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JAPAN'S SMALL-TYPE SUBSISTENCE WHALING

The Government of Japan
1987

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I. FOREWORD

In 1986, the Government of Japan submitted Small-Type Whaling in Japan's Coastal Seas (TC/38/AS2) to the Technical Committee Sub-Committee on Aboriginal/Subsistence Whaling based on the belief that a part of small-type whaling in Japan's coastal seas should be recognized as subsistence whaling because of its similarity to aboriginal/subsistence whaling, now authorized by the IWC, in the United States, the USSR and Denmark.

The Government of Japan proposed an amendment to the Schedule to the effect that continuation of subsistence whaling in Japan be allowed. This paper presents reasons and background of the proposal.

II. PROPOSAL

The Government of Japan proposes that the following sub-paragraph be inserted in 13(b) of the Schedule.

"The taking by native whalers of minke whales from the Okhotsk Sea-West Pacific stock is permitted, but only when the meat and products are to be used exclusively for local consumption. The number of whales taken in accordance with this paragraph shall not exceed the limit shown in Table 1."

(In this connection, the Government of Japan requests that the taking of 210 whales be permitted as the catch limit for the 1988 coastal season.)

III. REASONS FOR SUBMITTING THE PROPOSAL

1. Aside from Antarctic and large-type coastal operations, small-type whaling has been practiced in Japan. This type of operation was started in order to meet the demand for raw whale meat in the areas where *amitori* method had taken place by use of harpoons and nets. This came to be practiced after the latter type of whaling declined.
2. With the modernization of Japanese economy, catching methods for this type of operation also improved after the Norwegian whaling method was introduced. Along with expanding domestic market and improved

preservation and distribution systems after the World War II, catch by this type of whaling was increasingly directed to the market in large cities. This does not mean that traditional local demand for raw meat was overtaken by shipment to outside markets, but demand for whale meat remained stable in local communities as part of their traditions.

3. A total of nine small-type whaling vessels of 15 to 48 gross tons have been operating, mainly from such whaling bases as Abashiri-Monbetsu and Kushiro, both in Hokkaido, and Ayukawa in Miyagi Prefecture, to supply raw minke whale meat to local people in these areas. Annual catch amount stood at around 320 animals recently.
4. As a result of the enforcement of a commercial whaling moratorium, distribution of whale meat in Japan will go on to disappear. Along with it, whale meat from commercial operations, mainly distributed in large cities, will disappear from the market. But the Government of Japan considers that the supply of whale meat, although in a limited amount, should be maintained in the above-mentioned three areas which have had traditional consumption of whale meat.
5. Whale meat is deeply rooted in household dietary habits in these areas and cannot be substituted by other food. The amount of whale meat consumed in these areas is not necessarily very large as compared with other foods because various types of food have been made available as local distribution system improved. From a nutritional point of view, supply of whale meat is minimal for it to be called an indispensable food item. But whale meat still holds an important part in the community life of these areas in that eating of whale meat, although in small amounts, at family reunions and religious events help them to enhance the sense of unity in the community as well as their ties with ancestors, which constitutes a moral backbone in those communities. The supply of food which serves as a basis of social linkage should be maintained even in a limited amount.
6. In looking back over the past discussions on the issue on aboriginal whaling at the IWC, it should be noted that the concept of aboriginal/subsistence whaling has not always been fixed but undergone some changes. (See separate paper: History of the consideration of aboriginal/subsistence whaling.) Even so-called aborigines themselves are changing. For both Greenlanders and Alaskan Eskimos, demand for whale

meat has been increasing along with an increase in local population and the number of crews engaged in whaling. Furthermore, primitive catch methods associated with the word "aboriginal" were negated, and shifted into more efficient modern whaling methods in order to minimise loss of whale meat in hunting. In Greenland, small fishing vessels having a whaling gun loaded with non-explosive harpoons are used for the most part, and large-caliber rifles are used, when necessary, to take minke whales. In the Soviet Bering Sea, whaling vessels catch a total of 140 gray whales on behalf of the so-called aborigines. Taking account of all the factors mentioned above, small-type whaling in Japan to maintain traditional whale meat consumption by local people bears a strong resemblance to whaling authorized by the IWC for natives in certain countries.

7. The present aboriginal/subsistence whaling is allowed not because it is carried out by the so-called aborigines. This can be well understood if we consider that not all whaling activities to be carried out by the so-called aborigines would not necessarily be authorized by

the IWC.

Aboriginal/subsistence whaling was recognized by the IWC on account of its subsistence need for local people. Such an operation is currently termed as aboriginal/subsistence whaling because it happens to be carried out by the so-called aborigines.

Webster's New International Dictionary of the English Language (1919 edition) explains the term 'aborigines' as "...esp. as contrasted with an invading or colonizing race." We should not use such a discriminatory term as aborigine. Therefore, the IWC might preferably use the term 'native' rather than 'aborigine' or 'aboriginal'. Part of Japan's small-type whaling carried out by native whalers has a significance for local people in a similar way as it does for natives in Alaska, Greenland and the USSR. (See Table below). Therefore, it seems a discriminatory and unfair approach to deprive the Japanese small-type whalers and people in the local community of the right similar to that given to Alaskan Eskimos and other natives simply because the operation is not carried out by so-called aborigines.

Table: Outline of Subsistence Whaling by Whaling Nations

	Japan	U.S.A.	Denmark	USSR
1 Species	minke	bowhead	minke, fin	gray
Stock classification	unclassified	PS	minke fin (1) PS (2) unclassified unclassified	SMS
2 Number needed per year	210	26 strikes (maximum 32 strikes)	minke fin (1) 130 (2) 12 10	179
3 Needed weight per year	600 tons (= 210 x 3 tons)	1,000 tons (=26 x 40 tons)	1,200 tons (=142 x 5 tons +10 x 50 tons)	2,500 tons (=179 x 14 tons)
4 Catch method	whaling boats with whaling guns	oar boats or motor boats with lances or guns	kayak with rifles or harpoons, whaling boats with whaling guns	whaling boats with whaling guns
5 Size of boats	15-50 tons	several tons	several tons, about 50 tons	several hundred tons
6 Number of people engaged	100	100 active crews	unknown	unknown
7 Number of consumers	about 480,000	6,000	about 50,000	14,000
8 distribution	distributed in the local community	distributed in the area	barter in principle	unknown
9 Sharing	available to all residents	distributed by whaling captains	available to all residents	unknown
10 Regional involvement	moral backbone, cultural identity of local community	needed for regional identity, cultural integrity	essential for maintaining large villages	unknown
11 Cultural aspects	traditional ceremonies and festivals	traditional ceremonies and festivals	traditional costumes, folk songs	unknown

HISTORY OF THE CONSIDERATION OF ABORIGINAL/SUBSISTENCE WHALING

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I. BACKGROUND OF 'ABORIGINAL/ SUBSISTENCE WHALING'

The International Convention for Regulation of Whaling, formulated in Geneva in September 1931, provided in Article 3 for the exemption of whaling by aborigines from the convention provisions as follows.

The present Convention does not apply to aborigines dwelling on the coasts of the territories of the High Contracting Parties provided that:

1. They only use canoes, pirogues or other exclusively native craft propelled by oars or sails.
2. They do not carry firearms.
3. They are not in the employment of persons other than aborigines.
4. They are not under contract to deliver the products of their whaling to any third person.

Although a definition of aborigine was not given in this convention, the aboriginal whaling here obviously meant less efficient catches of whales through primitive methods and an efficient catch method using engine-powered boats and explosives was excluded.

Under the present International Convention for the Regulation of Whaling, signed in 1946, permission of aboriginal whaling (not in the form of exemption from the provision) is provided for not in the main texts of the Convention but in the Schedule attached thereto. The main texts of the Convention give procedural provisions while concrete items pertaining to regulations on whaling are dealt with in the Schedule. The present Schedule does not include the conditions stated in (1) to (3) in the 1931 Convention but has, as its conditions, what corresponds to (4) in the 1931 Convention, namely, whale meat and products should be used exclusively for local consumption by the aborigines. Paragraph 2 of the Schedule, agreed at the second meeting in 1950, stated: "It is forbidden to take or kill gray whales or right whales, except when the meat and products of such whales are to be used exclusively for local consumption by the aborigines." This paragraph does not have any provision concerning ship efficiency or catch method. In other words, it means that catch can be carried out with more efficient modern whaling boats or with whaling guns, or such catch need not be necessarily carried out by the aborigines.

However, it only provides that whale meat and products are to be used exclusively for local consumption by the aborigines.

At the 13th meeting in 1961, a Danish proposal concerning aboriginal whaling by Greenlanders was discussed and approved. Although catching of humpback whales in the North Atlantic was forbidden, Greenland whaling boats below 50 tons were allowed to take 10 humpback whales a year in waters off Greenland and flense and process them onboard whaling vessels as an exceptional measure. This is the first case in which a catch limit was applied to aboriginal whaling.

At the 16th meeting in 1964, the U.S. delegation proposed to the IWC an amendment of paragraph 2 of the Schedule, with an objective to avoid a possible misuse of the aboriginal right concerning whaling for commercial purposes and the Commission agreed on the amendment. The new paragraph stated: "It is forbidden to take or kill gray whales or right whales except by aborigines or a Contracting Government on behalf of aborigines and only when the meat and products of such whales are to be used exclusively for local consumption by the aborigines." The original intention of the U.S. proposal was to catch bowhead whales on behalf of aborigines in an efficient way and deliver the catch to aborigines so as to minimize struck-and-lost rate which often happened in the Eskimo catch. However, in actuality, Eskimos continued to take bowhead whales, despite the Schedule amendment. As a result of this Schedule amendment, the USSR began taking gray whales by whaling vessels on behalf of its aborigines, and this catch is still practiced.

From the foregoing, it can be pointed out that the 1931 Convention provided for the contents of aboriginal whaling to be exempted from application of the provision, but the current 1946 Convention does not present the contents of aboriginal whaling in a clear way, gradually moving away from the interpretation at the time of 1931. At present there is no activity which can be properly called aboriginal whaling under the terms of the 1931 Convention. Aboriginal whaling has been subject to change in the course of time, and so has the Commission's interpretation of it.

Attempts as in the following were made to define these terms in the Report of the Special Working Group of Technical Committee concerning management principles and development of guidelines about whaling for subsistence by aborigines held in Brighton, U.K., in 1981 (IWC/33/14):

“Aboriginal subsistence whaling means whaling for purposes of local aboriginal consumption carried out by or on behalf of aboriginal indigenous or native peoples who share strong community, familial, social and cultural ties related to a continuing traditional dependence on whaling and on the use of whales.” This is a description difficult to understand and is not clear because it does not offer any practical definition of “Aboriginal people. “Local aboriginal consumption means the traditional uses of whale products by local aboriginal, indigenous or native communities in meeting their nutritional, subsistence and cultural requirements. The term includes trade in items which are by-products of subsistence catches.” “Subsistence catches are catches of whales by aboriginal subsistence whaling operations.” All the above descriptions do not carry clear meaning.

II. ABORIGINAL WHALING VERSUS COASTAL WHALING

From the background given in the foregoing, it can be understood that the substantial contents of ‘aboriginal whaling’ have changed as time passed by. The concept of aboriginal whaling is not fixed. Aborigines themselves also change. As in the case of Greenlanders, ‘aborigines’ mingle with outside people, and their population increases, which results in a greater demand for whale meat. “Due to the rapidly increasing population of Greenland, the present demand for edible whale products is also growing, and the local market is far from satisfied.” (IWC/35/SB1) It is noted that, because of high whale meat prices recently, public institutions such as school dormitories and hospitals are unable to obtain the amount of whale meat they wish to have.

The U.S. government estimated the number of whales needed for aboriginal whaling in North Alaska as follows (TC/36/AS8): The aborigine population increased in recent years, and the number of active whaling crew members increased to 100, which is more or less double the level in early 1960s. In 1977-1983, the number stayed between 89 and 104. In the 24 years between 1969 and 1983, 69 crew members on the average caught a total of 439 whales — which is 18 whales per year and 0.26 whale per crew member. The catch figure of 26 whales was obtained by multiplying 0.26 whale per crew member with 100 (= present number of crew members), thus taking into account the increasing number of operators in line with the population growth.

Furthermore, the primitive catch method associated

with the word ‘aboriginal’ was negated, and was shifted into a more efficient modern whaling method in order to minimize loss of whale meat in hunting. In Greenland, hand-held harpoons and rifle guns are used to catch small cetaceans, and boats with small engines are used at times. In the case of minke whales, however, small fishing vessels having a whaling gun loaded with non-explosive harpoons are used when necessary. Several vessels with large whaling guns are needed to catch fin whales. Thus whaling methods have been made increasingly efficient, although at a gradual pace. In the Soviet Bering Sea, whaling vessels catch a total of 140 gray whales on behalf of the aborigines. Whaling here is not ‘by aborigines’ although it is ‘for aborigines’.

It is also natural that food consumed by aborigines approaches to that consumed by non-aborigines, although its special and traditional characteristics are retained. Regardless the definition of aborigine, it is desirable for local residents to come to consume healthy and well-balanced food. In this sense, the life of “aborigine” keeps on approaching to that of ‘non-aborigines’. But that does not mean that the ‘aborigines’ will not have a need for whales. The relationship between whales and local inhabitants should be stressed. As stated in the report of the Panel Meeting of Experts on Aboriginal/Subsistence Whaling, held in Seattle, U.S.A., in 1979, “the complex of whaling and associated activities is perhaps the most important single element in the culture and society of north Alaskan whale hunting communities. It provides a focus for the ordering of social integration, political leadership, ceremonial activity, traditional education, personality values, and Eskimo identity”.

F.O. Kapel spoke of the Greenland whaling as follows in IWC/35/ABL: “...subsistence hunting may be regarded as hunting for household economy, with a distribution system which secures that the community shares the products. Under this point of view, the present Greenlandic hunting may be characterized as a mainly subsistence hunting with a minor commercial element”.

The contents of ‘aboriginal whaling’ currently authorized by the IWC are changing and, if demand increases in the future, even greater changes should follow, and their situation is foreseen to approach to that of coastal whaling, making it increasingly difficult to draw a clear distinction between ‘aboriginal whaling’ and regional coastal whaling. Since the core of the issue surrounding ‘aboriginal whaling’ is not preservation of primitive whaling but maintenance of subsistence means and whale meat supply in local communities, new approaches should be discussed to deal with this type of whaling, including small-type coastal whaling.