

# Fight to the death

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The Republic of Congo's citizens can vote. But the US State Department said its legislative elections last year were disorganised and marred by irregularities, with low voter turnout.

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This West African country on the Congo River has oil wealth. But one-third of the Government's billion-dollar oil income was unaccounted for in its budget, the anti-corruption organisation Global Witness said. It is one of the world's poorest and most indebted countries.

Known as Congo-Brazzaville to distinguish it from the Democratic Republic of Congo over the river, it's a country where Human Rights Watch says the Government responds to anti-corruption activists by arresting them.

It is also the new, 80th, member of the International Whaling Commission (IWC), giving it an equal vote with countries such as Australia on the future of whales.

The Prime Minister, Kevin Rudd, this month disappointed hopes that his bilateral talks with Japan's Prime Minister, Yasuo Fukuda, would bring change in Japanese demands for Southern Ocean whales. Rudd left Tokyo "agreeing to disagree" with Fukuda on the touchy subject.

Instead, Rudd pointed to the International Whaling Commission's annual meeting in Santiago, Chile, this week as the next front on whaling. To anyone wanting to stop whalers, the recruitment of Congo-Brazzaville speaks volumes about the obstacles ahead at this meeting.

Congo's newfound concern for whales was first shown in March, when it took part in a "seminar" in Tokyo. The Japanese Foreign Ministry, which named the invited countries, said the meeting was aimed at "obtaining understanding for Japan's position on sustainable whaling".

Despite this interest in cetaceans, Congo did not take part in a workshop last month in nearby Senegal, where the global fisheries expert Daniel Pauly and others dismissed Japanese claims

that the great whales threatened African fisheries.

More than 40 nations have joined the whaling commission since Japan began its Vote Consolidation Operation, marshalling countries with little previous interest in whales to its side, and forcing anti-whaling nations into their own recruitment drive.

The result is a deadlocked organisation, only able to swing between symbolic majority votes, and without enough numbers either to shut down whaling, or to set internationally agreed quotas for a new commercial hunt.

Norway and Iceland have set their own quotas to take hundreds of whales using a whaling commission loophole, while Japan kills about 1000 whales each year under self-awarded scientific permits, including 551 whales last summer in the Southern Ocean.

This led to a stepping up of high-seas violence, in which Japanese coast guard troops, taunted by Sea Shepherd activists, threw stun grenades. Despite firm denials by Japan, the hardline group's leader, Paul Watson, also maintains he was shot at.

Paradoxically, at the same time as Japan is encouraging new and potentially divisive countries such as Congo to join the whaling commission, it says it will co-operate with attempts to reduce conflict if this leads to "normalising" the organisation.

In the Orwellian language of Japanese whaling, "normalisation", as spelled out by its chief negotiator, Joji Morishita, means to return the commission to the original words of its 62-year-old charter to regulate commercial whaling.

When the US fisheries diplomat William Hogarth negotiated a deal last December with Japan to spare humpback whales from the Antarctic hunt, normalisation was put on the table.

"Japan has decided to postpone its catch of this species while the IWC is judged to move towards normalisation of its activities," the Foreign Minister, Masahiko Koumura, said then.

This guarantee not to kill these humpbacks, which are right now swimming along the Australian coast, could run out as early as this meeting.

In the next phase of this diplomatic arm-wrestle, Hogarth, in his role as the commission's chairman, is making the most concerted attempt yet to break the organisation's deadlock. He recently told a US congressional hearing that it was imperative the commission function better. He wants to change the way meetings run to eliminate the diplomatic head-butting. And he is talking about policy compromise.

In testimony to a congressional sub-committee, Hogarth raised the prospect of a new

agreement on scientific whaling with "relevant countries". He also suggested Japan might be able to go ahead with its own commercial coastal whaling hunt - if it was based on whaling commission science.

These two disputes, scientific whaling and Japan's coastal hunt, are emerging as central to any breakthrough by the commission.

Groups such as International Fund for Animal Welfare warn that the result will be legitimised commercial whaling. "I personally believe this is a quixotic and potentially dangerous quest," the organisation's whales program director, Patrick Ramage, told the congressional hearing.

Ramage said after that extensive discussions inside Japan, he found there was little support - or even respect - for high-seas whaling outside the country's Fisheries Agency.

The case for a whaling business is increasingly rocky. The ***Asahi Shimbun*** reported this month that the big three Japanese global companies that used to go whaling said they would not re-enter the industry, even if the moratorium on commercial whaling was lifted.

A Nippon Research Centre poll released in February by Greenpeace found that to most Japanese, whale-eating was something from the past.

The poll found 77 per cent either had not eaten it for a long time, or had never eaten it. But critically for the Fisheries Agency, 31 per cent of Japanese still supported whaling.

To the negotiator, Morishita, this remains a line in the sand. If the principle of treating wildlife as a sustainable resource is compromised, he says, it would have a domino effect, infringing on other species. It also resonates as a show of cultural independence.

Australia's approach to the commission will be to cast the Santiago meeting as a genuine chance to transform the organisation into a 21st-century conservation organisation. The most crucial change proposed by the Environment Minister, Peter Garrett, is to end the right of any country to issue its own lethal scientific permit.

"The unilateral killing of whales in the name of 'science' remains the greatest barrier to the commission moving forward," Garrett said.

Australia has challenged Japan to join in non-lethal research on animals expected to face increasing problems owing to pressures such as climate change.

A study by US scientists for the World Wildlife Fund found that within a single Antarctic minke whale's lifetime, it will have to work harder for less food, as ice diminishes and Southern Ocean circulation changes. Sea ice that nurtures whales' food is forecast to shrink by 10 to 15

per cent around the continent within 40 years, said the Intergovernmental Panel on Climate Change.

In the struggle at the whaling commission, anti-whaling groups tried gradually to build more protection for whales by winning a series of ocean sanctuaries. First the Indian Ocean, then the Southern Ocean, were declared protected areas.

If Congo-Brazzaville does get called on to vote this week, it may well be over the creation of a South Atlantic whale sanctuary, which is being heavily promoted by the South Americans.

And this is where pro-whaling forces would find its vote of value. The Republic of Congo's 169-kilometre African coastline would fall just inside the sanctuary's northern boundary.

***This story was found at: <http://www.smh.com.au/articles/2008/06/22/1214073053836.html>***