

# Whaling: defying international commitments to animal welfare?



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“Whaling is cruel”; “Whaling is inhumane” – statements such as these are used frequently by the anti-whaling community. Whaling nations often state that these views are culturally biased and the result of differences of opinion on the treatment of animals. Here, we compare the welfare implications of whaling with a culturally neutral standard for animal welfare – slaughter guidelines from the World Organisation for Animal Health (OIE) – and demonstrate why it is time for governments to act in accordance with global commitments for improved animal welfare and speak out against the unacceptable suffering caused by whaling.



# The World Organisation for Animal Health (OIE)

The OIE is the intergovernmental organisation responsible for improving animal health worldwide. It is recognised as a reference organisation by the World Trade Organization (WTO) and, as of January 2008, has a total of 172 Member Countries and Territories. The OIE maintains permanent relations with 36 other international and regional organisations and has Regional and sub-regional Offices on every continent.<sup>1</sup> Of the 79 members of the IWC (as of May 2008), 65 are members of the OIE, including Norway and Japan.<sup>2</sup>

Animal welfare was first identified as a priority in the OIE Strategic Plan 2001-2005. OIE Member Countries and Territories mandated the organisation to take the lead internationally on animal welfare and, as the international reference organisation for animal health, to elaborate recommendations and guidelines covering animal welfare practices. A permanent Working Group on Animal Welfare was established in 2002 to coordinate and manage the animal welfare activities of the OIE.<sup>3</sup>

At its 73rd General Session, in May 2005, the OIE International Committee (comprising the National Delegates of the Member Countries and Territories) adopted five animal welfare standards for the OIE Terrestrial Animal Health Code, including recommendations for the humane slaughter of animals for human consumption.<sup>4</sup>

The measures published in the Terrestrial code are the result of consensus among the veterinary authorities of OIE Member Countries; as such it represents an international guiding standard for animal health and welfare.

# OIE guidelines for the slaughter of animals for food

The object of the 2007 Guidelines for the Slaughter of Animals is to: "...address the need to ensure the welfare of food animals during pre-slaughter and slaughter processes, until they are dead."<sup>5</sup> The guidelines are written with specific reference to the slaughter of terrestrial animals in a slaughterhouse environment, but also state that:

"Other animals, wherever they have been reared, and all animals slaughtered outside slaughterhouses should be managed to ensure that their transport, lairage, restraint and slaughter is carried out without causing undue stress to the animals; the principles underpinning these guidelines apply also to these animals."

Although not written with marine mammal hunts specifically in mind, as a minimum humane standard agreed by the OIE, these guidelines represent an extremely valuable benchmark against which to consider the welfare aspects of whaling.

Here we consider those advisory principles within the Guidelines For The Slaughter of Animals which bear comparison with the killing of whales at sea.

1 [http://www.oie.int/eng/OIE/en\\_about.htm?e1d1](http://www.oie.int/eng/OIE/en_about.htm?e1d1)

2 The 14 exceptions are: Antigua and Barbuda; Dominica; Grenada; Kiribati; Marshall Islands; Monaco; Nauru; Palau; San Marino; St. Kitts and Nevis; St. Lucia; St. Vincent & The Grenadines; Solomon Islands, Tuvalu.

3 [http://www.oie.int/eng/bien\\_etre/en\\_introduction.htm](http://www.oie.int/eng/bien_etre/en_introduction.htm)

4 APPENDIX 3.7.1. to the Terrestrial animal health code: introduction to the guidelines for animal welfare Article 3.7.1.1.

5 APPENDIX 3.7.5.to the Terrestrial animal health code: guidelines for the slaughter of animals Article 3.7.5.1.

## Movement of animals: (Article 3.7.5.2)

### General considerations

“Animals should be handled in such a way as to avoid harm, distress or injury....Animal handlers should never apply an injurious object or irritant substance to animals and especially not to sensitive areas such as eyes, mouth, ears, anogenital region or belly.”

» Whales slaughtered at sea are first struck with an ‘injurious object’ (a harpoon), which is not targeted at the brain, but at the thorax and in some instances penetrates the sensitive abdominal region.

“Excessive shouting at animals or making loud noises... to encourage them to move should not occur, as such actions may make the animals agitated....”

» The noise of the ship’s engines during those whale hunts which involve high speed pursuits are likely to cause fear and agitation in the hunted whale(s) and may also impact on non-targeted cetaceans in the area.

“Animals should be grasped or lifted in a manner which avoids pain or suffering and physical damage (e.g. bruising, fractures, dislocations)...”

» Whales not killed immediately by the initial harpoon strike (at least 20% in Norwegian hunts and around 60% in Japanese minke hunts<sup>6</sup>) are effectively ‘restrained’ by the harpoon embedded within them. Those whales that remain conscious are extremely likely to experience pain and suffering from the physical damage from the harpoon impact, explosion and subsequent pulling forces from the vessel.

“Conscious animals should not be thrown, dragged or dropped.”

» The necessity to apply secondary killing methods at close proximity (since this usually entails the use of a rifle) means that live and potentially conscious whales will be winched on the harpoon line towards the vessel, aggravating and worsening the existing wound.

## Provisions relevant to restraining and containing animals at the time of slaughter or stunning

### Provisions to help maintain welfare include:

“Avoidance of excessive pressure applied by restraining equipment that causes struggling or vocalisation in animals”

» Recent footage from Norwegian (2004<sup>7</sup>) and Japanese (2007/8<sup>8</sup>) hunts shows whales which are restrained by harpoon lines actively struggling and attempting to swim away.

“The following methods of restraint are deemed to cause avoidable suffering. It is recommended that they should not be used in conscious animals because they cause severe pain and stress:

i) suspending or hoisting animals (other than poultry) by the feet or legs;”

» Recent footage from Japanese hunts (released by Greenpeace and the Government of Australia) clearly shows whales suspended on a tight harpoon line at the front of the vessel. Gales et al (2007<sup>9</sup>) argue that whales suspended in this position are unable to breathe and thus likely die from asphyxiation.



Above: Minke whale suspended by the harpoon line in a JARPAII hunt (2007). The animal is clearly struggling and suffering and the crew are unable to obtain a clear shot to the upper thorax or head with a secondary killing method.

7 Lonsdale et al, 2005. A Review of a Norwegian whale hunt. IWC/59/WKM&AWI 12

8 Gales N, et al. Is Japan’s whaling humane? Marine Policy (2007), doi:10.1016/j.marpol.2007.08.004

9 Gales N, et al. Is Japan’s whaling humane? Marine Policy (2007), doi:10.1016/j.marpol.2007.08.004

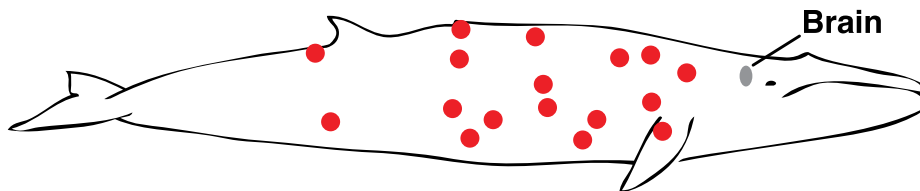
## Management of fetuses during slaughter of pregnant animals (Article 3.7.5.5)

“Under normal circumstances, pregnant animals that would be in the final 10% of their gestation period at the planned time of unloading at the slaughterhouse should be neither transported nor slaughtered. If such an event occurs, an animal handler should ensure that females are handled separately, and the specific procedures described below are applied. In all cases, the welfare of fetuses and dams during slaughter should be safeguarded.

Foetuses should not be removed from the uterus sooner than 5 minutes after the maternal neck or chest cut, to ensure absence of consciousness. If a live mature foetus is removed from the uterus, it should be prevented from inflating its lungs and breathing air (e.g. by clamping the trachea). If there is any doubt about consciousness, the foetus should be killed with a captive bolt of appropriate size or a blow to the head with a suitable blunt instrument.”

>> Avoiding pregnant animals in the last 10% of gestation is not possible in whaling, since it is impossible to identify these animals prior to hunting. To the best of our knowledge there are no welfare provisions for foetuses in any active whaling operations. It is likely that foetuses with fully developed neurological systems will suffer traumatic and lengthy deaths, some also having experienced physical injury due to the harpoon strike or blast.

Above: Location of harpoon impacts in 16 Antarctic Minke whales caught in JARPAII, based on photogrammetric analysis of 2005/2006 video. Gales, et al. Is Japan's whaling humane? Marine Policy (2007)



## Stunning methods (Article 3.7.5.7)

“Persons carrying out stunning should be properly trained and competent, and should ensure that:

- a) the animal is adequately restrained
- c) the equipment used for stunning is maintained and operated properly in accordance with the manufacturer's recommendations, in particular with regard to the species and size of the animal;

Persons carrying out stunning should, in addition, be able to recognise when an animal is not correctly stunned and should take appropriate action.”

The OIE also offers detailed guidelines for the proper application of mechanical stunning, by species.

>> Although hunter training is important and can clearly have a great impact upon the welfare standards in whaling, even the most accurate gunner faces insurmountable problems which considerably lower the likelihood of a swift and humane death for the whale. One of these problems is the inability to humanely restrain the whale before firing of the harpoon. At the time of 'stunning' (harpoon strike) the whale is therefore a freely moving target, appearing for perhaps only a few seconds, whilst the gunner is shooting from a moving platform. Although hunters may aim for the upper thorax in order to achieve blast-induced neurotrauma, in practice the margin for error is large, with the result that the harpoon can strike the animal several metres from the brain and fails to induce immediate unconsciousness.

It is also noteworthy that the OIE's guidelines make specific reference to the importance of tailoring weaponry to the size and species of the animal. By contrast, Japanese whaling operations currently target species such as fin, sei, Brydes's and sperm whales using weaponry designed for minke whales. An increased penthrite charge is used only for the very largest species – sperm and fin whales, some 6 and 12 times

heavier than minke, respectively. The lack of data provided on the killing of these large whales prevents independent analysis of the effectiveness of these increases in explosive charge.<sup>10</sup>

**“Signs of correct stunning using a mechanical instrument are as follows:**

**the animal collapses immediately and does not attempt to stand up;**  
**the body and muscles of the animal become tonic (rigid) immediately after the shot;**  
**normal rhythmic breathing stops; and**  
**the eyelid is open with the eyeball facing straight ahead and is not rotated.”**

» Assessment of correct stunning (insensibility) in whales poses unique problems. The current IWC criteria for ascertaining insensibility and death in whales (slack jaw, or no flipper or tail movement, or sinking without swimming) were declared ‘inadequate’ by the Commission in Resolution 2004-3.

**“After incision of the blood vessels, no scalding carcass treatment or dressing procedures should be performed on the animals for at least 30 seconds, or in any case until all brain-stem reflexes have ceased.”**

» The inadequacy of the criteria for establishing cessation of brain-stem reflexes in whales raises the possibility that whales may be hauled aboard for flensing before brain-stem death can be confirmed.

**“It should be possible for staff to observe, inspect and access the animals throughout the bleeding period. Any animal showing signs of recovering consciousness should be re-stunned.”**

» Bringing a conscious and struggling whale to the vessel in order to apply a secondary killing method can be a difficult, time-consuming process and one which undoubtedly causes additional physical damage and suffering to the whale. The ‘flight’ reaction of whales is often to dive, which may mean that the head is submerged, making it difficult to attain an accurate rifle shot to the head.

## **Methods, procedures or practices unacceptable on animal welfare grounds Article 3.7.5.10**

**“The restraining methods which work through immobilisation by injury such as breaking legs, leg tendon cutting, and severing the spinal cord (e.g. using a puntilla or dagger) cause severe pain and stress in animals. Those methods are not acceptable in any species.”**

» In a significant proportion of all whale hunts, whales are essentially ‘immobilised’ by injuries from the harpoon strike and explosion. Those animals which remain conscious will undoubtedly suffer severe pain and stress.

Above: A grenade head lodged in the side of one of the 7 fin whales hunted by Iceland in 2006.



10 Brakes P and Donoghue M 2006. Killing whales under special permit: the special case of the fin whale. Submitted by the Government of New Zealand to the 2006 IWC Workshop on Whale Killing Methods and Associated Welfare Issues IWC/58/WKM&AWI 8

## Conclusions

It is evident from this simple comparative exercise that the slaughter methods used in 'modern' whaling would fall outside of the OIE's guidelines for humane slaughter of animals.

The purpose of commercial whaling, as with the purpose of slaughter in abattoirs, is commercial food production. However, whereas the international community increasingly recognises its responsibilities to protect the welfare of farmed animals, the inhumane slaughter of whales remains 'out of sight, out of mind'. It is time to re-frame the whaling debate: the question for the IWC at its 60th meeting should be not 'how many whales can be killed sustainably?' but 'since whales cannot be killed humanely at sea, should they be hunted at all?'

Above: the sheer size and speed of fin whales makes achieving a humane death extremely difficult and unlikely. White bar highlights height of man for scale.



