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**OPENING STATEMENT OF JAPAN
TO THE 61st ANNUAL MEETING OF THE
INTERNATIONAL WHALING COMMISSION**

The Government of Japan expresses its appreciation to the Government of Portugal for hosting the 61st Annual Meeting of the IWC and for the hospitality we have received.

Japan regards the Future of the IWC project as a laudatory attempt to achieve a consensus solution to the controversial issues of the IWC and thus to revive its role with respect to the conservation of whale stocks and the management of whaling. In this regard, Japan expresses its sincere appreciation to the efforts by all participants to the project, especially Dr. William Hogarth, Chair of the IWC and Ambassador Alvaro de Soto, Chair of the Small Working Group on the Future of the IWC (SWG).

While it is regrettable that the SWG has fallen short of the stated goal of reaching a package or packages on the Future of the IWC, which the Commission is supposed to review at this Madeira annual meeting, we share the assessment of the Report of the SWG dated 18 May 2009 which states that significant progress has been made over the past one year since the 60th Annual Meeting in Santiago. We believe that the momentum should not be lost. Therefore, Japan will continue to support the Future of the IWC process and to engage in the discussions constructively. Japan would like to emphasize that the process must see some resolution at IWC62. The Commission should not continue the abdication of its responsibilities as a conservation and management organization of whale resources by dragging out the process. The “vacuum” of appropriate conservation and management of whale resources is not a viable option.

However, if the IWC is to make further progress and reach a positive conclusion at IWC62 in 2010, it needs to reconfirm the guiding principles of the Future of the IWC process decided by the SWG, including the need to address not only the issues of high priority to some but the expressed concerns of all in order to obtain a consensus on a package or packages. The SWG also confirmed that compromise by all members is required if the difficulties clouding the Future of the IWC are to be overcome. We would like to emphasize that compromise needs to come from both sides and that outcomes must be fair and balanced.

We are concerned that recent discussions have increasingly turned away from these principles and focused solely on the issue of scientific whaling. Some discussions have been conducted from the viewpoint that all whaling is wrong and therefore should be discontinued.

Japan strongly disagrees with this position. Like other living resources, whales can be utilized in a sustainable manner, when appropriate conservation and management measures, based on best scientific evidence and with the best available tools, are applied. Japan has expressed its willingness to accept such measures, including the placement of international observers on board whaling vessels, the deployment of satellite based real-time vessel monitoring systems (VMS), market monitoring with DNA “finger prints”, among others. There is no reason to treat whales in a different manner from other animals and to exempt whales from the universally accepted principle of sustainable use. Japan’s position is that whaling issues should be treated from a scientific rather than an emotional perspective.

Japan has already offered substantial compromises in the Future of the IWC process, including on such issues as scientific whaling and sanctuaries. We strongly encourage all members of the IWC to contribute to the process by making compromises so that a fair and balanced package or packages can be produced on a consensus basis at IWC 62 in 2010.

Concerning safety at sea, Japan views the dangerous attacks directed against Japan’s vessels conducting legal research activities in the Antarctic by the Sea Shepherd Conservation Society as a serious threat to the international maritime legal system. It is important for the IWC to share the information about the violent attacks against our research vessels in the Antarctic in order to take coordinated international actions against Sea Shepherd. Japan urges other IWC members to cooperate, especially the flag State and the port States, to take effective measures and prevent violent actions from happening again, noting previous resolutions and statement by the IWC on this issue. As this is a fundamental issue beyond positions on whaling, Japan will ask all member States to respond to this issue with strong commitments.

Again, Japan supports the realization of the management, conservation and sustainable utilization of whale resources. We believe that commercial whaling activities should be managed internationally with catch quotas calculated in a scientific manner and under a proper inspection and enforcement scheme. This idea is in line with Articles 64 and 65 of the UNCLOS.

Japan sincerely hopes that when we reflect on this annual meeting in the future, this year’s meeting should be remembered as one which rescued the IWC on the verge of collapse rather than one which determined its collapse. The delegation of Japan expresses its firm commitment to making every effort to realize this goal.