

**COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515**

**STATEMENT OF
THE HONORABLE ENI F.H. FALEOMAVAEGA
CHAIRMAN**

**before the
SUBCOMMITTEE ON ASIA, THE PACIFIC AND THE
GLOBAL ENVIRONMENT**

And

**SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS, HUMAN
RIGHTS AND OVERSIGHT**

**“U.S. Leadership in the International Whaling Commission and H.R. 2455, the
International Whale Conservation and Protection Act of 2009”**

May 6, 2010

Industrial whaling has led to the severe depletion and near extinction of many whale species. For decades, the international community has attempted to find cooperative ways to conserve whales, including International Whaling Commission (IWC) measures such as a commercial whaling moratorium and the creation of the Southern Ocean Whale Sanctuary. Yet, the IWC’s actions have proved ineffective to its paramount task of protecting whales, and the Commission’s influence has waned substantially in recent years due to disputes among the 88 member nations of the IWC.

Last year, with the support and assistance of my good friend, the gentleman from Massachusetts, Mr. Delahunt, we introduced H.R. 2455, the International Whale Conservation and Protection Act of 2009, aimed at eliminating whaling, which is the most visible threat to whales. H.R. 2455 also targets other key impacts on whale populations such as ozone depletion, chemical and noise pollution, marine debris, vessel strikes, entanglement in fishing gear, prey depletion, offshore industrial development, and escalating threats from climate change and ocean acidification.

All these issues require international cooperation, and American leadership is critical in that regard. Though H.R. 2455 is not a perfect bill, it has provided a start to discussions about whaling, and its structure gives the new Administration a better chance

at providing leadership by potentially increasing U.S. leverage in international negotiations.

The Obama team has, in fact, played an assertive role in attempting to restore the IWC's credibility and protect whale populations. As part of a core group of 12 countries within the IWC, the United States contributed to seeking a resolution to a number of longstanding issues confronting the Commission.

The Administration began its work premised on the principle that all nations, whether they engage in or oppose whaling, share a common goal in conserving whales. As part of a core group of 12 countries within the IWC, the United States contributed to the work of the IWC Chair and Vice Chair in seeking a resolution to a number of longstanding issues confronting the Commission.

On April 22, the Chair and Vice Chair released their draft proposal, which will be debated at the IWC's annual meeting in Morocco this coming June. That ten-year proposal, currently under review by the United States and other countries, begins with the following vision statement: "The International Whaling Commission will work cooperatively to improve the conservation and management of whale populations and stocks on a scientific basis and through agreed policy measures. By improving our knowledge of whales, their environment, and the multiple threats that can affect their welfare, the Commission will strive to ensure that whale populations are healthy and resilient components of the marine environment."

The IWC notes that under the terms of the draft proposal, the three countries that currently set their own catch limits – Japan, Norway and Iceland – would immediately suspend the whaling they do based on special permits, objections, and reservations to IWC rules, and agree instead to sustainable catch limits set by the IWC at levels below present ones. They would also agree to IWC monitoring, surveillance and control measures on their whaling operations, including the placement of observers on their whaling vessels. According to the IWC, if adopted, over the ten-year period of the proposal, several thousand fewer whales would be caught than if the current situation remained.

Japan's Antarctic whale hunt would fall in stages to 200, about a quarter of its size within five years. Iceland would be permitted an annual quota of 80 fin whales – less than last year's hunt of 125 – along with 80 minke whales, while Norway's quota would be set at 600 minkes. No other country would be permitted to start hunting, and indigenous groups would not be affected.

As an aside, I think it is important to recognize what these numbers make clear: whaling is not an issue simply for Japan. Indeed, Norway and Iceland together account for roughly the same yearly take as Japan, despite the wide discrepancy in population among the three countries. Norway's 4.8 million citizens and Iceland's 317,000 form but a tiny fraction of Japan's population of 127 million.

I also want to note that the new leadership of Japan has shown greater willingness to compromise on the issue of whaling and the Minister of Agriculture, Forestry and Fisheries recently expressed a desire “to continue negotiating with patience,” according to media sources.

Even so, the IWC draft proposal remains subject to a good deal of debate and change, and it is quite possible that no agreement will be achieved at all. Thus far, the response to the proposal has been mixed with most of the pro-conservation NGOs voicing opposition. In fact, some of these groups have been particularly forceful in their disavowal of the proposal, as demonstrated by a prominent advertisement about President Obama recently placed in the papers by the International Fund for Animal Welfare.

That said, in its current form, the IWC draft proposal would appear to share a central goal of HR 2455: ensuring the health and resiliency of whale populations for generations to come. In light of that common goal, the Subcommittee on Asia, the Pacific and the Global Environment along with the Subcommittee on International Organizations, Human Rights and Oversight felt it appropriate to convene this hearing to assess recent developments and discuss them in relation to the International Whale Conservation and Protection Act of 2009.

From my perspective, the whaling issue will require a cooperative solution. The United States can and must lead, but as with any international problem, we cannot impose our views on the rest of the world unilaterally and expect positive results. What we can do is negotiate and persuade. And when we talk about numbers, we should insist that they be based on science, not on politics. We should also insist that whatever is agreed to in Morocco – assuming anything is agreed to at all – is both binding and enforceable, and that any whaling that does take place is strictly limited to that sanctioned by the IWC.

We are fortunate to have with us today the key Administration officials involved in the IWC negotiations as well as representatives from the NGO, scientific and indigenous communities who can speak to these and other issues. I thank them for being with us today and very much look forward to hearing their views.

I now recognize Chairman Carnahan for any opening statement he may have.