

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. RES. 267

Expressing the sense of the Senate regarding the policy of the United States at the 54th Annual Meeting of the International Whaling Commission.

---

## IN THE SENATE OF THE UNITED STATES

MAY 14 (legislative day, MAY 9), 2002

Mr. KERRY (for himself, Ms. SNOWE, Mr. HOLLINGS, Mr. MCCAIN, Mr. LIEBERMAN, Mr. WYDEN, Mr. AKAKA, Mr. REED, Mr. TORRICELLI, Mr. FITZGERALD, Ms. COLLINS, Mr. LUGAR, Mrs. BOXER, and Mr. KENNEDY) submitted the following resolution; which was referred to the Committee on Foreign Relations

---

## RESOLUTION

Expressing the sense of the Senate regarding the policy of the United States at the 54th Annual Meeting of the International Whaling Commission.

Whereas whales have very low reproductive rates, making whale populations extremely vulnerable to pressure from commercial whaling;

Whereas whales migrate throughout the world's oceans and international cooperation is required to successfully conserve and protect whale stocks;

Whereas in 1946 the nations of the world adopted the International Convention for the Regulation of Whaling, which established the International Whaling Commission to provide for the proper conservation of whale stocks;

Whereas the Commission adopted a moratorium on commercial whaling in 1982 in order to conserve and promote the recovery of whale stocks;

Whereas the Commission has designated the Indian Ocean and the ocean waters around Antarctica as whale sanctuaries to further enhance the recovery of whale stocks;

Whereas many nations of the world have designated waters under their jurisdiction as whale sanctuaries where commercial whaling is prohibited, and additional regional whale sanctuaries have been proposed by nations that are members of the Commission;

Whereas two member nations currently have reservations to the Commission's moratorium on commercial whaling and 1 member nation is currently conducting commercial whaling operations in spite of the moratorium and the protests of other nations;

Whereas a nonmember nation that opposes the moratorium against commercial whaling is seeking to join the Convention, on the condition that it be exempt from the moratorium;

Whereas the Commission has adopted several resolutions at recent meetings asking member nations to halt commercial whaling activities conducted under reservation to the moratorium and to refrain from issuing special permits for research involving the killing of whales and other cetaceans;

Whereas 1 member nation of the Commission has taken a reservation to the Commission's Southern Ocean Sanctuary and also continues to conduct unnecessary lethal scientific whaling in the Southern Ocean and in the North Pacific Ocean;

Whereas the Commission's Scientific Committee has repeatedly expressed serious concerns about the scientific need for such lethal research;

Whereas one member nation in the past unsuccessfully sought an exemption allowing commercial whaling of up to 50 minke whales, in order to provide economic assistance to specific vessels, now seeks a scientific permit for these same vessels to take 50 minke whales;

Whereas the lethal take of whales under scientific permits has increased both in quantity and species, with species now including minke, Bryde's, and sperm whales, and new proposals have been offered to include sei whales for the first time;

Whereas there continue to be indications that whale meat is being traded on the international market despite a ban on such trade under the Convention on International Trade in Endangered Species, and that meat may be originating in one of the member nations of the Commission; and

Whereas engaging in commercial whaling under reservation and lethal scientific whaling undermines the conservation program of the Commission: Now, therefore, be it

1       *Resolved*, That it is the sense of the Senate that—

2               (1) at the 54th Annual Meeting of the Inter-

3       national Whaling Commission the United States

4       should—

5               (A) remain firmly opposed to commercial

6       whaling;

1 (B) initiate and support efforts to ensure  
2 that all activities conducted under reservations  
3 to the Commission's moratorium or sanctuaries  
4 are ceased;

5 (C) oppose the proposal to allow a non-  
6 member country to join the convention with a  
7 reservation that exempts it from the morato-  
8 rium against commercial whaling;

9 (D) oppose the lethal taking of whales for  
10 scientific purposes unless such lethal taking is  
11 specifically authorized by the Scientific Com-  
12 mittee of the Commission;

13 (E) seek the Commission's support for spe-  
14 cific efforts by member nations to end illegal  
15 trade in whale meat; and

16 (F) support the permanent protection of  
17 whale populations through the establishment of  
18 whale sanctuaries in which commercial whaling  
19 is prohibited;

20 (2) at the 12th Conference of the Parties to the  
21 Convention on International Trade in Endangered  
22 Species, the United States should oppose all efforts  
23 to reopen international trade in whale meat or  
24 downlist any whale population;

1           (3) the United States should make full use of  
2           all appropriate diplomatic mechanisms, relevant  
3           international laws and agreements, and other appro-  
4           priate mechanisms to implement the goals set forth  
5           in paragraphs (1) and (2); and

6           (4) if the Secretary of Commerce certifies to  
7           the President, under section 8(a)(2) of the Fisher-  
8           men's Protective Act of 1967 (22 U.S.C.  
9           1978(a)(2)), that nationals of a foreign country are  
10          engaging in trade or a taking which diminishes the  
11          effectiveness of the Convention, then the United  
12          States should take appropriate steps at its disposal  
13          pursuant to Federal law to convince such foreign  
14          country to cease such trade or taking.

○