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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	[Personally Identifiable Information] [partial] (1 page)	02/19/1993	b(6)

COLLECTION:

Clinton Presidential Records
Council on Environmental Quality
Kathleen "Katie" McGinty
OA/Box Number: 2899

FOLDER TITLE:

Whaling

2012-0769-F

rs2963

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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ROYAL NORWEGIAN EMBASSY, WASHINGTON, D.C.

Telefax: 1 (202) 337 0870
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*meeting 9:30
file whaling*

PRIORITY:

DATE: 19 February 1993

TO: Mr. Trey Lindseth
The White House
Office of Environment Fax: (202) 456-6231

COPY TO:

OUR REF.:

YOUR REF.:

SUBJECT:

Dear Mr. Lindseth,

Thank you for arranging a meeting for Ambassador Kjeld Vibe (10/05/27) with Director McGinty, Friday February 26 at 09:30 am. The Ambassador will be accompanied by Mr. Olav Berstad (09/19/53), First Secretary of Embassy and myself (b)(6)

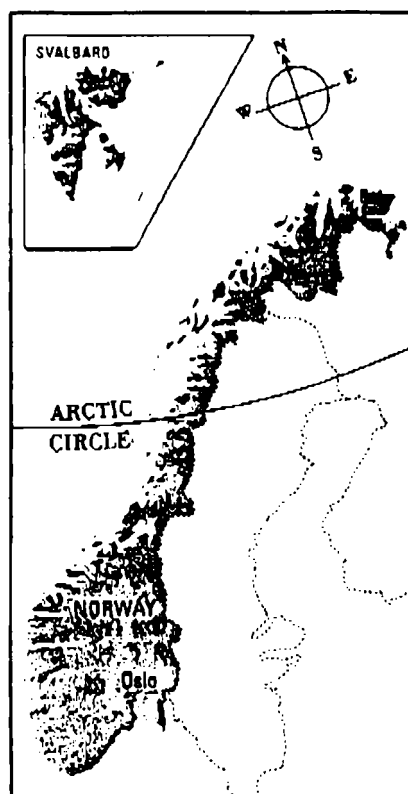
I take the liberty to enclose some material on certain aspects of Norway's resource management policy related to traditional whaling.

Sincerely,

Per Mr. Pedersen

Per Mr. Pedersen
Minister (Economic Affairs)

NORAMB



Norwegian small-type whaling

Throughout history, Norway has been dependent on the utilization of the living resources of the sea. The main objectives of the Government are thus the preservation of natural diversity and the management of our natural resources for present and future generations. A living and sustainable marine environment will also provide the essential basis for future settlement in the sparsely populated local communities along the Norwegian coast.

Small-type whaling, which is mostly carried out in Norway's base economic zone, has always been part of the country's utilization of marine resources. Since it started in about 1930, however, modern small-type whaling has been subject to increased regulation in keeping with the growing understanding of the need for ecologically sound utilization of stocks.

The registration and reporting system introduced in 1938 was followed in the early 1950s by various restrictions on the whaling season and on whaling areas, as well as total quotas and quotas per vessel. In 1987, the last year Norway engaged in commercial small-type whaling, the total quota was 325 minke whales from the Northeast Atlantic stock and 50 from the Jan Mayen stock.

In 1987, the Norwegian Government imposed a temporary ban on commercial whaling. The Government also established a national research programme for sea mammals for the period 1988 - 1992, a programme that

was later extended to 1994. In 1989 this integrated research programme was placed under the auspices of the Norwegian Fisheries Research Council. The results of the research on Northeast Atlantic minke whales has formed part of the International Whaling Commission's (IWC) comprehensive assessment.

In 1992, the Scientific Committee of the IWC unanimously estimated the size of the Northeast Atlantic minke whale stock to be 86,700 animals. A comprehensive assessment of the Northeast Atlantic minke whales is nearly completed. This can be interpreted as a recognition of the comprehensive research carried out by Norway, and a tribute to the country's management regulations, research methods and stock development.

The Norwegian Government maintains that the management of all marine resources must rest on a sound and sustainable basis. Multi-stock research and knowledge of the interaction of fish and sea mammal

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UDA 243 ENG

populations are of vital importance as a basis for the future management of the sea's living resources. Marine mammals are a vital part of the marine ecosystem in the north.

Commercial whaling

In the action programme "Agenda 21", adopted at the UN Conference for Environment and Development, countries endorsed the principle that living marine resources, including marine mammals, should be managed and utilized on a scientific basis.

The assessments of the Scientific Committee of the IWC just prior to the 44th Annual Meeting of the IWC in Glasgow include a draft revised management procedure which allows for the resumption of commercial small-type minke whaling in the Northeast Atlantic. The complete management procedure is not yet finalized. This does not, however, alter the fact that the revised management procedure could, according to the Scientific Committees, now be implemented for the Northeast Atlantic minke whale.

On the basis of these assessments, the Government of Norway decided to allow commercial small-type whaling to be resumed in 1993. Norway is in a position to do this under the IWC regulations. The whaling will be limited to the harvesting of minke whale. Small-type whaling bears no resemblance to the pelagic whaling carried out by Norway and other nations from the turn of this century until the mid-sixties. Furthermore, improved hunting methods are such that, in the view of the Norwegian Government, the methods used in the Norwegian minke whale hunt compare favorably with methods used in the hunting of large terrestrial animals. The whaling will be conducted on the basis of fair and reasonable catch limits, ensuring sustainable management in accordance with the principles adopted at the UN Conference for Environment and Development.

Research Programme

As an integral part of Norway's research into the living resources of the sea, the Government has decided to conduct a research programme based on a take of 110 minke whales for research purposes in 1992.

This research is intended to provide

better knowledge of the feeding habits of the minke whale at different times of the year in various parts of the Barents Sea and along the Norwegian coast. The information gained will be essential to efforts within fishery science and resource management to develop more rational methods for establishing catch limits for fish stocks.

In accordance with the recommendations of Norwegian scientists, it has been decided that, in addition to the 110 minke whales to be taken in 1992, the catch component of the Norwegian research programme will comprise 136 minke whales in both 1993 and 1994. This scientific research whaling is in strict observance of Article VIII of the 1946 International Convention for the Regulation of Whaling.

Modest scale

Norwegian small-type whaling has always been conducted on a modest scale by fishermen who have had whaling as a supplement to their traditional activities. The vessels used average 60 gross register tons. They are 40 to 80 feet long and normally carry a crew of three to six men. In certain areas, especially in North Norway, the fishermen and their families depend on whaling as a supplement to fishing in order to earn an acceptable annual income. Whaling is of particular importance in a number of local communities which offer few, if any, alternatives to fishing and hunting.

Small-type whaling bears no resemblance to pelagic whaling. Such large-scale industrial whaling has been halted once and for all.

Norway and the IWC

During the IWC meeting in Glasgow, a resolution was adopted that accepts the Scientific Committee's recommendation with regard to a model for calculating catch limits. No catch limits were adopted, however, because the majority of IWC members have stated that the moratorium will have to remain in force until a new control and inspection scheme has been worked out. Furthermore, the anti-whaling nations in the IWC insist that humane methods for killing whales must be agreed upon before the moratorium can be lifted and replaced by catch limits.

Thus, Norway in the IWC is faced with endless stalling tactics and filibustering by the IWC majority, who are trying to prevent the lifting of the moratorium at any cost regardless of the scientific findings of the Scientific Committee.

Faced with this delaying procedure within the IWC, the Government of Norway announced that Norway would resume commercial whaling next year, in accordance with proposals made by the Scientific Committee of the IWC.

This decision was a decision of principle. No catch limits have been set as yet. Nor has any decision been taken as to the actual date on which commercial whaling will be resumed next year.

The Government's decision is in accordance with Article V of the International Whaling Convention, as Norway has presented two formal objections to the IWC, i.e. with regard to the moratorium itself, and the 1985 IWC classification of North Atlantic minke whale as a so-called "protected stock". Consequently, Norway is not legally bound by these two IWC decisions.

In other words, Norway has the right according to public international law to resume commercial minke whaling. No delegation at the IWC annual meeting in Glasgow questioned Norway's legal right to resume whaling.

How close to commercial whaling?



NORWAY

INFORMATION

NORWAY AND WHALING

Background On Norway

Norway is a mountainous, coastal nation of 4.3 million people located in the western and northern part of the Scandinavian Peninsula and bordering Sweden, Finland, and Russia. Norway has a land area of about 125,100 square miles, exclusive of its overseas territories. It extends 1,100 miles from the North Sea along the Norwegian Sea to more than 300 miles above the Arctic Circle. There are nearly 50,000 islands off the coast, forming a breakfront making a safe coastal shipping channel. Overall, Norway has an oceanfront of more than 12,000 miles.

Norway is a constitutional monarchy with a parliamentary form of government. The government is led by Prime Minister Gro Harlem Brundtland's Labor Party.

The Norwegian economy is heavily dependent on the sea. Utilization of the ocean's resources is essential for the viability of many communities along the coast. In addition to the fishing industry, offshore oil and gas production and the shipping and shipbuilding industries contribute significantly to the Norwegian economy.

There is a long tradition of strong political, military and economic links between the U.S. and Norway. Over a period of one hundred years, one quarter of the Norwegian population emigrated to the U.S., the largest proportion of any European nation except Ireland.

The U.S. and Norway are partners in NATO. In addition, Norway's geographic location, the offshore petroleum activity and the large Norwegian merchant marine make Norway an important partner for the U.S. in the economic and security policy fields.

Background On The International Whaling Commission (IWC)

The 1946 International Convention for the Regulation of Whaling (ICRW) established "a system of international regulation for the whale fisheries to ensure proper and effective conservation and development of whale stocks." Its main objectives are "to provide for the proper conservation of whale

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4/a

Commercial →
domestic consumption only count?
capital count or dry full only
pull out high price?

stocks and thus make possible the orderly development of the whaling industry." Fifteen nations, including Norway, were original signatories to the convention.

The ICRW created the International Whaling Commission to amend the specific regulations devised for the conservation and utilization of whale stocks, organize scientific studies, and compile statistics on the current conditions of whale stocks. The IWC may identify protected species, establish whaling seasons, and set size limits, whaling methods, and catch quotas. Each year, commissioners representing the current 36 member nations meet to review and revise these whaling policies. Norway has been a leading participant in the IWC.

In 1986, the IWC imposed a moratorium prohibiting commercial whaling to allow scientists to assess whale stocks. The moratorium called upon the Scientific Committee of the IWC to undertake a comprehensive assessment of whale stocks and to develop a Revised Management Procedure for the harvesting of whales by 1990 at the latest.

Norway filed an objection to the moratorium decision and is consequently not bound by it. Nevertheless, Norway temporarily stopped the hunting of minke whales in 1987 in order to await improved scientific data on the size of the stock of Northeast Atlantic minke whales. This data is now available.

At the 1992 meeting of the IWC, the Scientific Committee unanimously concluded that the North Atlantic minke whale is in no danger of depletion or extinction, with an estimated 86,700 minke whales in the North East Atlantic stock alone. The Scientific Committee agreed that "sufficient trials had been carried out to allow implementation of" an approved management procedure for the harvesting of the North Atlantic minke whale. However, the Commission itself failed to implement the Scientific Committee's recommendation, and has delayed any final decision on the resumption of whaling.

Discussion

Norway has taken a leading role internationally on the environment and has received universal recognition for its pro-environmental policies.

- Norway has long been active in the conservation of the global environment and the management of its resources. Prime Minister Brundtland is a leading force in the international environmental movement. She has received numerous U.S. awards in recognition of her efforts, and received a Career Environmental Leadership award from the U.S. Environmental Law Institute in October, 1992.
- Norway was a leader at the 1992 United Nations World Conference on Environment and Development (UNCED) in Rio de Janeiro, at which Norway signed all the relevant decisions, including the international agreement to protect the earth's biodiversity.

- The government, and the Prime Minister herself, will continue to give priority to environmental matters, both nationally and internationally. Norway's chief environmental objective is to preserve nature's diversity and manage its resources so that they remain available to future generations. Norway advocates the protection of all species threatened with extinction or serious depletion.

With a strong and sustainable environmental program, Norway has now decided to resume the limited traditional whaling of the North East Atlantic minke, a small baleen whale in plentiful supply.

- Since Norway is dependent on the utilization and harvesting of the living resources of the sea, it is of paramount importance that management and use of living resources be based on a sound scientific and sustainable basis.
- Unfortunately, misconceptions have developed that there is but one species of whale and that all whales are endangered. In fact, there are more than seventy distinct species of whales, and, while some of the more well-known species, such as the blue, bowhead, humpback, and sperm whales, are classified as endangered, other species -- such as the minke -- are not threatened. As discussed above, the prevalence of the minke whale in the North Atlantic was unanimously acknowledged by the IWC Scientific Committee last spring.
- The whaling issue is a matter of principle for Norway, uniting the country behind the call for national sovereignty in resource management. If whaling is prohibited as a result of pressure from abroad -- in spite of scientific evidence that limited whaling would not represent a threat to the species of whale in question -- the fear is that similar loss of sovereignty over other natural resources, such as fish, energy, forests and minerals, could follow.
- Minke whales are sufficiently abundant today that they may be depleting the food resources needed by clearly endangered whales -- such as the blue and bowhead whales. While minkes have flourished in recent years, endangered whale stocks have not shown significant signs of revitalization. Managing competing stocks such as the minke will contribute to maintaining a balance and help clearly endangered whales to replenish their stock.

Whaling is indigenous to northern Norwegian fishing communities. It is a deep-rooted component of both Norwegian culture and the local economy. It also shares many features of "subsistence aboriginal whaling."

- "Small-type" minke whaling bears no resemblance to the pelagic, or deep ocean, whaling carried out from the turn of the century until the mid-sixties. Large-scale industrial whaling has been halted once and for all. Despite this, regularly aired whaling documentaries depict outdated

pelagic whaling, which in no way reflects Norwegian whaling of the 1990s.

- In Norway, small-type minke whaling is conducted by local fishermen from remote northern fishing villages. For centuries, seasonal whaling has been important as a supplement to other traditional activities. This region of Norway offers few, if any, alternatives to fishing and hunting.
- Small-type whaling is often a family enterprise which independently operates a small whaling vessel. On-shore financial and management activities are also often handled by family members.
- Norwegian small-type minke whaling shares many features of "subsistence aboriginal whaling." The U.S. has fought to permit Alaskan natives in coastal communities to harvest the endangered bowhead whale. Overall, the IWC has exempted local communities in Alaska, Greenland, St. Vincent and the Grenadines, and Siberia from the whaling moratorium due to the subsistence nature of whaling in their communities.
- Whale meat is considered a traditional food in Norway. Small-type whaling also provides employment, obviously at sea, but also on land with the processing of whale meat and other related work.
- Over the last decade, the humaneness of hunting methods has been significantly improved. These methods compare favorably with those used in the hunting of large terrestrial animals, such as elk, moose, and deer. As a result, there is far less possibility of injured animals escaping. In addition, Norway has, on several occasions, stated its willingness to discuss the hunting methods of mammals with the international community.
- Whaling has been one of the most regulated industries in Norway, and will continue as such. Resumption of traditional whaling will be limited in scope to a scientifically acceptable take in accordance with the management procedure recommended by the IWC Scientific Committee. Whalers must be licensed and must renew their concessions every year, with any serious breach of regulations leading to a permanent ban on their vessel.

The IWC was created to ensure the proper management of whale populations for their sustainable utilization and harvesting, not to permanently ban all whaling for which there is no scientific rationale.

- The IWC's mandate is to manage sustainable whale stock levels using scientifically-based principles. Norway has remained a member of the IWC because it believes in strong international regulation of this issue and wishes to contribute to the important research conducted by the Scientific Committee.

- The IWC has disregarded the recommendations of the Scientific Committee and, contrary to its charter, is tending toward the imposition of a permanent ban on all whaling. The recent actions of the IWC have led Norway to reassess whether the IWC still fulfills its designated role in the international community. Failure by the IWC to acknowledge and implement the recommendations of its own Scientific Committee could result in the precipitous decline of the IWC as an effective regulatory body.

Resumption of traditional whaling by Norway is in accordance with international law and the decisions adopted at the UNCED Conference. It is also in compliance with Norway's obligations as a member of the IWC.

- Resuming the harvest of minke whales is in full conformity with both the spirit and the substantive contents of the UNCED declarations. In Rio de Janeiro, the 1992 UNCED Conference endorsed the principle of sustainable management and use of marine living resources, including marine mammals, on a scientific basis. International law recognizes that a coastal state is entitled to ensure optimum utilization of the living resources in its exclusive economic zone.
- Resuming a limited harvest of minke whales is in accordance with the IWC Convention. Article V expressly permits a member nation to file an official objection to a specific IWC decision, and the filing of such an objection makes the IWC decision inapplicable to the objecting nation. Norway has presented two such formal objections to the IWC, one with regard to the moratorium and one with regard to the 1985 classification of the North East Atlantic minke whale as protected stock.

Possible trade measures by the U.S. against products from Norway, which have evolved as a result of the whaling issue, would be in conflict with the GATT obligations of the U.S.

- The General Agreement on Trade and Tariffs (GATT) does not authorize its members to restrict imports of a product -- especially a product other than the one in dispute -- merely on the basis of disagreement with the resource management of a trading partner. Selective trade measures directed at an individual country such as Norway would violate the basic GATT principle of non-discrimination and also would be in contravention of the general prohibition on quantitative restrictions.

Conclusion

Norway has a proven pro-environmental record and strongly supports the conservation of all species threatened with serious depletion or extinction. There is, however, scientifically supported evidence of sufficient minke whale stocks to warrant limited harvesting. Under a carefully constructed management plan, Norway could harvest the plentiful, non-threatened small minke whale in harmony with the ecosystem and without any risk to the minke whale species.

Small-type whaling is quite similar in nature to the aboriginal subsistence whaling deemed acceptable for local communities inhabiting Arctic Circle regions. Fair and consistent policy requires that traditional whaling conducted by Norwegian local communities dependent upon the resources of the sea should not be objectionable where: (1) there is a solid scientific basis for the whaling; and (2) it is conducted under a sustainable management plan. Norway has met these criteria for the utilization of its resources as recognized under international law.

October, 1992