

MEMBERS QUESTION INTERNATIONAL WHALING COMMISSION'S FUTURE AND CREDIBILITY

July 27, 2001

On July 23, the International Whaling Commission voted to prevent Iceland from returning to IWC membership. This action was taken despite the fact that Iceland had fulfilled all the legal requirements for membership and had paid its membership contribution in full. In denying Iceland the IWC clearly was in contravention of customary international law. Iceland had rejoined the IWC with a reservation on the moratorium on commercial whaling.

Today, the following IWC members expressed their profound concern for the future credibility of the IWC in the light of Monday's illegal action: Iceland, Norway, Japan, Antigua and Barbuda, Panama, St. Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines, Dominica, Grenada, the People's Republic of China and the Russian Federation.

The IWC Commissioner for Iceland, Stefan Asmundsson, stated: "International relations are based on the rule of law. A majority of IWC members have now sidestepped this principle in favour of shortsighted political objectives. The fact that this has occurred indicates that the States in question have allowed politics to dictate their policy rather than the rule of law. This undermines not only the credibility of the IWC, but also international relations in general."

Japan's IWC Commissioner, Minoru Morimoto, questioned the relevance of the IWC to the future of the whaling industry. "Those IWC members that, like Iceland, wish to resume sustainable whaling wanted to see that activity regulated under the organisation's rules. Now that the IWC has rejected Iceland's legal right to membership on a charge of 'political incorrectness' we must all ask ourselves what, if any, relevance the IWC has for our futures."

Odd Gunnar Skagestad, the IWC Commissioner for Norway, added: "Norway has welcomed Iceland's accession to the International Convention for the Regulation of Whaling, expecting Iceland to take its rightful place as a member State of the IWC and exercise its full rights in this capacity. We find it unacceptable that a slim majority of the Commission, without any legal grounds or justification, and by dubious procedures, has acted to deprive Iceland of its fundamental membership rights."

The IWC Commissioner for Antigua and Barbuda, Daven Joseph, said: "Iceland has fulfilled all the requirements for IWC membership. No vote was required to implement that membership. Therefore the vote to reject its membership was illegal. I propose that my country, and all the other signatories to this document, take the only possible legal course and treat Iceland as a full member of the IWC."

The IWC Commissioner from the Russian Federation, Dr. Valentin Ilyashenko stated: "We associate ourselves with those contracting parties who declared that (i) the IWC does not have the right to accept or reject the reservations of any contracting party; (ii) Iceland enjoys the sovereign right to declare its reservation; (iii) the contentious debate on Iceland's membership constituted nothing less than a campaign to force Iceland to abandon its reservation, and (iv) all attempts to pressure Iceland to abandon its reservation or to deprive it of its legal membership in the IWC constitute interference in the sovereign rights of an independent State and are in violation of international law."