

PALAU COMMISSIONER UHERBELAU'S REMARKS

IWC62, AGADIR, MOROCCO

21-26 JUNE 2010

Preliminaries

(Submitted by Palau)

Mr. Chairman, Palau too adds its small island Republic's voice in thanking His Majesty's Government of Kingdom of Morocco for having volunteered to host this year's annual meeting of IWC which other Contracting Governments were reluctant to.

Chairman, Sir, Your Excellency Anthony Liverpool, Antigua and Barbuda Ambassador and Whale Commissioner! Palau joins ranks with its fellow ACP states in congratulating and thanking you for having risen up to and accepted the formidable challenge of chairing this pivotal IWC62. **YOU DO US PROUD INDEED!**

We trust you will continue dispensing your daunting and ungrateful responsibilities with dignity, impartiality and fairness. And at the end of the day, your performance shall have proven *The Sunday Times* reporters, who have characterized your role as merely a "stand-in chair", they are holy wrong.

Substantive Portion

Chair, Palau wishes to restate what it proclaimed at IWC54 in Simonosheki some eight years ago. Being a tiny island nation whose native people live off the resources of the sea, Palau subscribes to the principle that all living marine resources, including especially whale resources, are to be sustainably used by and for humans. Measures adopted by a hereinafter reformed IWC to regulate whaling activities must be science-based. In other words, to be carried out on the findings, advice and recommendations of the Commission's very own, world-renowned Scientific Committee.

You yourself, Mr. Chair, have been undeservedly smeared by dirty media reporting, together with a number of fellow delegates of ACP small developing states of Africa, the Caribbean and the Pacific. If our predators' allegations that we accept bribes in exchange for our votes, why then do our respective countries' voting rights get suspended, almost without fail, at the beginning of each of IWC's

financial year? Being small, weak and poor is not something to be ashamed about. We do have a role to play in the world stage. So, at the face of our adversarial mud-slingings, let us hold our heads up and look straight at our fellow Commissioners' eyes as equals.

My country of Palau too, Mr. Chairman, has not escaped either exaggerated, misleading and grossly distorted written press, if not outright adverse publicity stunt.

The Sunday Times titled its piece: **"Support for Japan's Whaling: On the Verge of Extinction?"**

The story goes on to say: "The latest to jump ship is Palau, a Pacific island a few thousand miles south of Tokyo which has backed Japan in its exploitation of a 'loophole' in the global whaling moratorium which allows nations to hunt whales in the name of science".

Mr. Chair, you and I, and many others in IWC, know very well that scientific whaling is not carried out via loophole in the 24-year ban on commercial whaling as if it were an illegitimate activity. But rather it is a program legally authorized under Article III of this Commission's governing instrument, the **International Convention for the Regulation of Whaling**. It is there for any Contracting Government to make use of should they so choose.

Lest there be any doubt, Palau is proud and would be the first to admit it has at least three things in common with its development partner to north:

- (1) Palau is in the same time zone as is Tokyo.
- (2) Except for colors, the design of our respective national flags is virtually identical.
- (3) Palau, like Japan, subscribes to sustainable utilization of living marine resources, including cetaceans. Together with many other like-minded IWC member states, we both belong to the sustainable use group of countries in this organization.

But not all press coverage of Palau this month, Mr. Chairman, has been irresponsible journalism. The *Australia Network News* captioned its article: **"Japan says whaling ensures fish survival: Palau President"**. The article editorially reads: "Palau's President Johnson Toribiong says he was unconvinced by Japan's argument". Then it accurately quotes what my President actually

said: *"They claimed that humans do consume 100 million tones of fish a year, (and) the whales consume three to five times more, and that in order to ensure that the fish stocks are not depleted, controlled hunting of whales should be allowed".*

As Palau Whale Commissioner, I have my instructions to convey to this IWC62 the following.

1. Palau likewise commends the efforts of the **Small Working Group on the Future of IWC**, in whose deliberations I've been privileged to partake. Palau lauds also the initiatives undertaken by the **Support Group** under the capable leadership of Sir Geoffrey Palmer of New Zealand. And in this regard, Palau endorses, in principle, **Chair's and Vice Chair's "Proposed Consensus Decision to Improve the Conservation of Whales"** in whatever form it ultimately will emerge at the end of our session.

2. In particular, Palau firmly supports formulation of a single category of whaling. One that will not only be under full control of a reformed and revitalized Commission, but also a scheme that results in substantial reduction in killing of dear whales.

3. And again like other delegations in this convention hall, "in this point in time", *Palau too is hopeful that an acceptable, and indeed, a consensus solution, would be reached for establishment of a regime that strikes an equitable balance between continued conservation of threatened whale stocks and a scientifically-monitored management of whaling of whale species whose populations have been confirmed by the Scientific Committee to be overabundant.*

Conclusion

In February 2007 the distinguished former IWC Chairman Dr. Bill Hogarth posed to all Contracting Governments the following question: **"Why IWC discussions have not led to more consensus-based resolutions of IWC's problems?"**

The only logical answer even up to "this point in time", and one which succinctly explains why IWC has been a failure, and will continue to be failing is this:

Because many commissioners time and again come to Commission's meetings with inflexible national positions, rigid mindsets, or pre-conditions leaving no room for meaningful negotiations,

accommodations or compromises.

What, Sir, would have been a more fitting reward for our concerted efforts, an appropriate gift to send to our devoted former Chair, Dr. William Hogarth, and to hand-deliver to our departing hard-working Secretary, Dr. Nicky Grandy, than a **CONSENSUS PACKAGE** from Morocco IWC62?

I thank you, Mr. Chairman, Sir!