

Greenland's Expanding Commercial Whaling Report 2012

WHALE AND
DOLPHIN
CONSERVATION



Greenland's Expanding Commercial Whaling

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WDC is the leading global charity dedicated to the conservation and protection of whales and dolphins. We defend these remarkable creatures against the many threats they face through campaigns, lobbying, advising governments, conservation projects, field research and rescue.

**WHALE AND
DOLPHIN
CONSERVATION**



A world where every whale and dolphin is safe and free

Over the last few years Denmark has not only expanded the opportunities to export whale meat products from Greenland to Denmark and the EU, but also appears to be failing to ensure that these agreed exports are restricted to private use by Greenlanders.

The export of whale meat and products to Denmark and its subsequent sale to tourists is currently in contravention of Danish and EU law, and is in contravention of the IWC agreed position with regard to Aboriginal Subsistence Whaling.

As the IWC has not granted any quotas to Greenland for the period 2013 onwards then WDC respectfully notes that the EU should not allow any imports to Denmark, even under the current agreement.

EXECUTIVE SUMMARY

For many years WDC has been concerned about the validity and sustainability of Greenland's Aboriginal Subsistence Whaling (ASW) hunt of minke and fin whales, as well as its annual kill of thousands of dolphins and porpoises.

Whilst repeatedly demanding to increase its whaling quotas, Greenland has stated publicly that it is interested in establishing international commercial trade in whale products despite the fact that it only receives a quota on the understanding that it can hunt to feed local aboriginal peoples.

In 2012 WDC reveals that this 'commercial whaling' had extended to mainland Europe, with whale meat freely available to purchase in Copenhagen, the capital of Denmark, a member of the European Union (EU).

WDC, posing as tourists visiting Copenhagen, was able to make two independent purchases of both whale steaks and blubber. When notified that the individuals were not resident in Denmark, the sales staff still offered to sell them the whale products in contravention of both EU and Danish law.

WDC is calling on the EU to outlaw this commercial trade with immediate effect. WDC is also calling on the Danish Authorities to immediately restrict all such movements into Denmark and the EU.

BACKGROUND TO GREENLAND RELATIONSHIP WITH THE EU

Greenland is part of the Kingdom of Denmark. Being one of two autonomous provinces –the other is the Faroe Islands. Denmark is a member of the European Union (EU) but the Faroe Islands and Greenland are not.

However, Greenland has maintained bilateral trade and fisheries agreements with the EU. In 1985, Greenland relationship with the EU was changed to that of an 'overseas territory'.

Whilst the EU prohibits the killing of whales and dolphins, both Greenland and the Faroe Islands continue to hunt large and small whales.

IWC REGULATION

The International Whaling Commission (IWC) is the international body that regulates both commercial and aboriginal subsistence whaling (ASW). It has a longstanding policy of allowing certain aboriginal peoples to hunt otherwise protected whales to satisfy aboriginal subsistence needs.

Where the IWC has addressed ASW hunts it has states that, the, “...**taking of whales by aborigines is permitted only when the meat and products are to be used exclusively for local consumption**”. Thus the IWC only allows for ASW hunts where the products of these hunts are used for local consumption only.



A 'blind-eye' to local trade

The IWC accepts that limited local trade or sharing can take place beyond the participants in the hunt, Contrary to the IWC's clear intent, Greenland interprets 'local' as to be the whole (including non-indigenous) population of Greenland and permits a commercial processing and supply chain to supply frozen and dried whale products for profit through retail sales across the entire territory of Greenland. WDC's ongoing investigations have revealed that Greenland is not only failing to enforce IWC regulations, but is allowing increased commercialization of the hunt and even moving to export excess whale meat and blubber for commercial profit.

THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES) 1973

CITES is the international body regulating trade in whale and dolphins. It has historically looked to the IWC for a lead on whether whales should be in trade.

All cetaceans not listed on Appendix I are listed on Appendix II. Trade in Appendix II species is subject to an export permit that can be issued subject to certain conditions, including the confirmation by a scientific authority of the state of export that the export will not be detrimental to the survival of the species.

All whales had been originally listed onto Appendix II in 1979. From the 1st January 1986 all cetaceans whose catch has been regulated by the IWC have been added to Appendix I. That is all species, except the West Greenland population of minke. 'The West Greenland population is included in Appendix II, a listing that reflects the fact that the IWC was prepared at the time of the introduction of its commercial whaling moratorium to allow takes from this population for aboriginal subsistence purposes by Greenlanders'.

THE EUROPEAN UNION AND WHALES AND DOLPHIN PROTECTION

Within the European Union (EU) whales, dolphins and porpoises are strictly protected by a range of EU legislation including Directive 92/43/EEC ('Habitats and Species Directive') and by Council Regulation No. 338/97 which implements CITES.

The EU has reserved the right to list some CITES Appendix II and III species on Annex A of its CITES implementing legislation and so afford them stricter protection than CITES itself. Cetacean species are listed in the highly protected ANNEX A of the EU CITES Regulation, including the West Greenland population of minke whales. Denmark has no reservation against the CITES Appendix I listing of large whales and Greenland is therefore also bound. However, Greenland is a dependent territory to which CITES applies and in 2004 established its own CITES management authority.

Denmark is bound by EU legislation, however, Denmark has negotiated the right to 'import' whale meat into Denmark to allow for Greenlanders resident in Denmark to consume a small amount of whale meat and products. However, no cetacean products coming into Denmark can be imported for **commercial use**.

Any movement of whale products have to be registered through the CITES permit system. The agreement between Greenland and Denmark states that the transfer or sale of the mentioned products shall not contain any commercial elements; only the processing and transfer costs should be covered.

The agreement allows for individual from Greenland to **import up to 10kg of edible whale products for their personal use**.

Within the EU an **import permit** is required for **Annex A and Annex B** species, to be applied for from the competent authorities in the Member State.



WDC 2012 INVESTIGATION

In November 2012 WDC sent a team into Copenhagen, Denmark, to investigate reports that whale meat was freely available for tourists visiting the country.

In the district of Strandgade on Christianshavn in Copenhagen Harbour, WDC found a store called 'Tranhuset' or the 'Whale Oil House' that specializes in selling Greenlandic merchandise. This retail outlet is just opposite the world famous Danish restaurant Noma, close to Christiania and Our Saviour's church; all popular destinations for tourists.

This store is owned by a parent company called **DayCatch** (www.daycatch.dk) and appears to be an import/export company that operates in more than thirteen (13) cities in Greenland and sells its products all over the world.

During the visits WDC investigators asked about the possibility to purchase whale meat and, to our surprise, staff in the Danish store were immediately willing to sell us whale meat products.

When WDC notified staff that the individuals were not resident in Denmark and indeed were tourists visiting Denmark, the sales staff offered to make the sale and within five minutes of initiating the request WDC was able to purchase both minke whale steaks and blubber.

In May 2012 the privately owned distribution company Arctic Green Foods was, within Greenland, retailing minke whale at its lowest at 45.95 DKr for 500g of minced meat. Fin whale was available from 166.20 DKr for 500g. In November 2012 WDC was able to purchase blubber (0.22kg) at 13.76 DKr and whale steak (0.46kg) at 46.40DKr., and (diced) minke whale meat (500g) for 48.80DKr.

The almost equivalence in price, suggests that Arctic Green Foods are treating both the Danish mainland and Greenland as one single market.

THE FAILURE OF DANISH AND GREENLANDIC REGULATION

Originally (in 1986), the Danish Government argued that it wished to 'import' whale meat only for Greenlanders.

Thus the original agreement appears to have been for purely non-commercial transfer and only for the use of native Greenlanders.

Contrary to the Danish needs statement of 1991 submitted to the IWC, it now appears Danes resident in Greenland are also part of the total needs requirements for marine mammals.

THE DAYCATCH WEBSITE SAYS:

Proviant-club

'If you are Greenlandic or have a special relation to some of the rare specialities from Greenland or the North Atlantic - such as dried reindeer or seal, dried fish or other food specialities that are not EU validated - you can to ask for membership of the DayCatch Greenland Shop Proviantklub' (<http://www.daycatch.com/?GB/DayCatch%20Tranhuset/Proviantklubben.aspx>)



THE 2011 WDC INVESTIGATION IN GREENLAND



As a result of the WDC investigation the IWC rejected a proposal to increase the quota of whales that Greenland is allowed to hunt, and indeed, because Denmark and Greenland insisted on pushing for an increased quota, **the IWC did not endorse any quota for the coming years 2013 onwards.** Any whales killed by Greenlandic hunters are now infractions under IWC rules.



CONCLUSIONS

Denmark has not only expanded the opportunities to export whale meat products from Greenland to Denmark and the EU, but also appears to be failing to ensure that these agreed exports are restricted for private use.

The export of whale meat and products to Denmark and its subsequent sale to tourists is currently in contravention of Danish and EU law, and is in contravention of the IWC agreed position with regard to Aboriginal Subsistence Whaling.

As the IWC has not granted any quotas to Greenland for the period 2013 onwards then WDC respectfully notes that the EU should not allow any imports to Denmark, even under the current agreement.

WDC BELIEVES THAT:

- The EU should immediately re-examine the legitimacy of allowing the export of whale products into the EU and reconsider the exemption in 338/97 explicitly made for Greenland.
- If it wishes to maintain such a policy, the EU should clarify that it tolerates such exports only on the grounds that such movement of whale products are for nutritional/cultural needs of native Greenlanders temporary resident in Denmark as described in IWC54/28. Furthermore,
- With immediate effect all exports should cease until an enforceable and appropriate system of management of exports is established, and furthermore,
- All exports should cease immediately and until the IWC has granted an ASW quota to Greenland.
- The EU should require Denmark to put in place all such measures to ensure that whale meat and products cannot be moved around within the EU outside of Denmark.
- The EU should require Denmark to prohibit the sale of such products and require Denmark to take into public control the supply of whale meat products in compliance with its declared position in IWC54/28.
- The IWC should not allocate any quotas to Greenland unless satisfied that the EU has complied with the above recommendations.
- Range states should consider a CITES uplisting proposal for the West Greenland minke whale population to allow for stricter controls on the export of whale meat products from Greenland, and so fully remove whale meat from commercial trade.



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