

The background of the top section features the United Nations logo, which consists of a world map centered on the North Pole, surrounded by a laurel wreath. The logo is rendered in a light blue color.

NCY MUN

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International Court of Justice

*Whaling in the Antarctic :  
Australia versus Japan*

Chairs: Charlotte Gibson & Céleste Blanchard

# Introduction

For decades, Japan has practiced whaling in the Southern Ocean Whale Sanctuary (SOVS), even after it has been established in 1994, by the International Whaling Commission (IWC), as a whale sanctuary. Looking for whale oil and other products, they have killed thousands of whales using the excuse that they were doing research. However, on March 31, 2014, the International Court of Justice (ICJ) issued its judgment in the case of Whaling in the Antarctic. Australia, supported by New-Zealand which intervened in the ICJ case, accused Japan of illegal whaling practices in the Antarctic. This year, it is your turn to decide whether or not Japan's researches are worth carrying on its whaling program in the Southern Ocean considering the requirements of the International Convention for the Regulation of Whaling (ICRW). Together, let's make our NCYMUN 2019's debates within the ICJ as constructive as those that took place in 2014 and try to take the right decision to end this case.

*Welcome!*

# Current situation

At the end of 2018, The International Whaling Commission (IWC) refused Japan's request for a legal resumption of whaling. Soon after, Tokyo announced its withdrawal from the IWC openly defying cetacean defenders. Japan had therefore left the forum and broke free of a moratorium that had been applied for three decades.

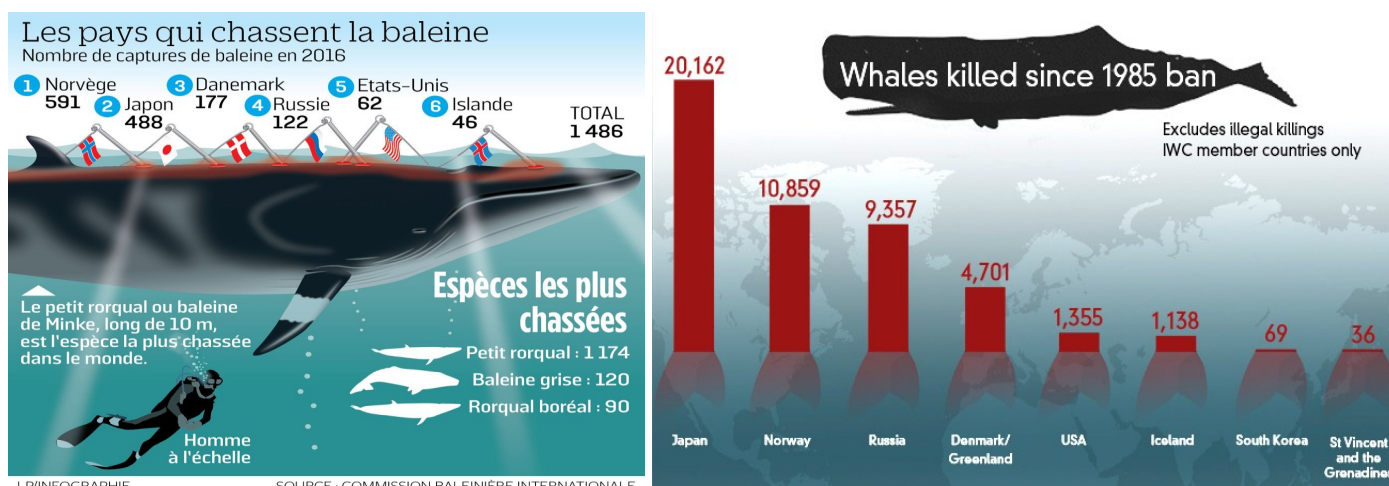
After the 1<sup>st</sup> of July 2019, the whaling will be along the coast of the Japanese archipelago and Japan will no longer hunt on the high seas in sensitive areas.

A provocation in the eyes of Australia and New Zealand, outraged by the annual Japanese expeditions to Antarctica whose waters fall under the remit of these two countries and for animal advocates a sanctuary for cetaceans. This return to a worldwide fishery on a threatened species is the logical consequence of the war between pro- and anti-hunting within the IWC.



# Current situation

Unfortunately, Japan isn't the only country whaling. Here are few examples of countries that are still whaling illegally in 2019:



Norway for instance, resumed commercial whaling in 1993. In 2002, it also resumed exports of whale products, banned by the International Convention on Threatened Species, mainly to Japan. And in 2018, considering that whaling was in decline, Norway even raised by 28% the quotas of whales likely to be harpooned in its waters.

Also, Iceland will continue to hunt whales until 2023, and has just announced an increase in its hunting quotas. This new quotas for the next 5 years allows the killing of more than 400 whales a years (Despite the growing disinterest of Icelanders, tourists for whale meat and international pressure).

# Current situation

Furthermore, the Faroe Islands (an autonomous territory within the Kingdom of Denmark.) have a cultural tradition called “The grindadráp”, which consists in hunting cetacean in force. The literal translation of the Faroese word Grindadráp is "killing whales". Each year, some inhabitants kill hundreds of pilot whales (their main target of hunting) but also white-sided dolphins and bottle-nose dolphins who venture into the fjords of the archipelago. However, this tradition also has dramatic consequences for humans. They consume the flesh of whales, which has a high concentration of mercury because of pollution of the oceans, and poison themselves.



Since its establishment, the IWC has recognized aboriginal whale subsistence hunting, authorized for Denmark (in Greenland), the Russian Federation (in Siberia), Saint Vincent and the Grenadines and Alaska for the United States.

# Key terms defined

- ♦ *Whaling* (definition from the Oxford dictionary) : the practice or industry of hunting and killing whales for their oil, meat, or whalebone.
- ♦ *JARPA II* (definition from Wikipedia) : Japanese Whale Research Program under Special Permit in the Antarctic.
- ♦ *Southern Ocean* :



# Timeline of events

- *Prior to 1000* : People in various parts of the world hunt whales for food and subsistence products.
- *1611* : England's Muscovy Company sends two whaling ships to the newly-discovered Arctic island of Spitsbergen to hunt bowhead whales. By 1613, the waters around Spitsbergen are choked with whaling ships.
- *1904* : Norwegian Carl Anton Larsen establishes the first Antarctic whaling operation, at Grytviken on South Georgia.
- *1930* : Thirty-eight factory ships and 184 catchers, mostly British and Norwegian, are operating in the Antarctic.
- *1931* : Geneva Convention for the Regulation of Whaling is signed; the first international attempt to regulate the industry. That same year, an all-time record 29,410 blue whales are killed in the Antarctic.

# Timeline of events

- ♦ 1937 : International Agreement for the Regulation of Whaling is signed in London. The next season, 46,039 whales are killed in the Antarctic, the highest total ever.
- ♦ 1946 : International Convention for the Regulation of Whaling (ICRW) is signed in Washington, D.C..
- ♦ 1972 : United Nations Conference on the Human Environment votes for a ten-year moratorium on commercial whaling.
- ♦ 1975 : First Greenpeace anti-whaling voyage, confronting Soviet whalers in the North Pacific.
- ♦ 1978 : Sea Shepherd purchased first anti-whaling ship. The Earth Force Society purchased their first whaling-interference ship, which would intercept whaling fleets during hunts and save the lives of hundreds of whales.
- ♦ 1987 : Japanese factory ship Nisshin Maru No. 3 and three catchers set out on first “scientific whaling” voyage in Antarctic, to kill up to 330 minke whales.



# Timeline of events

- ♦ *1996* : Japan begins “research” whaling in the North Pacific.
- ♦ *1999* : Makah permitted to whale. This enrages other nations that are denied this exception.
- ♦ *2007* : The International Whaling Commission meets on US soil for the first time in 18 years, in Anchorage, Alaska, in May.
- ♦ *2019* : Japan resumes commercial whaling after 30 years.

## Major countries involved in this case

- ♦ *Australia:* It accused Japan of pursuing “a large -scale program of whaling under the Second Phase of its Japanese Whale Research Program under Special Permit in the Antarctic (‘JARPA II’)”.
- ♦ *Japan:* It was, as a matter of fact, accused of practicing whaling.



## Previous attempts to solve the crisis

- ♦ In 2014, President Obama imposed sanctions against Iceland that didn't respect the Convention on International Trade in Endangered Species (CITES).
- ♦ The Natural Resources Defense Council (NRDC) has engaged the power of the market to stop whaling. Hence, they are calling on United States food producers and resellers to stop buying products from companies linked to whale slaughter.
- ♦ The “Don't Buy from Icelandic Whalers” campaign was launched. Whaling has drastically reduced the number of whales and because of that, in recent years there have been many campaigns by various groups such as sea-shepherd and Greenpeace to prevent major commercial whalers from Japan, Norway and Iceland from whaling.

# Possible solutions

- The best solution to stop whaling is educating the population about the issue and raising awareness about whaling and its negative effects. Countries should tell the people how the ecosystem and environment are affected by whaling so more people would understand and know about the problem and take action.
- The changed attitude to eating whale will be very effective as younger generations are less likely to eat whale and in the long term, the whaling countries' people will refuse to eat the meat.
- The mixture of the existing political pressure and private organizations with the international supported education on anti-whaling will crumble the whaling industry and as they are already fighting to keep it alive. So education would be the best solution to stop whaling around the world and have the most promising results.
- Campaign against whaling.

# Possible solutions

- ♦ Reduce demand for whale meat.
- ♦ Inform tourists about the cruel slaughter they are supporting every time they order whale meat while on holiday in a whaling region.
- ♦ Whale watching, not eating. (work with local communities to encourage whale watching as a kinder and more sustainable way of earning income from the whales in their waters.).

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*See you Soon!*