
**The 48th Annual Meeting of the IWC
in Aberdeen, UK**

1996

SUMMARY OF THE JSTCW DISCUSSION

The Government of Japan
1996

1. RECOGNITION OF THE CULTURAL NEED FOR MINKE WHALING AND THE DISTRESS CAUSED BY THE MORATORIUM

Minke whaling was the critical component of the Japanese small-type coastal whaling (JSTCW) until the 1982 moratorium took effect in 1987. Without minke whaling, the four whaling communities, (Abashiri, Ayukawa, Wada and Taiji) which are identified by anthropologists as primary heirs of Japanese whaling tradition, have been suffering from the overall decline of the community.

Minke whaling was the key element of economic, social and cultural activities of these communities. Given the geographical remoteness and limited infrastructure, attempts to introduce alternative economic activities, including tourism, have not been successful. Without attractive job opportunities, the community people, especially the young, are obliged to leave the communities, thereby jeopardising the vitality of the communities. For example, the population of Ayukawa now is even less than half of that in 1955. The moratorium also deprived the community of the integral feature of the ceremonial and seasonal activities, disintegrating the communal identity and spiritual backbone of the society.

The need of minke whaling and the distress of the communities without it were extensively documented by various scholars from all over the world. The papers were presented to the IWC and the Working Groups for discussion over the issue which has been existing since 1986. Based upon the documents presented, the plight of the communities was recognised by the 45th IWC in 1993 by a Resolution IWC/45/51. It resolved "to work expeditiously to alleviate the distress to these communities which has resulted from the cessation of minke whaling at" the next 46th Annual Meeting.

2. INTERIM RELIEF ALLOCATION AND AN ACTION PLAN FOR ITS MANAGEMENT

In order to alleviate the distress of the communities, pending the resumption of commercial whaling, the GOJ has been repeating its request for an interim relief allocation since the 40th IWC Annual Meeting in Auckland, New Zealand, 1988. Especially, since the 42nd Annual Meeting, the GOJ has been continuously asking for 50 minke whales as an interim relief allocation; this year marks the seventh year in which the GOJ makes such a request to the IWC.

However, any interim relief allocation has not yet been granted to the four Japanese coastal communities. This was because of the partial commercial elements in the Japanese small-type whaling operations and because of the concerns expressed by some delegations that the interim relief allocation would be construed as a resumption of commercial whaling. In order to address these concerns, the GOJ has been making every step possible in its efforts, since the 45th IWC Annual Meeting in Kyoto, to reorganise temporarily the JSTCW into a Community-based Whaling (CBW) for the management of an interim relief allocation of 50 minke whales so long as the moratorium remains in place. In the CBW, whale products are expected to be distributed and consumed in the least commercial way possible. This approach reflects sincere wishes of the community people to resume minke whaling despite the fact that monetary system has been the integral part of their lifestyle since the time immemorial. (See Table)

The first Action Plan for CBW was tabled at the 45th Annual Meeting in Kyoto (IWC/45/SEST3). This action plan showed the framework that the products of whaling would be exclusively distributed and consumed in the four whaling communities.

In order to address the comments and concerns expressed at the 45th and 46th IWC meeting, the GOJ elaborated and further improved the distribution and consumption part (IWC/46/31 Rev.2) of the framework action plan (IWC/46/SEST4). The action plan would have established a management Council in each CBW community which would distribute whale products through non-market channel without creating any profit from the distribution and consumption of an interim allocation of 50 minke whales.

At the 47th IWC meeting in Dublin, the GOJ integrated the two previous plans into a consolidated regime (IWC/47/46). Although an interim relief allocation itself was not granted, this action plan was recognised by the Commission "as constructive management elements in accordance with IWC regulations" in its resolution (IWC Resolution 1995-3).

3. THE TIME IS OVERDUE FOR THE IWC TO GRANT AN INTERIM RELIEF ALLOCATION OF 50 MINKE WHALES

Arguments as to the appropriateness of granting 50 minke whales to the people of these four coastal whaling communities must take into account of the cultural, historical and geographical background which compose rationale for their minke whaling.

Table: The Evolution of the proposed Action Plans for the Management of an Interim Relief Allocation

Year	Main Feature	IWC Doc. Number	Concept of Non-commerciality
45th IWC (1993)	Whale products would be exclusively distributed and consumed within the four CBW communities.	IWC/45/SEST3	No marketing of whale products outside the CBW communities.
46th IWC (1994)	The framework Plan was proposed in 1993; the distribution and consumption section was added in the new Action Plan for 1994, ensuring the use of whale products be strictly limited within the communities under the surveillance of local Management Councils. Councils would collect levies (local Council tax) from the recipients of whale products.	IWC/46/SEST4 (IWC/45/SEST3 REV.) and IWC/46/31 Rev.2	In addition to the previous year's Action Plan, distribution through non-market channel are managed by the Council. No profit to be accrued by whaling; only costs of catches to be reimbursed.
47th IWC (1995)	The previous year's Action Plans were integrated into a more sophisticated form. Penalties are strengthened upon the violators of the rules of Action Plan.	IWC/47/46	In addition to the previous Action Plans, penalties would be exercised by the GOJ.

Biologically, the stock of North Pacific minke whales from which these communities are requesting their catches will be harvestable without any adverse effects to the stock or to the other stock alleged to have been mixing with the target stock under the regime by which whaling season are regulated (48th IWC Scientific Committee Report, Section 14.4.2). These scientific findings have been brought forward by the two consecutive researches conducted in the years 1994 and 1995 by the Japanese scientists under special permit issued by the GOJ pursuant to Article VIII of the ICRW.

Given these historical and scientific background, the GOJ again proposes a Schedule amendment to insert the following paragraph after paragraph 13:

Notwithstanding the provision of paragraph 10, the taking of 50 minke whales from the Okhotsk Sea - West Pacific stock of the North Pacific in the 1996 season is permitted in order to alleviate the hardship in the community-based whaling communities.

This Schedule amendment is expected to alleviate, as an interim measure, the difficulty imposed upon the four Japanese coastal whaling communities. They have suffered long enough. It is a high time now for all Commission

members to search their souls to act promptly to alleviate the distress suffered in the four Japanese coastal communities.

The Government of Japan expresses its strong sentiment that the positive consideration on the Japanese community-based whaling is long overdue without fairness by the Commission. At this 48th Annual Meeting, there are two new requests for Aboriginal/Subsistence whaling quotas put forward by the two eminent member nations of the IWC.

As evidenced in the 37 reports of the anthropological, socio-scientific and statistical in-depth researches by the international experts (Ref. the green book containing collection of reports distributed at this meeting entitled "Papers on JSTCW submitted to the IWC, 1986-1995") the Japanese community-based whaling has deep-seated similarities shared with those Aboriginal/Subsistence whaling. Despite these similar characteristics, the Interim Relief Allocation for the JSTCW and CBW has not been considered positively by the Commission for eight consecutive years since 1988. The Government of Japan in agreement with the recognition by the United Nations of equal human rights, seize this opportunity to urge the Commission to take affirmative actions to grant an interim relief allocation of 50 minke whales to alleviate the distress of the CBW communities.