of that Contracting Government in order to achieve the purpose of this Convention.

Article 9.

1. The Commission shall establish a a research fund which will be allocated by the Commission to cetacean research in developing countries and a fund to provide for the participation of members from developing countries in the work of the Commission.

2. The Commission shall establish a benefit sharing scheme that recognizes the rights of developing member States to benefit from the sustainable harvesting of whales on the high seas within the framework of common property rights.

3. The Commission shall decide on contributions to and disbursements from the research fund, the fund to provide for participation of members from developing countries and the benefit sharing scheme accordance with its financial regulations which may be amended from time to time as the Commission may so determine.

Article 10.

1. Notwithstanding anything contained in this Convention any Contracting Government may grant to any of its nationals a special permit authorizing that national to kill, take and treat cetaceans for purposes of scientific research subject to such restrictions as to number and subject to such other conditions as the Contracting Government thinks fit, and the killing, taking, and treating of cetaceans in accordance with the provisions of this Article shall be exempt from the operation of this Convention. Each Contracting Government shall report at once to the Commission all such authorizations which it has granted. Each Contracting Government may at any time revoke any such special permit which it has granted.

2. Any cetaceans taken under these special permits shall so far as practicable be processed and the proceeds shall be dealt with in accordance with directions issued by the Government by which the permit was granted.

3. Each Contracting Government shall transmit to such body as may be designated by the Commission, in so far as practicable, and at intervals of not more than one year, scientific information available to that Government with respect to cetaceans, including the results of research conducted pursuant to paragraph 1 of this Article and to Article 4.

4. Recognizing that continuous collection and analysis of biological data in connection with the harvesting of cetaceans are indispensable to sound management of such harvesting, the Contracting Governments will take all practicable measures to obtain such data.

Article 11.

1. Each Contracting Government shall, as appropriate, enact domestic legislation to implement this Convention. In addition, members involved in the harvesting of cetaceans shall have domestic legislation regulating such harvesting operations.

2. Each Contracting Government shall implement monitoring, compliance and enforcement measures appropriate to cetacean harvesting operations carried out by persons or by vessels under its jurisdiction. Such measures shall include the appointment and appropriate placement of inspectors or independent observers and for harvesting operations of large cetaceans include fully diagnostic DNA registers.

3. Monitoring, compliance and enforcement measures implemented shall be reported to the Commission together with catch records which will be reviewed by the Commission.

4. Each Contracting Government shall take appropriate measures to ensure the application of the provisions of this Convention and the punishment of infractions against said provisions.

5. Prosecution for infractions against or contraventions of this Convention shall be instituted by the Government having jurisdiction over the offence.

6. Each Contracting Government shall transmit to the Commission full details of each infraction of the provisions of this Convention by persons or vessels under the jurisdiction of that Government as reported by its inspectors or observers. This information shall include a statement of measures taken for dealing with the infraction and of penalties imposed.

Article 12.

1. The working languages of the Commission shall be Arabic, Chinese, English, French, Russian and Spanish.

**2. This Convention shall be open to signature by the following States: -----
----- which have expressed their support for the sustainable consumptive use of cetaceans (and the object and purpose of this Convention).**

3. This Convention is subject to ratification, acceptance or approval by the States referred to in paragraph 2 of this Article in accordance with their respective internal legal procedures, and will enter into force ninety (90) days after the date of deposit of the fifteenth instrument of ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of (---).

4. After the entry into force of this Convention, at the invitation of the Original Parties by unanimous agreement, other States may accede to it. This Convention shall become effective for any such other State on the date of deposit of that State's instrument of accession.

5. Territories that have not attained full independence and do not have the competence to enter into treaties but which have competence over matters governed by this Convention and which have agreed to be bound by the regime established by this Convention may participate in the work, including decision making, of the Commission. In this regard, the words "Contracting Governments" in the above articles shall be interpreted to include such territories.

6. Notwithstanding the other paragraphs of this Article, this Convention may be applied provisionally by any Government pending entry into force of the Convention for that Government.

7. The provisions of this Convention, upon provisional application or its coming into force, shall, as between the Contracting Governments hereto, terminate and replace the provisions of the 1946 International Convention for the Regulation of Whaling.

Article 13.

1. Any Contracting Government may withdraw from this Convention by giving notice of six months to the depository Government, which upon receipt of such a notice shall at once communicate it to the other Contracting Governments.

2. The Convention shall bear the date on which it is opened for signature and shall remain open for signature for a period of fourteen days thereafter.

In witness whereof the undersigned, being duly authorized, have signed this Convention.

“Safety Net” – A New International Convention for the Conservation and Sustainable Use of Cetaceans

Background

Following the IWC annual meeting in Anchorage in 2007, a working group of experts was established in order to discuss a “Safety Net” concept which would secure an international system for the conservation and management of whale stocks. This project was initiated because of serious concerns felt by many conservation and management experts regarding the failure of the IWC to carry out its functions in accordance with the ICRW.

The working group agreed that discussions about a possible new convention and organization which would secure the dual purposes of the ICRW – management and control of whaling to achieve sustainable use of abundant species and protection and recovery of depleted and endangered species of whales - are essential in case of failure of “the future of IWC” initiative. The working group wishes the success of “the future of IWC” initiative and believes the “Safety Net” concept and “the future of IWC” initiative are mutually supportive. A “Safety Net” is required to ensure that there is a framework for the conservation and management of whale stocks in the absence of IWC functions.

Main concepts and principles

The primary basis for the new convention would be science-based management consistent with the rights of States under the UNCLOS in support of the sustainable use of abundant cetacean stocks which contribute to sustainable coastal communities, sustainable livelihoods, and preservation of cultural traditions, food security and poverty reduction. Management and conservation measures reflect the basic principles of conservation and take into account the precautionary approach and ecosystem considerations.

side with the The working group considered that signatories to the new Convention must all share a common basic view with respect to the utilization of cetacean resources in order to avoid the polarized situation that has rendered the IWC dysfunctional. They noted that a comparison of the institutional discourse and outputs of the North Atlantic Marine Mammal Commission (NAMMCO) with that of the IWC vividly demonstrate the validity of this conclusion.

Scope and function of the new Convention and organization

The working group concluded that an alternative to the current ICRW and IWC is required in case of collapse of the organization. They agreed that the “Safety Net” should be a new legally binding convention with restricted membership and that the new convention should be global in scope, cover all cetaceans and have a Commission that makes regulations covering waters beyond national jurisdiction and provides recommendations related to cetacean use within EEZs at the request of the coastal state.

Appendix VIII Draft International Convention for the Conservation and Sustainable Use of Cetaceans (the Safety Net)

Legal basis

The working group considered that the 1982 UNCLOS should be the core reference for a new Convention and in particular, Article 64 of UNCLOS (which requires "...coastal States and other States whose nationals fish in the region for the highly migratory species listed in Annex I [including cetaceans] to cooperate... with a view to ensuring conservation and promoting the objective of optimum utilization of such species...").

The working group also took note of; 1) the requirements for coastal States, "taking into account the best scientific evidence available to it", to "ensure ... that the maintenance of living resources in the exclusive economic zone is not endangered by over-exploitation" as reflected in Article 61; 2) the requirement to "promote the objective of optimum utilization of the living resources in the exclusive economic zone..." reflected in Article 62; and 3) the requirement to cooperate concerning stocks occurring within the exclusive economic zones of two or more coastal States or both within the exclusive economic zone and in an area beyond and adjacent to it reflected in Article 63.

Next steps

The attached draft convention text has been prepared by the working group of experts in their personal capacity rather than as representatives of Governments or institutions. The document therefore has no official status. The working group has however asked its Chair, Mr. Robert WG Jenkins AM, President of Species Management Specialists to formally transmit the draft convention text to Governments that support the sustainable consumptive use of cetaceans with a request that these Governments consider establishing a mechanism to finalize the text of a new Convention to ensure that there is a framework for the conservation and management of whale stocks in the absence of IWC functions.

Explanation of the draft new Convention

Title

A number of options are presented. The title should be an accurate reflection of the substantive matters addressed by the Convention.

Preamble

The preamble sets forth the basis for the Convention, the shared views of Parties and their intentions.

Article 1

Specifies that the Convention covers all waters and that it includes a Schedule. It also specifies the purpose of the Convention and that the Convention is open to signature by those countries that support the sustainable consumptive use of cetacean resources and promote the objectives of optimum utilization of such species.

Appendix VIII Draft International Convention for the Conservation and Sustainable Use of Cetaceans (the Safety Net)

Article 2

This article is a placeholder in the event that definitions are required.

Article 3

Establishes a Commission and describes its decision making processes. This Article also specifies that the Commission may cooperate with regional organizations, consult with non-member governments, appoint its staff, set up committees, publish reports of its activities and decide on the timing of its meetings.

Article 4

Establishes a Scientific Committee and provides for collaboration with other agencies, establishments or organizations and encouragement of studies relating to cetaceans and the interactions between cetaceans and fisheries.

Article 5

Specifies that nothing in the Convention prejudices the rights, jurisdiction and duties of States under the 1982 UNCLOS and states that the Convention shall be interpreted and applied in the context of and in a manner consistent with the 1982 UNCLOS

Article 6

Specifies that members of the Commission shall adopt measures to ensure the long-term sustainability of cetaceans stocks and promote the objective of their optimum utilization, ensure that conservation and management measures established for the high seas and those adopted for areas under national jurisdiction are compatible and establish effective monitoring, control and surveillance measures.

Article 7

Provides for the Commission to adopt conservation and management measures with respect to the utilization and conservation of cetaceans in waters beyond national jurisdiction and specifies conditions for these. This Article also provides for members to file objection to such measures.

Article 8

~~at request~~
Allows the Commission to provide recommendations with respect to the utilization and conservation of cetacean resources in waters under national jurisdiction at the request of a Contracting Government.

Article 9

Establishes a research fund, a fund to provide for the participation of members from developing countries and a benefit sharing scheme.

Article 10

Provides the right for Contracting Governments to issue special permits for the killing of whales for research purposes.

Article 11

Appendix VIII Draft International Convention for the Conservation and Sustainable Use of Cetaceans (the Safety Net)

Requires Contracting Governments to enact domestic legislation to implement the Convention and regulate harvesting operations and to implement monitoring, compliance and enforcement measures appropriate to cetacean harvesting operations carried out by persons or by vessels under its jurisdiction.

Article 12

This Article specifies working languages for the Commission and restricts membership to those countries that have expressed their support for the sustainable consumptive use of cetaceans and the object and purpose of the Convention. It also provides for the participation of territories that have not attained full independence and do not have the competence to enter into treaties but which have competence over matters governed by the Convention. It further specifies that the Convention may be applied provisionally and that upon provisional application or its coming into force shall terminate and replace the provisions of the ICRW.

Article 13

Concluding Article provides for withdrawal and includes standard closing sentences related to the date of opening for signature, the period that it is open for signature and the languages of the text.



MEDIA STATEMENT

24 JUNE 2009 – MADEIRA, PORTUGAL

NEW WHALING CONVENTION WRITTEN

A draft new international treaty to manage the hunting and conservation of the world's whale stocks has been drafted and released publicly at the International Whaling Commission's (IWC) annual meeting in Madeira, Portugal.

The proposed new "International Convention for the Conservation and Sustainable Use of Cetaceans" was written by individuals with expert knowledge in international treaties through a process led by Species Management Specialists (SMS), a wildlife management non-government organisation based in Canberra, Australia.

SMS President Mr Hank Jenkins said the draft treaty was developed because of serious concerns held by many conservation and wildlife management experts regarding the failure of the IWC to carry out its functions under the existing "International Convention for the Regulation of Whaling 1946".

"If the IWC fails to reach an agreement on the future of that organisation, we felt it necessary that a safeguard is available to contracting parties who wish to carry out the sustainable hunting of abundant species of whales," Mr Jenkins told delegates and other representatives at the IWC meeting.

"We conducted our work with hope that talks over IWC reforms would produce a successful outcome and the view that an alternative is required if those discussions failed." It has taken two years of work to bring the draft convention to a stage where it has been handed over to governments to initiate further negotiations if they wished to do so, he added.

In drafting the new proposed convention, the experts agreed that the primary basis for it would be science-based management consistent with the rights of States under the United Nations Convention on the Law of the Sea. The drafters also agreed that management and conservation measures should reflect the basic principles of conservation and take into account the precautionary approach and ecosystem considerations.

"The drafters agree that abundant whale stocks can contribute to sustainable coastal communities and livelihoods, as well as the preservation of cultural traditions, food security and poverty reduction. The draft convention that we have released to governments and the public today reflects those values," Mr Jenkins said.

For interview with Mr Hank Jenkins, President, Species Management Specialists, please contact the Pestana Casino Park Hotel, Madeira +351 291 724 231 or contact mobile phone +64 21 890 868.