



## OPEN LETTER TO ICR

28 December 2005

Hiroshi Hatanaka  
Director-General  
The Institute of Cetacean Research  
(CC: Fisheries Agency of Japan)

Dear Dr. Hatanaka,

Thank you for your reply to our original letter of 22<sup>nd</sup> December which outlined both our demand that you immediately recall the whaling fleet from the Southern Ocean Whale Sanctuary and our commitment to peaceful protest.

We welcome your acknowledgement that “Greenpeace’s intention to highlight environmental degradation of the seas with the aim of protecting the marine environment is in itself laudable.”

Whaling in the Southern Ocean Whale Sanctuary is conducted using our (Japanese) tax money. However, Japanese citizens have not been informed by you about what is really happening in the waters around Antarctica. For instance, the fact that whaling is conducted in the Antarctic whale sanctuary, designated by the International Whaling Commission, and that your organization with a Japanese company, Kyodo Senpaku, are the only ones conducting whaling in the Sanctuary has not been well communicated. Also the hunting of 10 fin whale this season, an endangered species, and the more than doubling of the quota for minke whale to 935, have also not been well communicated to Japanese citizens and media.

Your arguments only focus on trying to justify your whaling. Yet the place you are conducting the whaling needs to be given more attention. Antarctica is globally recognized as an important environmental barometer of planetary health because of its crucial role in the ecosystem. This is widely recognized even by the Japanese government because of the threat to the ecosystem from climate change. The Southern Ocean demands exceptional measures to prevent further destruction of biodiversity.

Your ships and ours are on the high seas and governed by international law and so your attempts to claim areas of the high seas for exclusive use are without foundation. This arrogance is just one more reason why you are subject to criticism by the international community.

Also, you have not communicated to the rest of the world the truth regarding the fact that most Japanese people rarely eat whale meat. Nor that Nissui a founder and one third owner of Kyodo Senpaku, which owns the whaling fleet, have told Greenpeace Japan that it has no desire to see a resumption of commercial whaling at this moment because of the low demand from the market place. The image of “Japanese people eating whale meat frequently” is misleading propaganda which you created, and this has to be corrected.

Our purpose of being in the Southern Ocean is to protect the sanctuary and defend the whales by communicating the information from the sanctuary in addition to the information expressed above.

As we have already communicated in the last letter to you, dated 22<sup>nd</sup> December, Greenpeace takes safety issues very seriously, not only for our crew but also for your crew and ships. We have never harmed any of your crew or ships, and will not do so in future. This was communicated, 21 December, by radio from the Bridge of the Greenpeace ship MY Esperanza to your captain on the Nissin Maru, when we first encountered the whaling fleet.

Further, Greenpeace Japan spoke by telephone to Mr. Yamamura, the CEO of Kyodo Senpaku on the morning of 22<sup>nd</sup> December, telling him that we are bound by the principles of peaceful non-violent direct action and that we did not intend to board any ships. As you might know, he kindly agreed to communicate this to the captains of the fleets.

Greenpeace crews are trained not to respond violently to violence. If you take a closer look at your videos and photos, your crews are the ones directing fire hoses at the faces of boat drivers and crew and of hitting one Greenpeace crew member with a heavy object. (If you do not have access to this video we will gladly supply it or you can look at the photographs and videos on [oceans.greenpeace.org](http://oceans.greenpeace.org).)

Regarding your accusation of piracy and that Greenpeace “crewmembers disregard the international law of the sea and repeatedly engage in the illegal and dangerous hindrance of our research activities.” Nothing could be further from the truth: not only is Kyodo Senpaku killing whales in breach of the IWC resolutions and the Southern Ocean Sanctuary, but they are operating in violation of the 1972 International Regulations for Preventing Collisions at Sea (COLREGS).

Greenpeace ships have a legal right to peaceful navigation and to bring the activities of the whaling vessels to the world's attention. This does not appear to be understood by the captains of the whaling fleet who have undertaken a number of dangerous manoeuvres apparently aimed at intimidating the crew of our ships. Already, there have been serious violations by your crew that provide justification for concern in terms of safety and international maritime law.

For example, on 21 December the catcher Kyo Maru 1 approached the Esperanza from behind, on the port side. Because the Kyo Maru 1 was the overtaking vessel, she was required by Rule 13 to give way, but she did not and twice collided with the Esperanza, attempting to force her out of position. Nobody was harmed in this incident because our ship gave the way to Kyo Maru 1. (We have video footage of this event and are willing to send it to you, or again you can go to [oceans.greenpeace.org](http://oceans.greenpeace.org).)

We urge you to require the whaling fleet to obey the COLREGS at all times. Our captains and crew are already committed to this.

Of course, what we are documenting in the Southern Ocean is not something you want the world to see. However, it is hypocritical to call Greenpeace a violent organization or threaten our Japanese activists with “indictment and criminal prosecution” given the facts of what actually happened.

Finally, you expressed concern about the Sea Shepherd Conservation Society. As we said in our letter of 22<sup>nd</sup> December, Greenpeace is an independent environmental organisation and is not cooperating with Sea Shepherd.

We wish you and your crews in the Southern Ocean Whale Sanctuary a peaceful New Year and urge you to make it the year in which whaling in the Southern Ocean Whale Sanctuary finally comes to an end.

Junichi Sato  
Campaigns Director  
Greenpeace Japan