

SAFETY ISSUES AT SEA AND THEIR IMPLICATIONS

Submitted by Japan

Hereby attached are a set of materials, including photo and video clips, that provides better understanding about the interference by anti-whaling activists with whale research activities known as the JARPA II.

Those interested in the materials, are invited to contact Japanese delegation during the 59th annual meeting, and thereafter visit the web site of the Institute of Cetacean Research < <http://www.icrwhale.org/eng-index.htm> >.

Agenda Item 11.
SAFETY ISSUES AT SEA AND THEIR IMPLICATIONS

11.2 Interference with whale research
(Main examples of escalation)

JARPA Cruise No.19 (2005/06)

JARPA Cruise No.20 (2006/07)

REFERENCE

IWC Resolution 2006-2

UNCLOS Definition of Piracy

11.2 Interference with whale research

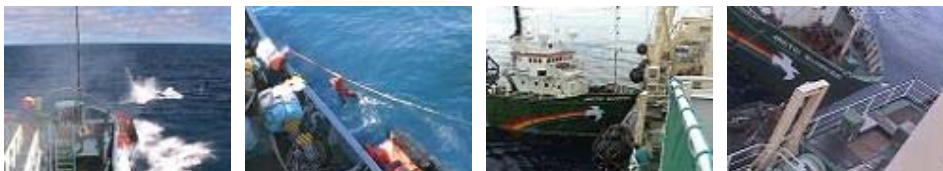
Table 1. Escalation of Greenpeace and Sea Shepherd illegal harassment -Main examples of interference with JARPA whale research

JARPA cruise No.	Cruise year	Interfering vessels	Collision and/or trespassing	Interference period	Interference site/area	Interfering organization	Main examples of interference
1	1987/88	Inflatable boats	—	1987/12/11	Mitsubishi Heavy Ind. Honmoku dockyard (before leaving port)	Greenpeace	Demonstration with inflatable boats. Activists dispersed by Japanese coast guard; 6 arrested
2	1988/89	Gondwana	Yes	1989/1/24-2/2	Antarctic Area V	Greenpeace	Obstruction of whale sampling and whale transfer work; Gondwana collision with sighting/sampling vessel Kyo Maru No. 1
4	1990/91	Gondwana	—	1990/12/13 and 1990/12/22 to 12/26	Tasman Sea (during outward voyage) and Antarctic Area V	Greenpeace	Dropping of "human barricade" from the Gondwana in front of research mothership Nisshin Maru; zodiac rubber boat demonstration and obstruction of research work
5	1991/92	Greenpeace	Yes	1991/12/7 to 1992/1/29	Antarctic Area IV	Greenpeace	Obstruction of whale sampling and whale transfer work with inflatable boats; anchoring of zodiac rubber boats to the research mothership Nisshin Maru slipway
8	1994/95	Greenpeace	Yes	1995/2/9 to 3/9	Antarctic Area V and off Wellington Port (during medical evacuation of a crew member)	Greenpeace	Obstruction of whale sampling and whale transfer work with inflatable boats; activist intrusion into the sighting/sampling vessel Toshi Maru No. 18 while in Wellington Port. Later, obstruction of its leaving port
12	1998/99	Arctic Sunrise	Yes	1998/11/25 to 11/27 and 1998/12/7 to 12/8	Coral Sea (during outward voyage) and in Noumea, New Caledonia (during emergency entry into port due to a fire on board accident)	Greenpeace	Activist intrusion into the sighting/sampling vessel Kyo Maru No. 1 while at Noumea Port, hanging and chaining themselves to its anchor and the harpoon cannon. Tightly fastening of the Kyo Maru No. 1 propeller with chains. Climbing and hanging themselves to the Nisshin Maru anchor.
13	1999/2000	Arctic Sunrise	Yes	1999/12/20 to 2000/1/17	Antarctic Area III East and Area IV	Greenpeace	Attachment of a transmitting device on the research mothership Nisshin Maru' hull. Arctic Sunrise ramming of the Nisshin Maru right starboard hind part. Obstruction of non-lethal research by inflatable boats. Obstruction of whale sampling and whale transfer work with inflatable boats; intrusion attempts with inflatables through the Nisshin Maru slipway; destruction and theft of fixtures
15	2001/2002	Arctic Sunrise	Yes	2001/12/13 to 2002/1/16	Antarctic Area III East and Area IV	Greenpeace	Obstruction of non-lethal research with hosing from inflatable boats. Obstruction of whale sampling and whale transfer work with inflatable boats
19	2005/2006	Arctic Sunrise, Esperanza, Farley Mowat	Yes	2005/12/20 to 2006/1/19	Antarctic Area III East, Area IV, Area V West and part of Area V East	Greenpeace and Sea Shepherd	Arctic Sunrise ramming of the Nisshin Maru right starboard. Esperanza repeated collisions with sighting/sampling vessel Kyo Maru No. 1. Obstruction of non-lethal research by inflatable boats. Obstruction of whale sampling and whale transfer work with Greenpeace inflatables and helicopter; obstruction of non-lethal research with hosing from inflatable boats. Sea Shepherd Farley Mowat ramming of research supply vessel; Sea Shepherd throwing wires and ropes from inflatables to damage/inutilize the Nisshin Maru propeller
20	2006/2007	Farley Mowat, Robert Hunter, Esperanza	Yes	2007/2/8 to 2007/2/12; 2/17 to 2/28	Antarctic Area VI West and Area V	Sea Shepherd and Greenpeace	Smoke bomb and chemical (butyric acid) attack by Sea Shepherd Farley Mowat and Robert Hunter to Nisshin Maru resulting in two crew injured; throwing of wires and ropes to damage/inutilize the Nisshin maru propeller. Smoke bomb attack to non-lethal research (sighting vessel) Kaiko Maru. Repeated ramming of Kaiko Maru by Robert Hunter. Kaiko Maru propeller damaged after repeated throwing of ropes from Sea Shepherd inflatables, resulting in distress call. After arrival of the Esperanza (2/17) to the scene of Nisshin Maru fire accident, Greenpeace takes advantage of the situation spreading exaggerated and false rumors to the world.

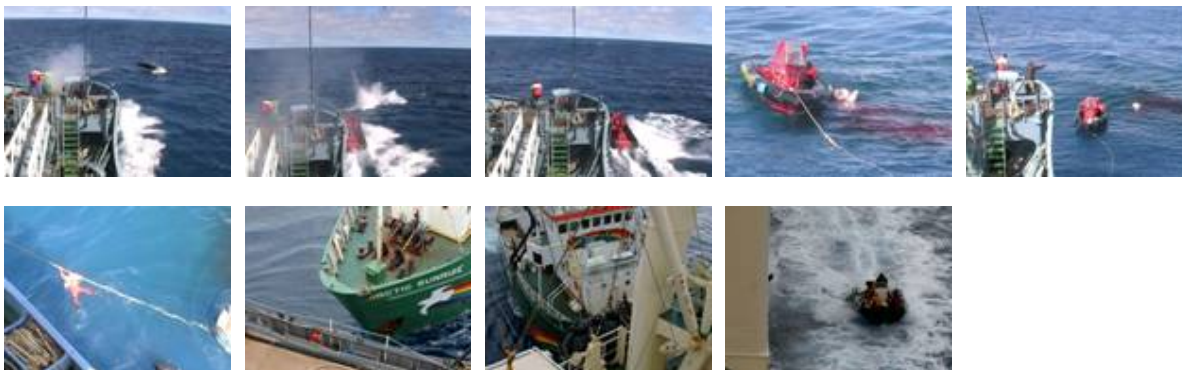
JARPA Cruise No. 19 (2005/06)

Arctic Sunrise ramming of the Nisshin Maru right starboard. Esperanza repeated collisions with sighting/sampling vessel Kyo Maru No. 1. Obstruction of non-lethal research by inflatable boats. Obstruction of whale sampling and whale transfer work with Greenpeace inflatables and helicopter; obstruction of non-lethal research with hosing from inflatable boats. Sea Shepherd Farley Mowat ramming of research supply vessel; Sea Shepherd throwing wires and ropes from inflatables to damage/inutilize the Nisshin Maru propeller.

VIDEO



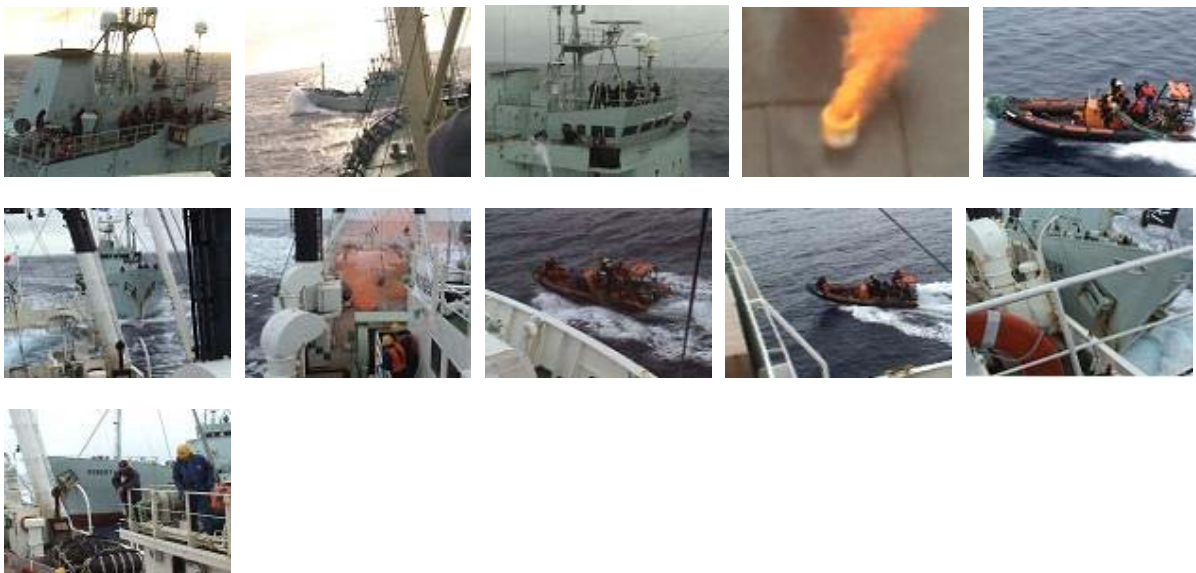
PHOTOGRAPHS



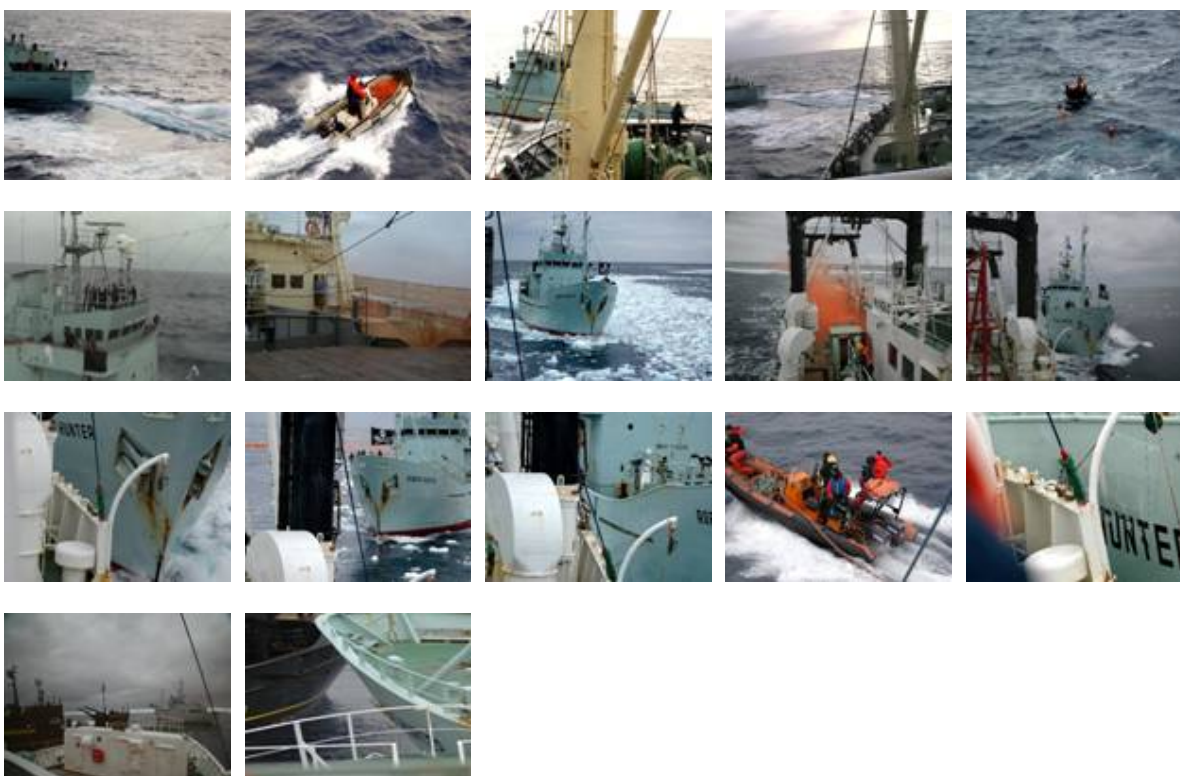
JARPA Cruise No. 20 (2006/07)

Smoke bomb and chemical (butyric acid) attack by Sea Shepherd Farley Mowat and Robert Hunter to Nisshin Maru resulting in two crew injured; throwing of wires and ropes to damage/inutilize the Nisshin maru propeller. Smoke bomb attack to non-lethal research (sighting vessel) Kaiko Maru. Repeated ramming of Kaiko Maru by Robert Hunter. Kaiko Maru propeller damaged after repeated throwing of ropes from Sea Shepherd inflatables, resulting in distress call. After arrival of the Esperanza (2/17) to the scene of Nisshin Maru fire accident, Greenpeace takes advantage of the situation spreading exaggerated and false rumors to the world.

VIDEO



PHOTOGRAPHS



[See Documents](#)

Resolution 2006-2

**RESOLUTION ON THE SAFETY OF VESSELS ENGAGED IN WHALING AND WHALE
RESEARCH-RELATED ACTIVITIES**

WHEREAS the safety of vessels and crew and the order of maritime navigation are, and have long been, the common interest of nations worldwide,

WHEREAS the Commission and Contracting Governments support the right to legitimate and peaceful forms of protest and demonstration,

MINDFUL of the fact that issues relating to confrontation between vessels at sea and in port have been discussed by this Commission as well as other international fora including the International Maritime Organization,

RECOGNISING the fact that domestic and international concerns have been expressed concerning confrontation at sea and port relating to whaling and whale research activities,

SERIOUSLY CONCERNED that dangerous confrontations risk human life, property, and the order of maritime navigation, and may lead to grave accidents,

RECALLING the International Regulations for preventing Collisions at Sea which set uniform principles and rules for avoiding collisions at sea,

RECALLING further the guidelines of the International Maritime Organization relating to consultation and cooperation in marine casualty investigations,

NOW THEREFORE THIS COMMISSION,

AGREES AND DECLARES that the Commission and its Contracting Governments do not condone any actions that are a risk to human life and property in relation to these activities of vessels at sea, and urges persons and entities to refrain from such acts;

ENCOURAGES Contracting Governments to take appropriate measures, consistent with IMO guidelines, in order to ensure that the substance and spirit of this Resolution are observed both domestically and internationally.

REFERENCE

DEFINITION OF PIRACY

The following definition of piracy is contained in article 101 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS):

“Piracy consists of the following acts:

- (a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:
 - (i) on the high seas, against other ship or aircraft, or against persons or property on board such ship or aircraft;
 - (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
- (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
- (c) any act inciting or of intentionally facilitating an act described in sub-paragraph (a) or (b).”

For more detailed information consult the website of the International Marine Organization (IMO):
<http://www.imo.org/home.asp>