



## HUMPBACK WHALING IN BEQUIA, ST VINCENT AND THE GRENADINES

The IWC's Failed Responsibility

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## INTRODUCTION

Since the Caribbean nation of St Vincent and the Grenadines (hereafter SVG) joined the International Whaling Commission (IWC or Commission) in 1981, whalers on the Grenadine island of Bequia are reported to have struck and landed twenty-nine humpback whales (*Megaptera novaeangliae*) and struck and lost at least five more. While this constitutes a small removal from a population of whales estimated to number over 11,000<sup>1</sup>, it does not excuse the IWC's three decades of inattention to many problems with the hunt, including the illegal killing of at least nine humpback whale calves.

Humpback whaling in SVG commenced in 1875 as a primarily commercial activity. In the 1970s, the focus of the operation changed from whale oil for export to meat and blubber for domestic consumption and a small scale artisanal hunt continued in Bequia despite the IWC's ban on hunting North Atlantic humpback whales. In 1987, the IWC accepted SVG's assurances that the Bequian whaling operation would not outlast its last surviving harpooner and granted SVG an Aboriginal Subsistence Whaling (ASW) quota'. Since then, the IWC has renewed SVG's 'temporary' ASW quota six more times, including doubling it in 2002, two years after the harpooner died. With the exception of a handful of countries that have repeatedly expressed discomfort at SVG's quota renewals and persisted with questions and calls for improvements in the hunt, the IWC as a whole has accepted 30 years of infractions, non-compliance with IWC regulations and excuses from SVG that it does not tolerate in any other ASW hunt:

- Whaling in Bequia is not conducted by aboriginal/indigenous peoples and does not have a long and unbroken history as a subsistence hunt (for decades after its inception in 1875 it remained a primarily commercial whaling operation focused mainly on oil);
- SVG has never properly substantiated Bequia's cultural and nutritional needs. There do not appear to be strong or longstanding cultural traditions associated with the hunt and the distribution of the whale products, and SVG did not document a nutritional need for whale meat in Bequia until 2002. Human population data supporting previous quota requests (and increases) are questionable;
- Hunting techniques (including a cold harpoon and speedboats) are inhumane;
- Flensing and distribution of whale meat is poorly controlled and chaotic; products intended only for subsistence consumption on Bequia are sold on the main island of St. Vincent and to tourists;
- SVG has a poor record of providing samples, photographs and data needed by the IWC;
- Bequian whalers traditionally targeted mother/calf pairs, which is banned by the IWC. Whaling regulations adopted by SVG in 2003 have reduced infractions, but still do not prohibit the killing of mother whales accompanying juvenile whales that would be defined as calves by the IWC. Furthermore, the IWC weakened its own rules governing the killing of calves in SVG in 2004.



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<sup>1</sup>Athneal Ollivierre died in 2000, continuing whaling until five months before his death.

All ASW quotas expire in 2012 and must be renewed at IWC64. Contracting Governments must therefore decide whether they are willing to renew SVG's quota for a seventh time and, if so, under what conditions. This report provides a detailed review of the history of SVG's quota at the IWC to provide context to the discussions.

Part I of this report provides a background to the management of ASW by the IWC and a summary of concerns relating to the hunt in Bequia. Part II (from page 9) provides the historical background to Bequian whaling and a detailed chronology of discussions, and a summary of actions taken, from SVG's first IWC meeting in 1981 to its most recent in 2010 (it did not attend the 2011 meeting). It presents all relevant statements by SVG on the whaling operation in Bequia and responses by Contracting Governments expressing concern about SVG's hunt, its lack of conformity with IWC regulations or its failure to respond to requests. It cites to reports of the Scientific Committee, Aboriginal Subsistence Whaling sub-committee, Infractions sub-committee, Technical Committee (which last met in 1999), as well as Chair's and verbatim reports (up to 2000 when transcription ceased) of annual meetings. All significant events are summarised in a table (see pages 7 and 8).

It should be noted that SVG has strong support from the commercial whaling nations and the group of developing nation members of the IWC that unwaveringly support Japan. Their statements over the years are uniformly supportive of whatever SVG has said or done and are not reflected here unless they contributed something substantive or new to the discussion.



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Left:  
*Humpback flensing in Bequia, 2008 // Marlon Mills*

Cover:  
*Humpback calf killed in 2002 // WDCCS*  
*Aerial view of a humpback whale being processed at Bequia's whaling station in 2001 // WDCCS*

# PART I

## THE IWC AND ABORIGINAL SUBSISTENCE WHALING

The IWC has regulated whaling for nutritional subsistence by certain indigenous/aboriginal people since the Commission was established in 1946 by the International Convention for the Regulation of Whaling (ICRW). Its first set of binding regulations (the Schedule) adopted in 1949 forbade the killing of gray or right whales “*except when the meat and products of such whales are to be used exclusively for local consumption by the aborigines*”<sup>2</sup>. When the Commission adopted a ban on commercial whaling in 1982, it took care to ensure that the moratorium would not affect these and other aboriginal subsistence hunters, adopting a resolution that year which explicitly recognised “*the importance and desirability of accommodating, consistent with effective conservation of whale stocks, the needs of aboriginal people who are dependent upon whales for nutritional, subsistence and cultural purposes*”<sup>3</sup>.

Although the Commission has never adopted the aboriginal subsistence whaling management regime that it identified in 1982 as necessary for regulating ASW, it has codified several binding ASW management provisions in the Schedule and agreed to other non-binding definitions and requirements in resolutions and through the adoption of reports<sup>i</sup>. For example, since 1982 when it adopted the recommendations of an *ad hoc* technical working group on ASW, the Commission has used the following definition of aboriginal subsistence whaling: “*whaling, for purposes of local aboriginal consumption carried out by or on behalf of aboriginal, indigenous or native peoples who share strong community, familial, social and cultural ties related to a continuing traditional dependence on whaling and on the use of whales*” and local aboriginal consumption as “*the traditional use of whales by local aboriginal, indigenous or native communities in meeting their nutritional, subsistence and cultural requirements. The term includes trade in items which are by-products of subsistence catches*”<sup>iii</sup>.

For decades the IWC has permitted specific indigenous/aboriginal peoples in Greenland, the United States of America (USA) and the Russian Federation who meet these definitions to hunt species of whales that are otherwise protected. To authorise or renew an ASW quota, the IWC must receive advice from its Scientific Committee that the hunt meets management objectives agreed by the Commission in 1983, including that it is sustainable<sup>iv</sup>. It must also be satisfied that the applicants have adequately substantiated their nutritional subsistence and cultural need for whales in a Needs Statement. To streamline the process of reviewing ASW quota requests (including Needs Statements) which, for several years, were renewed annually, the Commission established an Aboriginal Subsistence Whaling sub-committee<sup>v</sup>. The sub-committee’s terms of reference are “*to consider relevant information and documentation from the Scientific Committee, and to consider nutritional, subsistence and cultural needs relating to aboriginal subsistence whaling and the use of whales taken for such purposes, and to provide advice on the dependence of aboriginal communities on specific whale stocks to the Commission for its consideration and determination of appropriate management measures*”<sup>4</sup>.

## SVG’s Conformity with ASW Regulations

The IWC granted SVG an ASW quota in 1987, legalising an illegal “*artisanal*”<sup>5</sup> hunt of North Atlantic humpbacks, an overhunted population which had been protected from whaling since 1955. IWC records show that the ASW sub-committee and Commission’s analysis of the short proposal was perfunctory; the decision to grant a quota was not founded on evidence that Bequia’s whaling conformed to the definition of ASW, but derived from SVG’s repeated assurance that the hunt would soon end. Yet, despite this assurance, SVG’s whaling operation has expanded and the IWC has increased and extended its quota, even doubling it after the old harpooner had died (see page 13). The Commission has never addressed the questions it should have considered in 1987, including:

### IS BEQUIA’S WHALING CONDUCTED BY ABORIGINAL, INDIGENOUS OR NATIVE PEOPLES?

SVG has two identifiable indigenous groups descended from the Kalinago (Caribs)<sup>6</sup>. According to the 2001 census, they number 3,813 and represent 4.9% of the nation’s population<sup>7</sup>. SVG’s 1987 proposal to the IWC explained that “*the inhabitants of Bequia trace their ancestry on the island back to the 17th century when the first batch of displaced Africans arrived there and settled down among the Caribs*”<sup>8</sup>. Mixing of the two populations ensued, although SVG stated in 1996 that “*there is a very strong strain of Carib blood in those islands, in particular, on the island of Bequia*”<sup>9</sup>. Nevertheless, SVG does not claim that the hunt in Bequia is undertaken by indigenous people as the term is commonly understood. It explicitly differentiated Bequia’s operation from the other ASW hunts in its 1987 proposal, stating that “*The people of Bequia are West Indians and as such are indigenous to the West Indies. This is perhaps a special aboriginal status but nonetheless a valid one*”<sup>10</sup>.

Because the beneficiaries of the quota were not aboriginal, indigenous or native peoples as the IWC requires, the Commission had to find a way to reflect SVG’s unique situation in the Schedule. The resulting language is awkward, referring to taking “*by the Bequians of St. Vincent and The Grenadines*” (rather than “*by aborigines*” as it specifies for the other ASW hunts) but referring to consumption of the meat and products “*in St. Vincent and The Grenadines*”. This language is regrettable for two reasons: Firstly, it violates the ICRW because Article V.2 (c) prohibits assigning a quota to a specific nation. Secondly, it leaves unclear whether the cultural need for whaling, and the nutritional subsistence need for whales, must be substantiated just in respect of Bequians or the whole population of St Vincent and the Grenadines (103,537)<sup>11</sup>. However, SVG has subsequently made it clear in written and verbal statements that the nutritional need, as well as the culture of whaling, relates only to Bequia<sup>12</sup>.

**Recommendation: The Schedule should be amended to accurately reflect where the whale products should be consumed.**

### HAS SVG DEMONSTRATED A CONTINUING TRADITIONAL (CULTURAL) DEPENDENCE ON WHALING AND THE USE OF WHALES?

Unlike the other three ASW nations where some indigenous peoples have hunted whales for thousands of years, and for whom whaling can

<sup>i</sup>In addition, the Scientific Committee has proposed, but the Commission has not adopted, an aboriginal whaling management procedure which includes some management aspects.

<sup>ii</sup>Agreed by the ad hoc Technical Committee Working Group on Development of Management Principles and Guidelines for Subsistence Catches of Whales by Indigenous (Aboriginal) Peoples in 1981 and adopted by the Commission.

<sup>iii</sup>Ibid.

<sup>iv</sup>Until 1999, this sub-committee reported to the Technical Committee. It now reports directly to the Commission.

be described as providing “a focus for the ordering of social integration, political leadership, ceremonial activity, traditional education, personality values and ... identity”<sup>13</sup>, SVG has never convincingly demonstrated a continuing cultural dependence on humpback whales or whaling in Bequia. Its hunt only began in 1875, was focused for decades on oil for commercial export, and lapsed almost completely between 1942 and 1958<sup>v</sup>.

Although SVG’s proposal in 1987 referred to a “culturally important heritage”, the one-and-a-half-page document provided no explanation of this phrase<sup>14</sup>. SVG provided no Needs Statement in support of its quota renewals in 1990, 1993 (when it claimed that it had *already* established a cultural need for the whaling)<sup>15</sup>, or 1997 (when it referred to an unpublished 1991 report<sup>16</sup> by Hisashi Hamaguchi, an Associate Professor at Sonoda Women’s College, Japan, and advocate of “whale diet culture”<sup>17</sup>, and *Blows, Mon, Blows*<sup>18</sup>, a 1995 booklet by Nathalie Ward about Bequian whaling that included some whaling-related folklore). Finally, in 2002 SVG submitted a Needs Statement that purported to elaborate social/cultural aspects of the hunt in Bequia, but provided very little substantive information<sup>19</sup>. SVG provided no Needs Statement in 2007, referring back to the 2002 document<sup>20</sup>.

In 1984, in response to a suggestion by the USA the previous year<sup>21</sup>, the Chair of the ASW sub-committee, Brazil, Denmark, the UK, the USA and the USSR proposed draft guidelines “to provide guidance on the form of presentations to be made to the standing sub-committee so that it can consider documentation on nutritional, subsistence and cultural needs relating to aboriginal subsistence whaling and the uses of whales for such purposes”<sup>22</sup>. That year, the Commission adopted the sub-committee’s recommendation that the “guidelines provided a useful checklist of information to be provided in considering aboriginal/subsistence whaling...”<sup>23</sup>. In 1985, the sub-committee report reflected that the guidelines “should continue to provide a format for organising material submitted to the sub-committee, including any revisions to earlier submissions”<sup>24</sup>. Although never formally adopted by the sub-committee, the guidelines were followed by Denmark and the USA<sup>25</sup> and should be used by SVG.

**Recommendation: SVG must submit a detailed Needs Statement to IWC64.**

## DOES BEQUIAN WHALING MEET NUTRITIONAL SUBSISTENCE NEEDS?

Bequia’s whaling operation was originally for whale oil; meat and blubber for human consumption only became the primary focus of the hunt in the 1970s —although SVG’s first proposal to the IWC in 1987 acknowledged continuing exports of humpback oil from Bequia<sup>26</sup>. Since the Commission first awarded an annual quota of two whales that year, it has increased the quota twice, eventually doubling it in 2002 in response to SVG’s first documented claim of a nutritional need that year and its assertion that the population of Bequia had more than doubled from 2,800 in 1982 to 6,000 in 1987<sup>27</sup>. The validity of this assertion is questionable; although the most recently published census information for SVG (2001) did not individually report Bequia’s population, it recorded the population of all the Northern Grenadines (of which Bequia is the largest island) as rising from 4,740 in

1981 to 5,647 in 2001<sup>28</sup>. In contrast, a draft Tourism Master Plan produced for the SVG Tourism Agency in 2009 stated the population of Bequia to be 2,000<sup>29</sup>, while a current promotional website by the Tourism Agency reports a population of 4,500 for Bequia<sup>30</sup>.

**Recommendation: In order for SVG to substantiate the nutritional needs of the people of Bequia, it must provide up-to-date census information.**

Considering that Bequia’s hunters have continued to land an average of only one whale annually since the quota was increased to four in 2002, the current quota seems to exceed Bequia’s nutritional needs, particularly in light of the fact that not all the meat and blubber is consumed by Bequians. SVG’s 2002 Needs Statement reported that salted humpback meat and blubber were sold on St Vincent and that “people come from the other islands to try to get some fresh whale meat”<sup>31</sup>. Similarly, Hamaguchi stated in 2001 that unsold whale meat was corned, sun-dried and shipped from Bequia to the market in Kingstown, St Vincent where it sold at a higher price<sup>32</sup>. Writing about the first whales killed in four years in 1998, he made no reference to the meat satisfying any nutritional want; he focused just on the cultural satisfaction deriving from the renewed catch, stating, “The people of Bequia realize again that they are residents of a whaling island by eating the whale meat at least once every few years”<sup>33</sup>.

Humpback and other cetacean meat is certainly enjoyed in SVG, but a dietary preference does not equate to a nutritional subsistence need; The preliminary results of a nationwide survey conducted in 2000 by SVG’s Fishery Division indicated that 61% of 1,000 respondents eat marine mammals<sup>34</sup>. Of these, 71.4% reported doing so because of the taste (it does not appear that they were asked whether marine mammal meat met a subsistence need). More than ten years later, locals report that the killing of a humpback whale in Bequia still draws excited crowds of people to the whaling station to buy meat and to cut some off the whale for themselves. A local press article described a chaotic, poorly managed scene in 2010 as one of the four whales killed that year was landed; locals descending on the area “removed whatever whale meat they wanted”, to sell (see photograph on page ii). The whaling captain of one of the boats giving chase described this as “grossly unfair”<sup>35</sup> while the harpooner “advanced a view that there might be need for legislation to regulate the actions of ordinary citizens ‘who should wait to be sold the whale meat’”. It is also notable that tourists to Bequia purchased whale meat and blubber in 2010 when four whales were hunted, indicating that there was surplus available<sup>36</sup>. That year, a Bequian whaler is reported to have said that two whales a year would be enough for the island’s needs<sup>37</sup>.

**Recommendation: SVG must substantiate the nutritional subsistence needs of the people of Bequia.**

Lastly, SVG has not reported to the IWC how much meat from unregulated hunting of hundreds of pilot whales and other small whales and dolphins out of Barrouallie on the west coast of St Vincent reaches Bequia and contributes to meeting its nutritional needs<sup>vii</sup> (see page 6).

**Recommendation: SVG must provide details of other sources of meat and fish available to the people of Bequia, and relative prices of meat and fish.**

<sup>v</sup>One calf was landed in 1947 and three whales in 1948. (See endnote 57.)

<sup>vii</sup>In contrast, the USA and Greenland used to report on the nutritional contribution made by small cetaceans to meeting needs, although they have not in recent years.

## SVG'S PERSISTENT INFRACTIONS - TARGETING CALVES

In acknowledgement of the welfare and conservation imperatives to spare calves from hunting, the very first version of the IWC's Schedule in 1949 prohibited killing or attempting to kill "calves or suckling whales or female whales which are accompanied by calves or suckling whales"<sup>38</sup>. This clause was replaced in 1975 with the narrower language now found in Schedule Paragraph 14, which states: "It is forbidden to take or kill suckling calves or females accompanied by calves"<sup>39</sup>. For years, SVG relied on the reference to suckling calves to argue that its kills of calves were not infractions if the animals did not have milk in their stomachs. In 2002, SVG presented "Pending Legislation for the Regulation of Aboriginal Subsistence Whaling in St. Vincent and the Grenadines" to the IWC which defined a calf as a "juvenile whale having milk in its stomach" and a female accompanied by a calf as a "female which has milk present in its mammary gland [sic] is accompanied by a calf having milk in its stomach"<sup>40</sup>.

The pending legislation contained a prohibition on striking "a humpback whale calf or a female humpback whale accompanied by a calf or calves"<sup>41</sup> and SVG corrected the draft during the meeting to add a prohibition on the striking, landing or processing of "whales below the minimum size", which it defined as under 26 feet (consistent with the IWC's definition of a humpback calf as under eight metres in length)<sup>42</sup>. The pending legislation did not, however, explicitly prohibit the striking of an adult whale accompanied by a whale below minimum size, thereby continuing to allow the targeting of mother whales still accompanied by offspring that are weaned but still less than eight metres in length. The final whaling legislation finally adopted in December 2003 is unchanged from the draft<sup>43</sup>. Incomprehensibly, however, in 2004 the IWC weakened its own rules to allow SVG, but not other ASW nations, to kill non-suckling calves (see page 14 for more details).



Aftermath of a humpback hunt in 2010 // Marlon Mills

SVG learned the practice of targeting mother/calf pairs from the Yankee pelagic whalers who predated their shore-based operation and used the same style of boat and whaling technique<sup>44</sup>. Striking the calf first ensures that the mother whale will stay close by, making her easier to strike. SVG has described this practice as "the only process of whaling ever used by the Bequians"<sup>45</sup>. Since it joined the IWC in 1981, whalers in Bequia have struck at least nine calves. Of these, four kills (in 1983, 1986, 1987 and 2000) were recorded as infractions, while another (1988) was reported by SVG as a potential infraction but it provided no further information on the investigation. The killing of a non-lactating cow and her calf in 1993 was not recorded as an infraction while, in the other cases, members of the Scientific Committee with expertise in humpback physiology identified from the reported length of an animal (1998, 1999) or a photograph (2002) that a calf had been killed, but no final decision on recording an infraction was reached by the Commission in those cases (see Part II for details).

In welfare terms, targeting mother/calf pairs is inhumane; a suckling calf will starve to death without its mother and, while the prognosis for a weaned calf will depend on its ability to persist on its own and, if struck, the extent of its injuries, SVG has provided no details on how, or how seriously, Bequia's hunters wound calves. The practice of targeting calves is also wasteful in conservation terms; unlike six of the other seven other ASW quotas, which limit the number of whales that can be struck and/or landed each year, SVG's quota is expressed as a limit on "taking", which means to secure a whale<sup>vii</sup>. This provides an incentive for SVG's whalers not to land a small calf, since just striking it (whether or not it dies) means that it does not count towards the quota. Although SVG has not reported the striking of a calf since it adopted whaling legislation in 2003, Bequians have indicated that young whales remain a preferred target as they are more succulent than adult whales and easier to land and flense<sup>46</sup>.

**Recommendation:** The IWC should ensure consistency across the Schedule by prohibiting the striking, taking or killing of calves by all ASW operations and set a strike, rather than a take, limit for SVG. SVG should amend its legislation to explicitly prohibit the striking, taking or killing of any humpback whales accompanied by a whale measuring less than eight metres in length.

## WELFARE ISSUES IN THE BEQUIAN HUNT

### *Humane Killing in ASW; A Clear IWC Mandate*

Whether they are dispatched by spear, harpoon, darting gun or rifle, whales are hunted under challenging physical conditions in ASW operations. *Times to death* and rates of *struck and lost* whales are high in ASW hunts, particularly when weapons are insufficiently powerful for the size or physiology of the species targeted. The IWC is committed to improving welfare in ASW hunts. In 1984, it expanded the terms of reference of the Humane Killing Working Group<sup>x</sup> (created in 1982 to evaluate the humaneness of killing techniques and provide advice to whaling nations) to include "humane killing in aboriginal subsistence

<sup>vii</sup>"Take" is defined in the Schedule as to "flag, buoy or make fast to a whale catcher".

<sup>x</sup>Later renamed the Working Group on Whale Killing Methods and Associated Welfare Issues.

whaling”<sup>47</sup>. The working group has considered extensive documentation provided by the ASW nations since then, as have five Workshops on Whale Killing Methods (held in 1992, 1995, 1999, 2003 and 2006). Requests to ASW nations for information, including standardised data on time to death, are included in Workshop Action Plans<sup>48</sup>, and ASW nations are encouraged by *IWC1999-1 Resolution Arising from the Workshop on Whale Killing Methods* to report annually on the number of whales killed by each whaling method, the number and proportion of total whales killed instantaneously, the time to death for each animal not killed instantly, the number of whales targeted and missed, the number of whales struck and lost, the calibre of rifle where used and how many bullets are used, and the methods used to determine unconsciousness/time of death<sup>49</sup>.

### SVG and the Humane Killing Working Group

Despite the IWC’s clear mandate to consider, and improve, the welfare of whales hunted in ASW, since it first awarded a quota for the Bequia hunt in 1987 it has almost completely ignored this hunt and disregarded SVG’s perennial failure to provide information and improve the humaneness of its killing methods. In the first years of SVG’s quota, this oversight might be explained by the IWC’s expectation that the hunt would not continue for long; indeed, SVG told the working group in 1989 that no attempt was being made to improve killing methods “because the government does not wish to encourage the continuation of the hunt”<sup>50</sup>. But this does not excuse the Commission’s continued inattention or the omission of SVG from *Resolution 1997-1 on Improving the Humaneness of Aboriginal Subsistence Whaling*, which welcomed steps taken by the aboriginal subsistence whalers of the USA, the Russian Federation and Greenland to improve the humaneness of whaling techniques in ASW hunts, urged them “to do everything possible to reduce still further any unavoidable suffering caused to whales in such hunts”, and requested that they continue to provide information on their hunts<sup>51</sup>.

Since 1986, Denmark/Greenland, the USA and the Russian Federation have presented almost 90 papers to the working group on their hunting techniques and efforts to improve killing methods. In contrast, SVG has only attended eight of the working group’s 23 meetings since 1987 and has provided written data only twice (1989 and 2010). The times to death provided for the three whales killed in Bequia in 2010 (15 minutes, 35 minutes and approximately one hour<sup>52</sup>) raise grave concerns about the humaneness of the hunt. However, SVG did not attend the working group at which these data were tabled and there was no discussion of the information or the killing methods used.

In 2000, SVG reported that it had actively sought advice on its killing methods; it stated in IWC/52/AS6 that “discussions were initiated between Commissioner Nanton, the whaler Athneal Ollivierre and Norwegian authorities about the introduction of the penthrite grenade into the hunt”<sup>53</sup>. However, the cost of a gun and grenade was found to be “very high within the context of the quota of two whales and no final steps were taken”<sup>54</sup>. Although the statement indicated that further discussions “are likely before the next season with a view to exploring the practicality of modifying the killing method”<sup>55</sup>, the whaler died that year and no further progress was reported.

### Struck and Lost Whales

Based on SVG’s reports to the IWC of lost whales, 16% of whales struck since 1981 have been lost. However, between 1922 and 1978, one in three whales struck is estimated to have been killed, mortally wounded, or orphaned but not recovered.<sup>56</sup> As killing techniques have not changed significantly since that time, the recent lower struck-and-lost rate may reflect under-reporting of lost whales. Hamaguchi reported in 2001 that Bequian whalers jump into the sea once a struck whale has died to sew up its mouth “so that it does not swallow sea water and sink”<sup>57</sup>, but it is not clear if this practice continues or what effect it has on struck-and-lost rates.

### Killing Methods in Bequia

Because of the paucity of information submitted to the IWC by SVG, most information on Bequia’s whaling methods derives from older sources (1971 and 1992) by J.E. Adams as well as from a 2001 paper<sup>58</sup> by Hamaguchi whose earlier review of Bequian whaling was provided by SVG to the IWC in lieu of a Needs Statement in 1994. However, as SVG itself has provided contradictory information to the IWC, it remains unclear exactly which primary and secondary killing methods are still used in Bequia today.

In 1975, the hunting technique in Bequia was described by Adams as follows: “The whaleboat is manned by a crew of six, consisting of the harpooner at the bow, the captain at the stern, and four ordinary seamen. The main function of the harpooner is to strike the whale with the ‘iron’ a steel blade and shank that is attached to a wood shaft. The end of the shaft is made fast to 2 fathoms of ‘box line’ that is spliced to a thick Manila rope”<sup>59</sup>. In 1970, the same author describes the blade of the iron as wrought iron, not steel, with a five foot long wooden shaft<sup>60</sup>. He explains that, because the iron could not be thrown far, the crew would manoeuvre the boat to within a few yards of the whale from where the harpooner “attempted to sink the iron deep into the whale’s flesh in order to hold the creature fast”<sup>61</sup>.

In both documents he describes the actual killing method, once the whale is secured, as either a “bomb lance” (“an explosive projectile discharged from either a shoulder gun or a darting gun”) or “long, slender lances”<sup>62</sup>. The bomb lance, which is used by the Captain, not the harpooner, is described as a “brass cylinder about 14 inches long with a pointed head and a metal feather. The device had a time fuse, and exploded shortly after it entered the whale”. He explains that while a “bronze shoulder gun was used to discharge bomb lances throughout most of the whaling period in the Grenadines... in the early 1920s, the island’s whalers adopted the “darting gun” that was mounted under the harpoon. When the iron shank penetrated the whale, a slender trigger rod was pressed against the whale’s flank, shooting a bomb lance into the whale. The harpooner could strike and kill the whale in one operation. However, the shoulder gun remained in use for killing whales and backing up both devices were long slender lances that were driven deep into the whales’ lung cavity”<sup>63</sup>.

In 1989, a paper submitted by SVG to the Whale Killing Methods Working Group omits reference to the hand lance, stating that *“the method of whaling is by hand harpoon and the use of a small explosive shoulder gun, with which the harpooner aims directly for the heart of the whale, so as to try to alleviate suffering. The whale is then towed in by the harpoon”*<sup>64</sup>. The precise sequence of events is further confused by Hamaguchi in a 2001 paper dedicated to Athneal Ollivierre who died the previous year. He describes the hunt as follows: *“When the whaling boat gets near the whale, about ten feet (three metres) behind, the harpooner hurls the first harpoon into it. And then he hurls the second and third harpoon and so on. After a Nantucket-sleigh ride on the sea, the harpooner shoots a bomb lance in to the weakened whale, if necessary. Finally he jumps onto the back of the whale and gives a finishing stab into it”*<sup>65</sup>. He describes the bomb lance as expensive (about US\$150) and states that whalers *“decide carefully whether or not they should use it by taking into account the loss they would incur if they should miss the whale”*<sup>66</sup>. He notes that one of the whaling boats carries four harpoons (3 metres), three lances (3.8m) and two shoulder guns (98cm). The other boat carries four harpoons, three lances and one darting gun<sup>67</sup>.

In 1999, in response to a series of questions by the United Kingdom (UK) about Bequian whaling techniques, SVG acknowledged that *“the harpoon only does not kill the whale”* but suggested that the only secondary killing method was the *“traditional steel tipped lance”* for which *“one or two attempts”* are needed<sup>68</sup>. It stated in response to a specific question about the bomb lance and bomb gun that they have *“not been used in the last ten years”*<sup>69</sup>. However, SVG’s Needs Statement in 2002 suggested that a bomb lance may still be used. It states: *“Once the whale is struck the harpooner throws a second and third harpoon if he can, and the bow oarsman lowers the sail and mast. The boat is then hauled close and the whale is killed with a lance, or a bomb lance if needed”*<sup>70</sup>. SVG has provided no further description of its killing methods since then.

**Recommendation:** The IWC should not renew SVG’s quota without a comprehensive report of its killing methods and a commitment to supply data to, and participate fully in, the Whale Killing Methods Working Group and Workshops. SVG must demonstrate a genuine commitment to improving the welfare of hunted whales, transition to more humane weapons, and reduce time-to-death and struck-and-lost rates.

## FAILURE TO COMPLY WITH DATA REQUESTS FROM THE SCIENTIFIC COMMITTEE

For a period of more than 30 years starting in the early 1980s, the IWC’s Scientific Committee considered information from catch histories, surveys, fluke photographs, whale songs and eventually DNA in an effort to determine whether the humpback whales targeted by SVG and Greenland are part of a single northwest Atlantic population that breeds in the West Indies, or if they constitute separate, smaller, populations on which the

toll of their continued whaling would be significantly greater. Observing that without such information, *“management advice will continue to be based on assumptions about stock structure”*<sup>71</sup>, the Scientific Committee repeatedly sought assistance from SVG once the IWC granted its quota in 1987. Unfortunately, the Committee’s requests for data from the SVG have mainly gone unheeded and SVG has been an irregular participant in the Scientific Committee.

### The Quest for Photographs

In 1988, the Scientific Committee began requesting that photo-identification studies be undertaken in the Bequian region to help clarify the structure of the population<sup>72</sup>. In 1990, it expanded the request, which it has reiterated annually and with increasing urgency, that *“every attempt should be made to collect as much information as possible”* from whales taken in Bequia; *“In particular, photographs should be taken of the ventral surface of the flukes to allow comparison with the NA humpback whale catalogue...”*<sup>73</sup>. Although SVG responded with confidence that the information sought could be handled via its fisheries agency<sup>74</sup>, it has provided photographs of dead humpback whales to the catalogues of fluke photographs identified by the Scientific Committee only six times (2000, 2001, 2002, 2003, 2005 and 2006) out of the fifteen years in which whales have been landed since 1990. SVG’s compliance with the request to submit photographs declined to zero after its last quota renewal in 2007: It did not report any photographs to have been taken in 2007; reported that underwater fluke photographs from the 2008 hunt were *“available”*<sup>75</sup> but provided no information on how they had been used; provided no information in 2009; and stated that photographs were not available for the three whales killed in 2010<sup>76</sup>. SVG did not attend the IWC meeting in 2011, but reported via the Secretariat that no samples were collected for the one whale killed that year<sup>77</sup>.

### Genetic Samples

SVG’s compliance with the Scientific Committee’s 1990<sup>78</sup> (and annually repeated) request to collect samples for genetic analysis is also poor. In twenty-two years, SVG has reported collecting tissue samples in only six out of fifteen years in which humpback whales were landed in Bequia (2001<sup>79</sup>, 2002<sup>80</sup>, 2005, 2006, 2007<sup>81</sup> and 2008<sup>82</sup>) and none in recent years. This is despite telling the IWC in 2000 that 100% of its catches are *“under direct national inspection”* and that fisheries officers are *“fully engaged, as required, on a full-time basis during the whaling season taking readings and samples where possible...”*<sup>83</sup>, as well as confirming to the Scientific Committee in 2002 that tissue samples are *“routinely obtained from all whales taken”*<sup>84</sup>. Although SVG has indicated on several occasions that plans for genetic analysis are in place, it has never presented any results from an analysis or confirmed that the samples actually reached the named researchers (Dr. Goto in Japan, and Dr. Palsboll in the USA and later Sweden).

Despite its longstanding uncertainty over the stock structure and SVG’s persistent failure to supply the information it sought, since 1988 the Scientific Committee has repeatedly advised that the take of up to three animals was unlikely to harm the stock. Once the hypothesis of a single large population was confirmed in 2006, the Scientific Committee was able to state with confidence that the animals found off St. Vincent and the



Grenadines are part of the large West Indies breeding population<sup>85</sup>. Since then, the Scientific Committee has agreed that the quota “*will not harm the stock*”. While good news, this does not relieve SVG of the obligation to comply with Scientific Committee requests for information.

**Recommendation:** The IWC should not renew SVG’s quota without its assurance that all data requested by the Scientific Committee will be provided.

### Progress Reports

Rule E3 of the Scientific Committee’s Rules of Procedure states that all member nations should provide annual Progress Reports containing information on the biology of cetaceans, cetacean research, the taking of cetaceans, or other appropriate matters to the Scientific Committee<sup>86</sup>. SVG provided reports in 2000 and 2002 but has not provided another since 2002.

**Recommendation:** SVG must provide a Progress Report to IWC64.

### The Barrouallie Whale Hunt

Whalers in the community of Barrouallie on the west coast of the island of St Vincent have hunted pilot whales (“blackfish”), orca, bottlenose dolphins, Atlantic spotted dolphins and others since 1910<sup>87</sup>. SVG’s own records report an average of 263 pilot whales taken annually between 1962 and 1971<sup>88</sup>. Nine open wooden boats propelled by sail or oar were used for hunting daily at this time, providing “*a sizable quantity*” of corned blackfish meat to Kingstown, St Vincent’s capital. The salted and dried blackfish meat was described as one of the cheapest sources of protein in SVG, popular with agricultural workers<sup>89</sup>.

In 2002, SVG described Barrouallie as a “*small but active fishery for cetaceans*” where hunting is conducted from boats powered by outboard engines and oars. The whales are taken by hand-thrown harpoons and small harpoon guns deployed from a tripod stand fixed on the bow of the boat<sup>90</sup>.

The hunt continues today but, although SVG maintains records of the hunt<sup>91</sup>, it does not report the number of cetaceans taken to the IWC, or report details of the techniques used, which include shotguns modified to fire cold harpoons<sup>92</sup>. A 2010 study of the hunt, citing the single full-time whaler in Barrouallie, calculates that the total fleet of four boats takes an average of 108 pilot whales and 423 dolphins annually, and reports that it supplies ten vendors on St Vincent. Additionally, an unknown number of Barrouallie fishermen carry hand harpoons in readiness to take cetaceans opportunistically<sup>93</sup>. Species listed as targeted by Barrouallie whalers in 2010 include short-finned pilot whales (*Globicephala macrorhynchus*), killer whales (*Orcinus orca*), melon-headed whales (*Peponocephala electra*), Risso’s dolphins (*Grampus griseus*), dwarf sperm whales (*Kogia sima*), Atlantic spotted dolphin (*Stenella frontalis*), spinner dolphins (*Stenella longirostris*), false killer whales (*Pseudorca crassidens*), Fraser’s dolphins (*Lagenodelphis hosei*), rough-toothed dolphins (*Steno bredanensis*), and various beaked whales (*Mesoplodon spp.*).



Speedboat towing humpback whale to flensing station on 11 April 2012

### Use of Speedboats

SVG stated in 2000 that the “*whaleboats of Bequia do not use motors*”<sup>94</sup>. However, recent evidence suggests that this is no longer true. A Vincentian visiting Bequia in 2012 was told by the man who leases the island’s fish market that the whalers, who are otherwise fishermen, find sailing up and down trying to catch a whale a tedious exercise<sup>95</sup>. Instead, he described the practice of using speedboats to aid the hunt—sometimes by harpooning directly from the speedboat, or by using the speedboats to tow the whale boat to the location of the spotted whale/s. Eyewitness accounts also describe speedboats chasing the whales: An observer of the 2010 hunt described speedboats being used to confuse the whales and to split up a pod<sup>96</sup>; similarly, a traveler’s comment on Tripadvisor.com in 2008 refers to the three speedboats chasing the whales, and a fourth collecting the harpooner from the whaling boat to bring him closer to the whale<sup>97</sup>. A photograph from the 2012 hunt (above) shows a speedboat towing the dead whale.



Barrouallie whaling boats // Paul Lewis

## SUMMARY OF CATCHES AND INFRACTIONS IN SVG AND EVENTS AT IWC

Year	Whales taken (reported by SVG, otherwise in [ ])	Struck and lost (reported by SVG)	Total struck	Calf taken? Reported as infraction?	Background at IWC	Needs Statement?
1981	Unknown				SVG joined IWC	
1982	3 <sup>98</sup>		3			
1983	1 <sup>99</sup>	1	2	SVG reported calf (5.6 metres) <sup>100</sup> . Recorded as infraction <sup>101</sup> .		
1984	0 <sup>102</sup>	0	0			
1985	0 <sup>103</sup>	0	0			
1986	2 (cow and calf) <sup>104</sup>		2	SVG reported calf (4.6 metres) and lactating cow <sup>105</sup> . Recorded as infraction <sup>106</sup> .	SVG promised to comply with Schedule Paragraph 14 <sup>107</sup> .	
1987	2 (cow and calf) <sup>108</sup>		2	Lactating female and calf recorded as infraction <sup>109</sup> .	IWC recognised SVG hunt as ASW and agreed to initial quota: 13 (b) (4): <i>"For the seasons 1987/88 to 1989/90 the taking of 32 humpback whales each season is permitted by Bequians of St Vincent and the Grenadines, but only when the meat and products of such whales are to be used exclusively for local consumption in St Vincent and the Grenadines"</i>	1.5 page proposal, authored by SVG <sup>110</sup> . No quantification of cultural or nutritional need.
1988	[At least one]		[1]	SVG reported investigation of report of calf <sup>111</sup> . No further information provided and not recorded as infraction.		
1989	0					
1990	0 <sup>112</sup>				1 <sup>st</sup> quota renewal: Quota of 3 per season extended for three seasons (1990/91 – 1992/93)	None
1991		1 <sup>113</sup>	1			
1992	1	1 <sup>114</sup>	2			
1993	2 (cow and calf)		1	SVG reported cow (described as <i>"not lactating"</i> ) and calf to Secretary as infraction <sup>115</sup> . Not recorded as infraction.	2 <sup>nd</sup> quota renewal: Quota reduced to 2 whales per season, extended for three seasons (up to 1995/96)	None
1994	0 <sup>116</sup>					Unpublished report by Hamaguchi <sup>117</sup>
1995	0 <sup>118</sup>					
1996	0 <sup>119</sup>	1	1		3 <sup>rd</sup> quota renewal: Quota of 2 per season extended for the three seasons (up to 1998/99) with annual review of the advice of the Scientific Committee.	None. Referred to IWC/46/AS5 and <i>"Blows, Mon, Blows"</i> <sup>120</sup> .
1997	0 <sup>121</sup>					
1998	2 <sup>122</sup>			Calf identified based on length <sup>123</sup> . Not resolved whether constituted infraction.		
1999	2 <sup>124</sup>		2	SVG reported calf to be <i>"under 8 metres"</i> but denied infraction <sup>125</sup> . Not resolved whether constituted infraction.	4 <sup>th</sup> quota renewal: Commission adopted definition of humpback calf by length; quota of 2 per season renewed; season renamed as individual years (2000 - 2002); added <i>"it is forbidden to strike, take or kill calves or any humpback whale accompanied by a calf"</i> .	None. Referred to <i>"Blows, Mon, Blows"</i> <sup>126</sup> .

Year	Whales taken (reported by SVG, otherwise in [ ])	Struck and lost (reported by SVG)	Total struck	Calf taken? Reported as infraction?	Background at IWC	Needs Statement?
2000	2		2	SVG reported lactating cow and suckling calf <sup>127</sup> . Recorded as infraction.		
2001	2 <sup>128</sup>		1			
2002	2		2	Size of smaller animal subject of disagreement <sup>129</sup> . Not resolved whether constituted infraction.	5 <sup>th</sup> quota renewal: Quota increased from 2 to 4 and extended to five years. Prohibition on killing calves dropped with the adoption of <i>"For the seasons 2003-2007 the number of humpback whales to be taken by St Vincent and the Grenadines shall not exceed 20. The meat and products of such whales are to be used exclusively for local consumption in St Vincent and the Grenadines. Such whaling must be conducted under formal legislation that accords with the submission of the Government of St Vincent and the Grenadines (IWC/54/AS8). The quota for the seasons 2006 and 2007 shall only become operative after the Commission has received advice from the Scientific Committee that the take of 4 humpback whales for each season is unlikely to endanger the stock"</i> <sup>130</sup> .	First substantiation of nutritional need: IWC/54/AS7. <i>Bequian Whaling – A Statement of Need by the Government of Saint Vincent and the Grenadines.</i>
2003	1 <sup>131</sup>		1			
2004	0 <sup>132</sup>				IWC adopted 13 (a) (4): <i>"For aboriginal whaling conducted under sub-paragraphs (b)(1), (b)(2) and (b)(3) of this paragraph it is forbidden to strike, take or kill calves or any whale accompanied by a calf. For aboriginal whaling conducted under subparagraphs (b) (4) of this paragraph, it is forbidden to strike, take or kill suckling calves or female whales accompanied by calves"</i> .	
2005	1 <sup>133</sup>		1			
2006	1 <sup>134</sup>		1			
2007	1 <sup>135</sup>		1		6 <sup>th</sup> quota renewal: Quota extended to 2012. New Schedule language: <i>"For the seasons 2003-2007 the number of humpback whales to be taken by St Vincent and the Grenadines shall not exceed 20. The meat and products of such whales are to be used exclusively for local consumption in St Vincent and the Grenadines"</i> .	None. Referred to IWC/54/AS7
2008	1 <sup>136</sup>	1	2			
2009	1 <sup>137</sup>		1		Catch reported by member of SC. No catch report provided by SVG and no representation in SC.	
2010	3 (females 34', 34'3" and 43'2") <sup>138</sup>		3			
2011	1 <sup>139</sup>		1		Provided data in IWC/63/18.	
2012	At least one <sup>140</sup>	At least one suspected <sup>141</sup>			Quota expires	

# PART II

## WHALING IN ST VINCENT AND THE GRENADINES

From the mid-1830s until the early 1900s, when American whaling fleets seeking whale oil turned their attention more exclusively to sperm whales, pelagic ‘Yankee Whalers’ subjected North Atlantic humpback whales to intense commercial whaling on the whales’ Caribbean breeding grounds. The whalers’ main targets were mother humpback whales which, between January and April, tend their new calves in shallow, warm and otherwise relatively safe, waters.

In 1875, as American pelagic whaling was declining sharply in the region, William ‘Old Bill’ Wallace, a Bequian of Scottish ancestry who, like many other Bequians had enlisted aboard a Yankee whaling vessel in the 1860s, returned to Bequia. As described in three 1970/71 publications by Adams<sup>142</sup>, Wallace bought three boats, recruited and trained a crew from his plantation workers and constructed the island’s first ever shore-based whaling station on his family’s ‘Friendship Estate’. He later partnered with Joseph Ollivierre, the French owner of the neighbouring Paget Farm estate, who established his own whaling station at Petit Nevis, a tiny island off the southeast coast of Bequia and, in the late 1880s, started a second station at Semple Cay. Both Ollivierre’s and Wallace’s descendants were involved in whaling and established more shore stations. In each case, the station flensed and butchered the whale on site and rendered its blubber into oil in large cast iron boilers in stone fireplaces. The oil exported from these shore-based commercial whaling operations is described not only as bringing “*much needed income to the islands*”, but also playing a “*major role in the transformation of the Grenadines from a land to a sea-based economy*”<sup>143</sup>.

Other wealthy Caribbean estate-owners and merchants tried to emulate the success of the Wallace and Ollivierre families; between 1876 and 1920 as many as 20 shore stations, each with three to five boats, were started in the south Windward Islands and Trinidad, including six in Bequia<sup>144</sup>. According to SVG’s own records, SVG exported a yearly average of 25,000 gallons of oil (almost all from humpbacks) between 1893 and 1903, mainly for England and the USA<sup>145</sup>. This is equivalent to as many as 17 adult humpback whales a year (not including struck and lost animals)<sup>146</sup>. However, the prosperity of shore-based commercial whaling industry in the West Indies was short-lived; as pelagic commercial whaling on the North Atlantic humpback persisted in all corners of its range, its population plummeted and the humpback whaling operations began to close. By 1942, Bequia’s whale catches had declined to zero after three decades of limited success by “*three or four*” remaining boats<sup>147</sup>, and only the Ollivierre operation at Semple Cay remained<sup>148</sup>. With the exception of one calf taken in 1947 and three whales in 1948<sup>149</sup>, no humpback whales were landed until 1958, when a catch of three whales “*stimulated renewed interest in whaling in Bequia*”<sup>150</sup>. Two new boats were added that year (bringing the total to six) and the various boat owners formed a “*Corporation Fishery*” in which all the crew received an equal share of the oil, regardless of who caught the whale<sup>151</sup>. In 1961, a new “*well-equipped*” shore-processing station, with a ramp to haul out the whale and two large oil boilers, was constructed at Petit Nevis<sup>152</sup>.

By 1971, the Petit Nevis station was still exporting around 1,000 gallons of oil annually, mainly to Trinidad, Barbados and Grenada, but demand and value per gallon were in irreversible decline<sup>153</sup>. In contrast, the domestic market for humpback “*whale beef*” had begun to grow on the main island of St Vincent, where it retailed in the Kingstown market. Adams reported in 1971 that St Vincent “*can easily absorb the meat of three or four humpbacks a year, and several times that amount could be sold if the retail price of the whale flesh were reduced to make it more competitive with beef, fish and corned blackfish imported from Barrouallie*”<sup>154</sup>. It described the St Vincent market for humpback meat as having supported whaling in Bequia “*for some years now*” but made no mention of demand or consumption of humpback products in Bequia specifically.

The early 1970s were a clear turning point for Bequian whaling; the period marked the end of a commercial, albeit small-scale hunt for oil for export and its evolution into what SVG described as an “*artisanal*”<sup>155</sup> hunt that supplied the main island of St Vincent. The Commissioner for SVG, introducing the new Contracting Government at its first IWC meeting in 1981, acknowledged both aspects of the operation, characterising the Bequian hunt as a small “*subsistence operation*” providing meat for domestic consumption, but also describing an ongoing export of oil to Trinidad for the manufacture of perfume<sup>156</sup>.

### *Bequian whaling at the IWC: 1981–2012*

The IWC banned hunting of North Atlantic humpback whales in 1955 and fully protected the whole species in 1978. Bequia’s hunt was mentioned occasionally by the IWC Scientific Committee during this time, but remained outside the Commission’s control until SVG joined the IWC in 1981. In 1983, the year after the IWC adopted the moratorium on commercial whaling, SVG reported to the Secretariat that two humpback whales had been killed earlier that year. The Infractions sub-committee declared SVG’s killing of a protected species to be an infraction and, noting the killing of calves in previous years, advised the Commission that it regarded the “*continuing small scale whaling operation for humpback whales in St Vincent and the Grenadines*” as “*involving infractions*”<sup>157</sup>. The Commission concurred and urged SVG to supply copies of relevant laws and regulations as well as outstanding infractions reports<sup>158</sup>.

Despite annual reminders of its reporting and other obligations under the Schedule and Convention<sup>159</sup> and expressions of disappointment at its non-compliance<sup>160</sup>, SVG provided no infractions reports, information about its whaling operation, or relevant laws to the IWC for three more years, telling the Commission in 1984 that “*no infrastructure was available for reporting catches*”<sup>161</sup>, and in 1985 that “*any infractions that did occur took place outside the territorial waters of St Vincent [and] the government was not in a position to report any infractions that took place outside her sphere of influence and jurisdiction*”<sup>162</sup>. It did, however, assure the Infractions sub-committee in 1987 that it “*would in future make every effort to get the single harpooner to comply with IWC Schedule Paragraph 14*”<sup>163</sup>.

### *The Endless Impending End*

From the early 1980s well into the 1990s, SVG’s main excuse for its lack of compliance with IWC regulations (including the ban on killing calves) and

failure to implement domestic whaling regulations was that the end of the hunt was imminent. Meeting reports reveal a litany of written and verbal statements to this effect, including that SVG is “*exploring the possibility of converting its whaling activity to other fisheries*” (1983)<sup>164</sup> and “*trying to discourage whaling activity which takes place in a remote island*” (1984)<sup>165</sup>. (Bequia is actually visible from St Vincent and well served by ferries, personal watercraft and, today, by planes). As SVG prepared to seek an ASW quota in 1987, it still described Bequian whaling as “*presently phasing out slowly*”<sup>166</sup> and stated in its proposal that “*it is sincerely believed that when this chief harpooner is no longer active whaling in Bequia will cease*”, and “*this is perhaps one of the last examples of traditional whaling left in the world...*”<sup>167</sup>.

The tactic was successful. By 1987 the Commission appeared to believe that it was granting a quota only until the hunt was phased out and was not deterred by the fact that the last two hunts (1986 and 1987) had involved the illegal killing of calves or the lack of legislation regulating the hunt. The Commission also demanded far less detail in support of SVG’s quota request than it did from the three existing nations where ASW needs (as described in their Needs Statements) had already been accepted. For example, in contrast to SVG’s one-and-a-half-page proposal, Denmark presented four separate papers to the ASW sub-committee that year on Greenland’s whaling techniques and the legal, administrative and community aspects of its whaling<sup>168</sup>. Only two delegations spoke to the substance of SVG’s proposal in the sub-committee; one expressed concern that the proposal “*did not contain sufficient information on whether or not the whaling operation was in fact conducted by aboriginals*”<sup>169</sup>. With minimal discussion of the facts, the sub-committee agreed by consensus to determine Bequia’s whaling to be ASW and to recommend a quota of three humpback whales annually for three years, subject to annual review “*and if necessary amendment on the basis of the advice of the Scientific Committee*”<sup>170</sup>. One delegation that would have preferred more time for consideration reserved its position<sup>171</sup>. There was no discussion of the taking of a lactating female and calf earlier that year.

The following year (1988), despite assuring the Infractions sub-committee that “*every effort was being made to ensure that the operation does not take calves or female whales accompanied by calves in the future although the taking of females and calves has been the traditional method in the past*”<sup>172</sup>, and that “*domestic legislation and appropriate sanctions for non-compliance were under discussion*”<sup>173</sup>, SVG acknowledged to the ASW sub-committee that it was investigating reports that the first whale taken under its new ASW quota in early 1988 was a calf<sup>174</sup>. It responded to concerns expressed by Australia, Seychelles and the Netherlands with a commitment to provide “*all relevant information including aboriginal subsistence need to the 1989 [ASW] sub-committee meeting*”<sup>175</sup>. To ward off further criticism, it reiterated its assurance that “*since the single harpooner was now 67 years old, the phasing out of the whaling would take place naturally*”<sup>176</sup>. In response, and to emphasise its concern, the Netherlands explicitly stated its understanding to the Technical Committee that the Bequian whaling operation “*will cease when the present harpooner ends his activities*”<sup>177</sup>.

Consistent with a growing pattern of unfulfilled promises, SVG provided none of the information it had promised to the 1989 meeting. The only discussion of SVG’s hunt that year related to the reservation it had entered to the Appendix I listing of humpback whales by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) upon its accession to the Convention the previous year<sup>178</sup>. Australia drew attention to the contradiction between an ASW quota for subsistence use and a CITES reservation allowing SVG to trade internationally in humpback products for commercial purposes and asked SVG to clarify its intent. A confusing discussion ensued with SVG explaining that it had felt it necessary to file a reservation at CITES to “*cover the possibility of the Bequia fishery being defined as commercial whaling in CITES*”<sup>179</sup>. The issue was not raised again after SVG assured the IWC in 1990 that the reservation “*does not affect the commitment made to the IWC*”<sup>180</sup>.

### 1990—First Quota Renewal

When its quota expired in 1990, SVG had not reported landing a whale for three seasons<sup>181</sup>. Yet it argued for a renewed quota on the grounds that it would “*allow the St Vincent whaling to die out naturally*” and warned that “[a]ny action to alter this status quo would be counterproductive and encourage interest in whaling”<sup>181</sup>. SVG emphasised the cultural need served by the hunt, but made no mention of a nutritional need for whale meat in Bequia, prompting questions from the UK and the Seychelles whether three whales a year were really needed for nutritional subsistence<sup>182</sup>. Neither the ASW sub-committee, Infractions sub-committee, Technical Committee or Commission discussed SVG’s ongoing failure to report earlier infractions, provide information requested by the Scientific Committee, or address the killing of calves. Even without a Needs Statement, the Commission reauthorised the quota for three more years by consensus<sup>183</sup>. In the Humane Killing Working Group, the USA stated that “*if any significant change occurred in this fishery with respect to the recruitment of new fishermen, work should be undertaken to improve humaneness of the killing methods*”<sup>184</sup>. However, despite follow-up questions from the USA and Brazil in 1991<sup>185</sup>, and New Zealand in 1992<sup>186</sup>, SVG provided no further information on killing methods until 1999 and stopped attending Whale Killing Methods Working Group meetings until 1997.

### 1993—Second Quota Renewal

Bequia’s whalers struck and lost one whale in 1991<sup>187</sup> and stuck and lost one and landed another in 1992<sup>188</sup>. There was no discussion of the hunt in either year. A cow (described as “*not lactating*”<sup>189</sup>) and calf were taken in 1993 and discussed, at the request of the USA, in the Infractions Committee that year<sup>190</sup>. With SVG’s quota due for renewal again, the Commission began to take SVG’s lack of management of the hunt more seriously. Even so, SVG still avoided direct questions in both the Infractions sub-committee and Plenary in 1993 about what actions it had taken to address the illegal killing of the calf that year. Instead, it argued that regulations prohibiting the killing of calves “*were suitable for large scale operations and inappropriate for dealing with one man of advanced age*”<sup>191</sup> and warned that the passing of legislation to address the activities of one man would be “*inadvisable*” and “*stimulate further interest in whaling*”<sup>192</sup>. SVG argued against more general regulation of whaling in the same spirit, reasoning that it would be “*inappropriate*” for the government

<sup>164</sup>No whales were reported taken in 1989 and 1990 and SVG provided no information about a suspected calf killed in 1988.

to control and administer the whaling operation in Bequia and arguing that “Regulation would involve many practical difficulties and would serve to increase local interest in the fishery which could prove counter-productive”<sup>193</sup>. It reiterated that the request was based on “the cultural need of our people who have whaled since 1875”<sup>194</sup> and made no mention of a nutritional need. The following year’s Summary of Infractions for 1993 records the following footnote for the mother/calf taken in 1993: “It is not clear if the smaller animal was a calf of the year, but this seems unlikely as the female was not lactating. If, as seems more likely, it is a yearling or older, then this would not be considered an infraction. ‘Calf’ is not defined in the Schedule”<sup>195</sup>. It is not clear who drafted this statement.

Frustration increased in 1993 at SVG’s excuses for failing to address infractions and regulate its hunt, and at least some Contracting Governments took a firm stand: Noting the “undesirable precedent leniency might set”, the Netherlands stressed that infractions committed in ASW operations should be treated no less rigorously than violations by commercial whalers, while New Zealand reminded SVG that all Contracting Governments are obliged to comply with Article IX of the Convention, which requires Contracting Governments to take action against those violating Commission rules<sup>196</sup>.

### A New Harpooner On the Horizon

Ominously, at the 1993 meeting SVG no longer vigorously assured the IWC that the hunt would phase out naturally; instead it described the future of the operation to be “at least uncertain” and noted that a younger man was expressing interest in becoming a harpooner<sup>197</sup>. No delegation remarked upon this development, but the Netherlands, Australia, New Zealand, the UK and the USA reiterated concerns about ongoing infractions and lack of regulations<sup>198</sup>. In concluding its presentation to Plenary, SVG reduced its quota request from three to two whales a year. This decision appears to be based on political expediency (the Netherlands had proposed moving to an annual renewal of the quota) rather than a reduction in need. SVG had again provided no Needs Statement or any other information in support of its request on the basis that it had already established a cultural need for the whaling and “in terms of what goes on from year to year, it is not easy to produce a professional document which is more than perfunctory...”. However it gave the assurance, “we will see what we can do”<sup>199</sup>. Its request was adopted by consensus.

The following year (1994), SVG submitted IWC/46/AS5. This was not a Needs Statement authored by the government of SVG, but an unpublished report by Hamaguchi based on an eleven day visit he made to Bequia and St Vincent in 1991, the results from which he presented to a symposium hosted by Japan’s Institute of Cetacean Research in 1992. Although widely drawn from Adams’ studies from the early 1970s, this “Preliminary Research Report” also provided the IWC with some new details on the hunt, including an account of the daily work of the six-man whaling crew and shore-bound lookout to spot whales, a description of the killing technique, details of how proceeds from sales of whale meat are distributed in prescribed shares to the crew and boat owner, and a reference to a single whale being worth US\$25,000 in 1988. However, there was no discussion of the document in the ASW sub-committee (other than Australia noting the information on the value and distribution

of products<sup>200</sup>) or Plenary, and SVG’s hunt was not discussed again by the IWC until 1996 when the quota expired.

### 1996—Third Quota Renewal

In 1996, despite not reporting any whales landed since 1993, SVG remained on the offensive, arguing that to do anything other than “support the desire of the people of one of our islands to continue their tradition” would be to “create public protest of a kind which would be unnecessary and unhelpful to anybody”<sup>201</sup>. It reported to the ASW sub-committee that the “old harpooner continues to go out”, adding that “this year he was joined by a second boat, with a younger aspiring harpooner” but explained that he “has not struck a whale before, and it is hard to say if he will really succeed in becoming his own harpooner who will carry on the tradition”<sup>202</sup>. Amongst others, Australia was troubled that this expansion of the hunt suggested that it would continue beyond the old whaler, and indicated that the operation now required “more serious consideration”<sup>203</sup>. Specifically, Australia suggested that the Commission should consider the killing techniques and, in light of the number of whales struck and lost, the establishment of a strike, rather than a take, limit<sup>204</sup>. New Zealand was also dissatisfied with the development, asserting that any “new activity would need to be subject to a new request to the IWC with a new needs statement”<sup>205</sup>. Mexico and Oman also requested a revised Needs Statement in the ASW sub-committee<sup>206</sup>.

However, SVG responded in Plenary that the interest of a new harpooner “indicates that the people of the island continue to maintain their tradition and this represents a revised cultural needs statement in the terms used in the Commission”<sup>207</sup>. It did not substantiate any nutritional need other than to describe whale meat being sold more cheaply than fish in Bequia and emphasised again “the continuing cultural needs of the Bequians of St Vincent and the Grenadines” (our emphasis)<sup>208</sup>. In lieu of a Needs Statement, SVG reminded the Commission of Hamaguchi’s 1992 paper and recommended “Blows, Mon, Blows”<sup>209</sup>.

Despite the lack of a Needs Statement and other concerns (France questioned whether the people of Bequia were truly “aborigines”<sup>210</sup>), the Chair of the Commission (having introduced SVG’s proposal as “probably more straightforward than the previous two issues”) swiftly identified a consensus before returning to the Commission’s time-consuming and heated debate over the USA’s request for a new quota of gray whales for the Makah Tribe of Washington State<sup>211</sup>.

The distraction of the Makah quota at the 1996 meeting was opportune for SVG. Its hunt had reached a critical point; the original basis for the quota—the promise that the hunt would soon end—was clearly no longer valid, yet the hunt was still not properly regulated and continued to take calves. Nevertheless the indifference of the majority of the Commission’s members to these problems continued the following year. Even though SVG did not bring information sought the previous year to the 1997 annual meeting, there was no substantive discussion of its whaling operation; in fact the ASW sub-committee deleted the agenda item relating to North Atlantic humpbacks as “redundant”<sup>212</sup>. That year, SVG had to advise the sub-committee under *Any Other Business* that no whales had been taken.

In 1998, SVG reported to the ASW sub-committee that two whales had been taken that season but that, “as the season was not yet over” (the IWC meeting took place in May), it would not officially report the details until the following year<sup>213</sup>. SVG did not provide further information in 1999, although the smaller animal taken in 1998 was later determined by members of the Scientific Committee to be a calf<sup>214</sup>. Thus began SVG’s new custom of declaring discussion of the current year’s hunt to be out of order, but failing to bring the necessary data to the IWC meeting the following year. Australia, the Netherlands and the UK continued to express their concerns about the hunt, stating in 1998 that they would “expect a much more detailed justification of the hunt next year” including a Needs Statement<sup>215</sup>. SVG “noted the concerns” and indicated it “would consider them when preparing its report next year”<sup>216</sup>. It is notable that SVG made no mention of its intention to increase the quota, yet the IWC Secretary presented a recent letter from the old whaler to plenary indicating his wish to take three whales instead of two in the next season<sup>217</sup>. There was no discussion of this new development.

### 1999—Fourth Quota Renewal

In 1999, after extensive discussion of a paper indicating that the smaller whales killed in Bequia in 1998 and 1999 were calves<sup>218</sup>, the Scientific Committee agreed that there is a high probability that any humpback whale in the breeding area during the winter season that measures less than eight metres in length is a calf<sup>219</sup>. The Commission accepted the definition<sup>220</sup> but SVG vociferously protested, starting a discussion that continued for five more years about what constituted a calf—and therefore an infraction of Schedule Paragraph 14, which prohibits the killing of “suckling calves or females accompanied by calves”. SVG asserted that no infraction had occurred in its 1998 and 1999 hunts because the smaller animals were not suckling, and argued that a precedent had been set when “such takes had not been considered as infractions in the past”<sup>221</sup>. Among the countries who disagreed with SVG’s analysis, the USA urged SVG “to end its present hunting practice” and reminded the Infractions sub-committee that “as long ago as 1987, St Vincent and The Grenadines had indicated that in future it would make every effort to comply with Paragraph 14”<sup>222</sup>. To address the situation, the Commission (having just defined a humpback calf as a humpback whale less than eight metres in length) adopted a specific provision directly into the Schedule amendment for SVG, forbidding the striking, taking or killing of “calves or any humpback accompanied by a calf”<sup>223</sup>.

The IWC took less decisive action in response to SVG’s failure to document its request with a Needs Statement (other than referring to “Blows, Mon, Blows” again) and the news that the hunt was expanding; SVG confirmed that a new whaler in a new boat had killed the two whales in 1998 when the old whaler was ill and they had killed the two whales together in 1999<sup>224</sup>. Arguing, but not documenting, that the “current quota request is based on the actual need of the people”, SVG stressed the nutritional needs of the people of Bequia for the first time in 1999, claiming that both “the cultural and nutritional needs of the Bequian people dictate that a quota is necessary”<sup>225</sup>. It explained to the ASW sub-committee that it had never emphasised the nutritional aspect of the need before, although “the whale meat is a significant contribution to their diet”, because “some would then argue when no whales may be caught that it was therefore

not essential”<sup>226</sup>. It continued, that “the absence of whales for 1-2 years only increases the need”<sup>227</sup>.

For the first time, the ASW sub-committee could not reach consensus on SVG’s fourth renewal application in 1999; at least one Contracting Government (the Netherlands) believed that “there is no justification for further approval of this quota” and others recalled the unmet commitments that the hunt would end with the retirement of the old whaler, persistent violations, and “the fact” (expressed by the Netherlands) “that St Vincent and the Grenadines has never demonstrated in a convincing manner the aboriginal subsistence need for whale products or for whaling to take place”<sup>228</sup>. New Zealand, Australia, the UK, Germany, the USA and Sweden reserved their position on the substantive application in the sub-committee until SVG provided further information. This included “an appropriate needs statement in a written form; clarification of the method used for attracting the adult animal; information as to what steps will be taken to enforce the requirements of the IWC under any quota given; and clarification of the point raised by the Netherlands that past requests had been on the basis of the phasing out of the whaling when the old whaler is no longer able to take part”<sup>229</sup>.

The verbatim record of the plenary discussion in 1999 records a long and difficult exchange of views that ended eventually in an uncomfortable consensus to reauthorize the quota based on the understanding that “a humpback whale calf is an animal less than eight metres in length” and taking note of “commitments of the Government of St. Vincent and the Grenadines that they will (i) review and improve hunting and killing methods; (ii) ensure that the hunt is properly regulated; (iii) ensure cooperation in research related to this hunt; and (iv) and submit a detailed needs statement when the quota is next considered for renewal”<sup>230</sup>. As the Chair tried to find consensus, one of the strongest warnings was given by the USA, which concluded, “The United States will be watching very carefully, however, to see that St. Vincent carries out the commitments it has made at this meeting. Most importantly, we will scrutinise reports by St. Vincent and others on the hunt itself and will review each year the circumstances under which any animals are killed. As we said in the Infractions Committee, targeting calves and accompanying whales is a practice that for the United States is simply unacceptable”<sup>231</sup>.

Heralding a forthcoming request to increase the quota, the Commissioner for SVG warned in 1999 that “the Commission can expect that with improved efficiency of the hunt we will be killing more whales and I don’t know therefore which the Commission prefers. To have more whales killed humanely or to have less whales killed cruelly”<sup>232</sup>, and “now that the NGO people and so on have made such a fuss about our whaling over the years there is now heightened interest in the country, not because of me but because of their campaigns and advertisements and so on, so there is now more interest in eating whale meat and the demand is up, Mr. Chairman”<sup>233</sup>.

### The New Millennium

At the 2000 meeting SVG reported to the ASW sub-committee that it was preparing a “detailed needs statement” in preparation for the renewal of its quota in 2002 and that “considerations are currently being given

to drafting regulations cognizant of our whaling tradition, the principle of sustainable use, and the requirements of the IWC”<sup>234</sup>. Not placated, Australia and the UK were disappointed that regulations were not already in place to control the hunt, while the Netherlands reminded SVG that it had only agreed to the renewal of the quota in 1999 on the understanding that it would quickly fulfil the commitments it made. It warned, “*If this is not done then the Netherlands would not be able to agree to the renewal of any quota*”<sup>235</sup>. New Zealand made a similar intervention, chronicling statements and commitments made by SVG over many years and giving notice that “*unless there is an adequate needs statement, proper regulations are in place and reasonable requests for co-operation in research have been met, it would find it very difficult to consider renewal of this quota in 2002*”<sup>236</sup>. New Zealand also challenged SVG’s refusal (on the grounds that it had not submitted its report) to discuss the killing of a suckling calf and its mother earlier that year, noting that SVG had reported the kill to the Scientific Committee<sup>237</sup>.

SVG responded aggressively to the criticism in the sub-committee, warning that it “*has seen countries enter and leave the IWC in the past*”, reminding members that it has absolute sovereignty over the waters in which the animals are taken, and “*object[ing] strongly*” to statements querying its commitment to the IWC<sup>238</sup>. With respect to the drafting of regulations, SVG stated that “*it is doing its best and will continue to do so without coercion*”<sup>239</sup>. Indicating again that it would in future seek a quota increase based on nutritional need, SVG referred to “*an increasing population of humpback whales, an increase in human population and consequently an increase in need*”<sup>240</sup>.

Despite the adoption of clear Schedule language the previous year, debate over the definition of a calf resumed in the Infractions sub-committee in 2000. Although SVG reported that the smaller whale killed in 1999 was under eight metres in length, it objected to the recording of an infraction because there was no milk in its stomach<sup>241</sup>. The Netherlands, the USA, Australia, Austria and Monaco firmly sought the recording of an infraction, but rather than making a ruling and “*to avoid a repetition of last year’s debate*”, the Chair referred the decision to plenary<sup>242</sup>. However, the Commission merely noted the report of the Infractions sub-committee and did not resolve whether the calf killed in 1999 constituted an infraction.

During the 2000 Commission meeting, more contracting governments reiterated their concerns about SVG’s lack of legislation and failure to enforce the provision banning the killing of calves. The USA believed the absence of whaling regulations had “*led to the continuing takes of cows, calves and even of Bryde’s whale this year*”, describing these as “*major problems for us*”<sup>243</sup>. It hoped that SVG “*meets its commitments of last year and then acts [sic] appropriate domestic regulations as a matter of urgency*”<sup>244</sup>.

SVG did not report any kills in 2001 although a whale was apparently taken (SVG indicated the following year that photographs had been taken of at least one whale killed in 2001)<sup>245</sup>. It provided no further information about progress in developing whaling legislation and there was no substantive discussion of SVG’s whaling operation in the ASW sub-committee or Commission that year other than Japan’s suggestion to plenary that, if SVG wished, the catch limit could be increased<sup>246</sup>.

Although the Summary of Infractions discussed by the Infractions sub-committee in 2001 included the suckling calf whale killed in 2000, the sub-committee accepted SVG’s conclusion that “*no penalty/action was deemed necessary due to the death of the harpooner*”<sup>247</sup> and there was no discussion. The sub-committee did discuss the illegal killing of a Bryde’s whale by SVG’s Barrouallie whalers the previous year, about which SVG’s Fisheries Division stated at the time that “*there is absolutely no violation of the quota of the country of two whales per year set by the International Whaling Commission (IWC) since this is a different species*”<sup>248</sup>. Japan supported this view in the sub-committee, but the UK, USA, Finland, Sweden, the Netherlands, Australia and New Zealand disagreed, supported by the Secretariat<sup>249</sup>. However, upon learning that the crew had been “*severely reprimanded*”, the sub-committee concluded that SVG “*had fulfilled its obligations and that it had no need to take further action*”<sup>250</sup>.

### 2002 – Fifth Quota Renewal

In 2002, despite the continued absence of legislation to regulate the hunt, the killing of another suspected calf earlier in the year (based on photographs taken by tourists), and the failure to submit biological data to the Scientific Committee, the IWC not only renewed SVG’s quota, it doubled the annual take limit to four whales a year for five years (expressed as up to 20 for the five year block with no annual strike or landing limit) although the last two years of the quota (2006 and 2007) would only come into effect upon advice from the Scientific Committee<sup>251</sup>. The increase was based on SVG’s first ever documentation of a nutritional need for whale meat in Bequia<sup>252</sup>. It asserted in a four-page Needs Statement that the human population of Bequia had doubled since 1982 (the statement erroneously stated that the quota was established in 1983)<sup>253</sup>, although it gives no source for the human populations of 2,800 claimed in 1982 or 6,000 in 2002. As noted in Part I, the 2001 census in SVG did not publish data specific to Bequia, and other sources are contradictory.

The Needs Statement acknowledged that not all humpback products are consumed exclusively on the island of Bequia; it stated that an unknown amount of meat and blubber is sent to the main island of St Vincent where it is sold, and that people arrive in Bequia from the rest of the Grenadines “*to get some fresh whale meat*”<sup>254</sup>. The request was also based on a presumption that whale meat should provide 12% of the island’s animal protein needs and save 15% in the costs of importing meat and poultry which was described as cheaper (EC\$3-4/lb) than locally caught fish (EC\$5-6/lb). Humpback meat and blubber sold for EC\$4/lb<sup>255</sup>. The Needs Statement provided no information on the contribution made by Barrouallie’s small cetacean hunt to meeting the need for whale meat in Bequia.

Discussion in the ASW sub-committee in 2002 centred around several topics of concern: the uncertain status of the stock; whether the hunt was a continuation of whaling from SVG’s colonial period rather than aboriginal in nature (New Zealand, Monaco); the ongoing failure, despite earlier assurances to the contrary, to regulate the hunt (Australia, UK, USA, Germany, Switzerland, Finland); the expansion of the whaling industry despite assurances in 1990 that it would end with the sole harpooner



(UK); and the lack of tissue samples (Austria)<sup>256</sup>. In addition, the UK raised photographs of the smaller whale taken in 2002 that had been reviewed by the Scientific Committee “which tended to suggest that it was a calf”<sup>257</sup>. Hamaguchi confirms that the whales taken in 2002 (in fact every year from 1998-2001) were a cow/calf pair<sup>258</sup>.

In a highly charged, politicised meeting in which quota requests were played against other, and as a result of the failure to achieve consensus regarding the USA and Russian Federation’s joint bowhead whale quota proposal, the Commission’s discussion of ASW quota requests in 2002 took several days and included many hours spent in private Commissioners-only sessions. To the disappointment of Monaco, the USA, the Russian Federation, New Zealand and the Netherlands, SVG’s revised proposal for a Schedule amendment did not reflect the agreement reached in a Commissioners-only meeting that its whaling must be conducted “under formal legislation”<sup>259</sup>. However, on the last day of the meeting and still preoccupied by the unresolved bowhead proposal, the Commission accepted SVG’s assurances that legislation was forthcoming. It renewed the quota by consensus for the fifth time, amending the Schedule to specify that “such whaling must be conducted under formal legislation that accords with the submission of the Government of St Vincent and the Grenadines (IWC/54/AS8 rev2)”<sup>260</sup>.

The decision was a retrograde step; as Australia and New Zealand observed when SVG presented IWC/54/AS8 in the ASW sub-committee<sup>261</sup>, the pending legislation was inconsistent with the Schedule language specific to SVG adopted in 1999 because IWC/54/AS8 only banned the killing of suckling calves or lactating females. (In contrast, the Commission had defined a humpback calf by length (less than eight metres) in 1999 and agreed with respect to SVG that “it is forbidden to strike, take or kill calves or any humpback whale accompanied by a calf”). SVG added a new provision to ASW/54/AS8 Rev during the 2002 meeting that prohibited the striking, landing or processing of a whale “below the minimum size” (defined as “26 feet”, which is approximately eight metres)<sup>262</sup>. However, as drafted, the legislation continued to allow the striking of adult whales accompanied by a whale of less than 26 feet – a mother whale accompanied by her weaned calf – which was prohibited by Schedule Paragraph 13 (b) (4). Despite the remaining ambiguities, when the Commission adopted SVG’s new Schedule language in 2002, it removed the strong language relating to killing calves from 1999, leaving SVG governed only by Schedule Paragraph 14, which only refers to suckling calves. The Commission took an even bigger step backwards in 2004. When undertaking an exercise to “harmonise” the ASW language in the Schedule, it adopted weaker rules relating to killing calves for the SVG hunt than for the other ASW nations: While it adopted a prohibition on striking, taking or killing “calves” in the ASW hunts by Greenland, the Russian Federation and the USA, it agreed to a separate provision only prohibiting SVG from striking, taking or killing “suckling calves”<sup>263</sup>.

SVG told the Whale Killing Methods Working Group in 2002 (through a statement read by the Chair) that it “does not recognize the competence of the IWC in the matters of Humane Killing or Whale Killing Methods, and therefore does not attend these Working Groups. We do, however, supply the information concerning our hunt, and that will be found in our

*Annual Progress Report, which was presented to the Scientific Committee. Any additional questions that members may have should be addressed to the Head of our delegation”*<sup>264</sup>. In fact, SVG has only ever submitted two Progress Reports to the Scientific Committee (in 2000 and 2002) and failed to attend the Working Group again until 2005. It was also absent from the Scientific Committee and Infractions sub-committee in 2003 and 2004. After SVG reported to the Commission in 2003 that whaling regulations consistent with the draft legislation made available the previous year (see IWC/52/AS8 Rev2) had been passed in Cabinet<sup>265</sup>, the IWC had no further substantive discussion of SVG’s hunt until the quota came up for renewal again in 2007.

No hunts were reported to have taken place in Bequia in 2003 or 2004 but SVG reported the killing of a single male humpback measuring 35 feet (10.6 metres) to the Scientific Committee in 2005<sup>266</sup> and a single female humpback in 2006<sup>267</sup>. The whale was reported to not be lactating or accompanied by a calf. The infractions report annexed to the 2006 Annual Report indicates that another Bryde’s whale was taken in SVG in 2005 (no location was given), but this infraction was not discussed<sup>268</sup>; it simply noted that the hunter’s license had been suspended<sup>269</sup>. SVG reported to the Scientific Committee that an adult female humpback was killed in early 2007; she was not reported to be accompanied by a calf or lactating<sup>270</sup>.

### 2007–Sixth Quota Renewal

By the time SVG’s quota came up for renewal in 2007, the IWC had been reassured by several years without infractions following SVG’s adoption of whaling legislation. The Commission was also distracted in 2007 by Greenland’s controversial request to expand its ASW quota to include humpback and bowhead whales. Consequently, the Commission disregarded SVG’s failure to provide a new Needs Statement in 2007 (it merely referred to its 2002 document)<sup>271</sup> and swiftly renewed its quota by consensus for the sixth time with no substantive discussion in either the ASW sub-committee or plenary<sup>272</sup>.

Once again, with its quota secure for another five years, SVG’s commitment to its IWC obligations lapsed. It continued not to provide Progress Reports to the Scientific Committee, but instead reported directly to the Secretariat after the 2008 Scientific Committee meeting that one female had been taken that year and another animal (not described) had been struck and lost<sup>273</sup>. In 2009, SVG provided no information on catches to either the Scientific Committee or the Secretariat, although a member of the Scientific Committee reported news of a whale taken in April that year<sup>274</sup>, and the catch of a male humpback is recorded for 2009 in the 2010 Annual Report<sup>275</sup>.

Although SVG assured the Commission in 2009 that it would “submit its report in advance of next year’s meeting and took note of the requirement for genetic samples”<sup>276</sup>, SVG provided no Progress Report ahead of the 2010 meeting. It reported directly to the Scientific Committee on the lengths of the three females killed earlier that year (34’, 34’3” and 43’2”), but provided neither genetic samples nor photographs<sup>277</sup>. The USA expressed its regret that SVG did not attend the ASW sub-committee in 2010 “to provide information” and asked for the report to suggest that “such information be provided at the plenary session ... providing an

*opportunity for questions and discussion, if needed*<sup>278</sup>. Predictably, SVG made no presentation to plenary but there was no discussion of the lack of information. Indeed, there was no discussion of SVG's quota at all in 2010; the ASW sub-committee and Commission were too preoccupied with discussions of Greenland's unresolved ASW proposal, which focused on the adequacy of Greenland's Needs Statement.

A local resident reports that a whale was killed on 19 April 2011<sup>279</sup>. SVG did not attend the IWC meeting in 2011, but provided limited information about a kill on 18 April via the Secretariat during the meeting (IWC/63/18).

### 2012—Seventh Quota Renewal

It remains to be seen what information SVG will bring to the 64<sup>th</sup> Annual Meeting of the IWC in Panama, in July 2012. At least one whale was landed, on 11 April, according to the local press<sup>280</sup>. Photographs suggest that it was not a full-sized adult, but not necessarily under eight metres in length. A posting on TripAdvisor.com indicates that another whale was struck and lost on 22 March<sup>281</sup>. Other sources, including a photograph of a whale that died in the waters of the Dominican Republic on 15 March, suggest that at least one other whale may have been struck and lost earlier in March 2012. It was reported to have "a gaping hole on back, possibly from a harpoon or large boat's propeller"<sup>282</sup>.



## CONCLUSIONS AND RECOMMENDATION

For more than 30 years, humpback whaling in Bequia has been an anomaly in regard to the Aboriginal Subsistence Whaling hunts authorised by the IWC: It is not conducted by aboriginal/indigenous people; it does not have a long and unbroken history as a subsistence hunt (for decades after its inception in 1875 it remained a primarily commercial whaling operation focused mainly on oil); there do not appear to be strong, longstanding cultural traditions associated with the hunt and the distribution of the whale products; and SVG has not substantiated a pressing nutritional need for humpback whale meat in Bequia.

There is no doubt that humpback whale meat is popular in SVG, particularly if it is less expensive than other meat and fish. But enjoyment of whale meat does not justify a quota on a protected species when the hunt does not otherwise conform to the IWC's definitions, regulations and expectations of ASW and is inhumane – resulting in a high proportion of struck and lost whales, as well as illegally struck calves. Although SVG has not reported any calves struck in recent years, it is unlikely that the practice of targeting mother/calf pairs has ceased; domestic legislation still permits the killing of mother whales accompanied by calves measuring less than eight metres in length, and locals indicate that the more succulent meat of young whales is still preferred and that the whalers value smaller animals as easier to land and flense<sup>283</sup>.

Since SVG joined the IWC in 1981, the Commission has failed to hold it accountable for the operational and regulatory problems with the Bequia hunt. For years, the IWC expected the hunt to end and excused the persistent killing of calves. Even as it became clear that the hunt was expanding, not ending, the IWC repeatedly reauthorised, and even increased, the quota with little attention to the lack of regulation and continued infractions. Today, twelve years after the death of the "last harpooner", the hunt shows no signs of ending. The IWC must not continue to turn a blind eye to SVG's meagre submission of information and samples, its inhumane killing methods, and its persistent failure to substantiate Bequia's cultural and nutritional need for a humpback quota. After more than 30 years, the IWC's full attention to the hunt is long overdue.

Given the ongoing problems with the hunt and the fact that humpback whaling in Bequia does not meet the IWC's own definitions required for ASW, the quota for SVG should not be renewed in 2012.

- <sup>1</sup>Whale population estimates. <http://www.iwcoffice.org/conservation/estimate.htm>. Accessed 18 April, 2012.
- <sup>2</sup>Chapter IV, Paragraph 2, Schedule to the 1946 International Convention for the Regulation of Whaling.
- <sup>3</sup>IWC 1982-3. Resolution Concerning Aboriginal Subsistence Whaling. Available at [http://www.iwcoffice.org/meetings/resolutions/IWCRES34\\_1982.pdf](http://www.iwcoffice.org/meetings/resolutions/IWCRES34_1982.pdf).
- <sup>4</sup>Chairman's Report of the 49<sup>th</sup> Annual Meeting. *Rep. int. Whal. Commn* 48, 1998. Page 31.
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