

Replacement of the Term “Aboriginal”

Delegation of the United States of America

Background

The term “aboriginal” has longstanding historical usage in the management of whaling, starting with the 1931 Convention for the Regulation of Whaling and continuing with the 1946 International Convention for the Regulation of Whaling that is currently in force. However, in 2007 at the Normalization Meeting hosted by the Government of Japan, the use of the term “aboriginal” in “Aboriginal Subsistence Whaling (ASW)” was raised by some participants as being offensive and a misnomer. The concern was noted in the minutes of the meeting and raised at IWC 59 under the ASW agenda item. While the issue was introduced, it was not fully debated nor did any action arise, except to agree that it would be a topic for discussion at IWC 60. During the subsequent discussions of the Future of the IWC, the change of the word “aboriginal” to “indigenous” was included in the draft text and no party objected or made note of the issue. It has accordingly been assumed that the change of this term would be generally acceptable to the Commission.

If the term is changed, then the IWC must ensure that all of the documentation previously agreed by the Commission as bearing upon the management of ASW also carries forward and continues to apply. Otherwise, some Contracting Parties might unintentionally construe that previously agreed ASW measures (including Schedule provisions, resolutions, definitions, objectives for management and Scientific Committee recommendations on such matters as calf lengths and Strike Limit Algorithms) cease to apply.

Recommendations

The United States accordingly proposes that the ASW Subcommittee forwards the following recommendations to the Commission for its consideration:

- 1) To discontinue using the term “aboriginal” and to replace it with the term “indigenous”;
- 2) To continue, in principle, managing Indigenous Subsistence Whaling under the terms of all currently existing management measures that apply to Aboriginal Subsistence Whaling, including all relevant Commission agreements; and
- 3) To request the Secretariat accordingly to modify existing language used in all applicable management measures and relevant agreements as necessary and prepare a Schedule amendment as needed for the Commission’s consideration.