

**WRITTEN TESTIMONY OF
PATRICK R. RAMAGE
GLOBAL WHALE PROGRAM DIRECTOR
THE INTERNATIONAL FUND FOR ANIMAL WELFARE (IFAW)**

**JOINT HEARING IN ADVANCE OF THE
62nd MEETING OF THE INTERNATIONAL WHALING COMMISSION (IWC)**

**BEFORE THE
HOUSE COMMITTEE ON FOREIGN AFFAIRS, SUBCOMMITTEE ON ASIA, THE PACIFIC
AND THE GLOBAL ENVIRONMENT AND THE SUBCOMMITTEE ON INTERNATIONAL
ORGANIZATIONS, HUMAN RIGHTS AND OVERSIGHT
U.S. HOUSE OF REPRESENTATIVES**

MAY 6, 2010

Thank you Mr. Chairman, and good morning.

I am Patrick R. Ramage, Global Whale Program Director at the International Fund for Animal Welfare (or IFAW) one of the world's leading non-governmental organizations working to conserve and protect whales.

I have attended twelve of the past fourteen annual meetings of the International Whaling Commission (IWC) as well as the recent IWC Small Working Group meeting held in St. Pete Beach, Florida -- the only one of many such meetings during the thirty-sixth month "Future of the IWC" open to accredited non-governmental observers. Informed by this experience I would like to offer several points that may provide additional context for our discussion this morning.

Before I do so, let me admit bias: If there is a full-time whale conservation advocate who worked harder to elect President Obama, I have yet to meet them. As a private citizen and on my own time, I worked for then-candidate Obama in three primary contests and the general election. I am very proud to have done so. I must also confess to almost two decades spent admiring Monica Medina, a longtime friend and sometime colleague for whom I have no small amount of affection. I appreciate Ambassador David Balton's committed public service and both the legal acumen and the clients represented on this panel by Earl Comstock. My wife, children and I are lucky to be constituents of Bill Delahunt and I am also a fan of Congressman Faleomavaega, particularly since your introduction of HR 2455, The Whale Conservation and Protection Act, almost a year ago.

Now that you know my slant, let me give it to you straight: While I believe our Commissioner's motivation is genuine, I believe the proposal she and others have negotiated is a fake, that its adoption by the IWC would weaken protections for whales worldwide and, further, that United States support for this proposal – which has been palpable inside and outside those meetings – represents an irresponsible and perhaps irreversible U-turn after decades of US leadership and slow but steady conservation progress at the IWC.

A few contextual points: First, as Commissioner Medina and Ambassador Balton have already mentioned, our planet's whales are not saved. They face more threats today than ever before in history.

Second, engaged United States leadership is a pre-requisite for effective international whale conservation. The IWC was created here in Washington. It's most important conservation achievements, including the moratorium on commercial whaling adopted in 1982 and the declaration of the Southern Ocean Whale Sanctuary in 1994, were only achieved with high-level support and consistent engagement from the United States. Like others before them, Presidents Reagan and Clinton did not take a wait and see approach to this important issue. They led.

Third, Americans from sea to shining sea and across the political spectrum are united in their support for whale conservation and their opposition to whaling for commercial purposes by Japan, Norway and Iceland, whether that whaling is conducted in open defiance of the moratorium or under the guise of science. The reaction of civil society worldwide to the Chairman's draft proposal is similarly striking: not a single environmental, animal protection or wildlife conservation group supports adoption of this proposal.

How then did we get to the point where a plan to legitimize the cruel and outmoded commercial whaling industry in the 21st century is released on the 40th anniversary of Earth Day and is actually being seriously considered?

To be fair, the Obama Administration did not initiate the misguided negotiating process that led to this proposal, they inherited it. It was launched in the final years of the Bush Administration culminating eight years of distraction and drift in U.S. conservation leadership. In the first weeks of President Obama's term, newly appointed officials faced a choice – withdraw from the ongoing negotiating process or continue and see what concessions, if any Japan, Iceland and Norway, the last three countries still killing whales for commercial purposes, might be willing to make.

The "no drama" Administration chose the latter course. But in keeping with President Obama's welcome commitment to sound science and transparency, the White House also publicly articulated clear criteria by which it would evaluate any proposal, among these: that the commercial whaling moratorium must be maintained, that any compromise proposal should be based on sound science, that the status quo was unacceptable, and that to be acceptable any proposal must also offer a significant conservation benefit to the whales. Measured against these criteria the Chairman's proposal fails miserably and the Obama Administration must reject it.

To suggest 16 months into this Administration and 36 months into this process that we need to wait until the IWC meeting next month in Agadir to learn the details of this proposal and the position of our government suggests either incompetence, intellectual dishonesty or inadequate reflection on the serious questions it raises.

This is a bad deal for whales and for the convention established to conserve them. It ignores the moratorium, it makes a mockery of the Southern Ocean Whale Sanctuary, it grants new rights to Japan, Iceland and Norway to openly kill thousands of whales for commercial purposes, it end-

runs IWC scientific procedures adopted by consensus to reward just the three countries who have refused to play by the rules with guaranteed whaling quotas for a decade. And after this period, the “interim agreement” becomes in the words of Japanese Whaling Commissioner Joji Morishita “a completely blank piece of paper” with no guarantees or enforcement provisions to secure conservation gains.

The promised benefits to whales that Commissioner Medina, Drafting Group Chair Sir Geoffrey Palmer of New Zealand and other apologists for this package have promoted are either wildly exaggerated, nowhere in sight, or the result of slight of hand: a whale sanctuary is finally established in the South Atlantic where no whaling exists, an ostensibly new Conservation Program Committee is established, needlessly replacing the IWC Conservation Committee that has been in place since 2003, elaborate and expensive observer and monitoring schemes – to be financed not just by the whalers but also by the taxpayers of the United States and other non-whaling countries to watch whales being killed, and an inadequate DNA tracking scheme is established that fails to improve transparency or direct access to DNA samples held by Japan, Iceland and Norway.

So, having outlined what I and the overwhelming majority of longtime observers and IWC scientific experts are against, what are we FOR? What does “change we can believe in” look like for whales and the IWC? It has six specific elements not present in the Chairman’s draft that I would be pleased to elaborate during our discussion:

- Ending Japan’s whaling in the Southern Ocean Whale Sanctuary.
- Ending international trade in whale products
- Adhering to agreed IWC scientific procedures
- Ensuring no commercial takes of threatened species and populations
- Specific actions to end so-called scientific whaling, and
- Meaningful guarantees regarding objections and enforcement.

But whatever the fate of the Chair’s proposal, the United States has a rare window of opportunity and a profound obligation to significantly improve the situation at the Whaling Commission and in the water for our planet’s great whales and to lead the world toward the ultimate end of commercial whaling.

This will be achieved not through a rushed effort to negotiate peace for our time in the IWC but rather through a more consistent, persistent and long-term approach, both inside and well beyond the IWC – a more “Japanese” approach if you will – to convey to the Governments of Japan, Iceland and Norway that the United States and other conservation-minded countries at the IWC are as serious about conserving whales as their fisheries bureaucrats are about resuscitating commercial whaling in the 21st century.

I returned two weeks ago from my 30th trip to Japan, where I have discussed this issue extensively in recent months with senior Members of the Japanese Diet, government agency officials, representatives of the diplomatic community in Tokyo, media, academics and NGO representatives. They assure me, and I can assure you that whatever posturing may be taking place in IWC working group meetings, there is no serious support in Japan beyond the

bureaucrats at the Japan Fisheries Agency and their retirement sinecure the Institute for Cetacean Research for continuing whaling in the international waters of the Southern Ocean Whale Sanctuary. Public surveys conducted by reputable pollsters in Japan bear out this perception. The same general trend is playing out in Iceland and Norway as well. The domestic market for whale meat is in free-fall in all three countries. And just as each of the three governments is re-evaluating their longstanding positions, the proposal of the IWC Chairman's Support Group arrives, to offer the dwindling whaling industry a lifeline.

I commend you Mr. Chairman and members of the Committee for holding this important hearing. It is right for you as Members of Congress, for me as an NGO representative, and for the great majority of Americans who oppose commercial whaling to scrutinize, question and even criticize the actions and behavior of our Commissioner and delegation to the IWC.

Hindsight, as they say, Mr. Chairman, is 20/20. And, should this proposal be adopted, by 2020, when it expires, we will look back mournfully at the moral high-ground surrendered and the important scientific principles and conservation achievements thrown overboard in the name of accommodation. On behalf of a unified conservation community, I urge you instead to advance the positive vision called for in the thoughtful legislation introduced in HR2455.

Thank you, Mr. Chairman, this concludes my testimony.