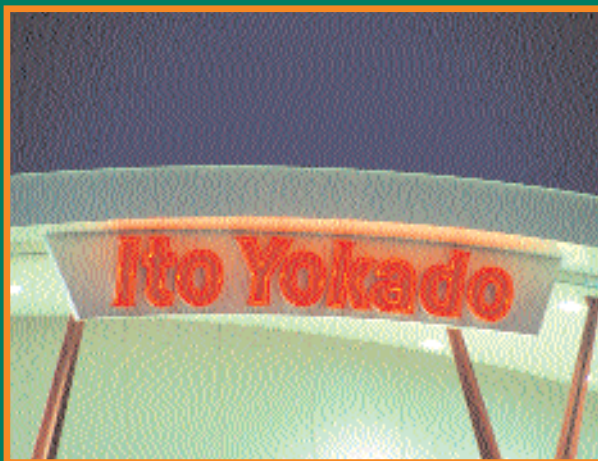


THE COST OF CONVENIENCE

7-Eleven, Ito-Yokado and Japan's Whale, Dolphin and Porpoise Kills



environmental investigation agency

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Left: Common dolphin.

Insert: dolphin meat on sale in Ito-Yokado store in Shizuoka, Japan.

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Introduction

The Ito-Yokado Company of Japan plays a major role in sustaining the Government of Japan's flagrant refusal to follow the international moratorium on commercial hunting of whales. Ito-Yokado is a major distributor of cetacean (whale, dolphin and porpoise) products throughout more than 100 of its supermarket stores in Japan.

Since Ito-Yokado (through the Ito-Yokado Group) obtained majority ownership of the 7-Eleven convenience store chain in 1991 more than 175,000 whales, dolphins and porpoises have been killed by Japanese hunters. As one of the leading supermarket chains in Japan, Ito-Yokado helps to sustain the whale hunting industry in Japan in spite of the 16-year international moratorium on commercial whaling.

The Environmental Investigation Agency (EIA) surveyed 181 Ito-Yokado supermarkets in Japan and found that 107 sold whale meat and other cetacean products. A second on-site survey of 46 stores across the country confirmed the sale of whale, dolphin or porpoise products in 39 of the stores on the day of the visit.

For the past 16 years the Government of Japan has refused to follow the decisions of the International Whaling Commission (IWC), whose member countries voted to ban the

commercial hunting of the world's great whale species. The IWC is the body recognised by the United Nations as having legal authority over the world's whales. Despite the ban, Japan has continued to hunt whales for commercial purposes in the Southern Ocean, which was designated a whale sanctuary in 1994, and in the Pacific Ocean. In addition, despite the ban on international trade under the Convention on International Trade in Endangered Species (CITES), Japan has recently indicated its intention to import whale meat from Norway.

7-Eleven Inc. is intimately linked to Ito-Yokado. In addition to Ito-Yokado owning the majority of 7-Eleven Inc., four of its key executives sit on the 7-Eleven Board of Directors. Will the remaining shareholders and customers of 7-Eleven want to support a company that, inadvertently or otherwise, contributes to the mass killing of thousands of whales, dolphins and porpoises each year? The Environmental Investigation Agency is calling on the Board of 7-Eleven Inc. to use its corporate connections to urge Ito-Yokado to cease selling all whale, dolphin and porpoise products in its stores to assist in bringing an end to the ongoing slaughter of cetaceans in Japan.

Allan Thornton
President,
Environmental Investigation Agency
April 2002

“Since Ito-Yokado obtained majority ownership of 7-Eleven more than 175,000 whales, dolphins and porpoises have been killed by Japanese hunters”

Right: 7-Eleven owns and operates more than 2,600 stores in the US and Canada as well as licensing and franchising more than 15,400 outlets around the world.

Below right: The Ito-Yokado group owns 72.7% of 7-Eleven Inc.

The 7-Eleven Ito-Yokado Connection

Since it was founded in 1927 in Dallas, Texas, 7-Eleven has been an innovator and leader of convenience stores worldwide. It has become the nation's largest independent retailer of gasoline and is the largest operator, franchiser and licensor of convenience stores worldwide. There are over 2,600 company owned and operated 7-Eleven stores in the United States and Canada, with over 15,400 additional franchised and licensed stores worldwide. Of the 1,977 corporate operated stores in the USA, 94% are located in Colorado, Florida, Maryland, Texas, Utah and Virginia.

In March 1991 The IY Group, a wholly owned subsidiary of Ito-Yokado Co. Ltd. and Seven-Eleven Japan Co. Ltd., purchased 69.98% of the outstanding shares of 7-Eleven Inc. (hereafter known as 7-Eleven). Less than a decade later, in March 2000, the IY Group increased its ownership of 7-Eleven to 72.7% through the purchase of an additional 22,736,842 outstanding common stocks¹.

Ito-Yokado operates one of the leading supermarket chains in Japan. EIA investigations have revealed that Ito-Yokado is a large distributor of whale, dolphin and porpoise products in Ito-Yokado supermarkets throughout Japan.

Not only does Ito-Yokado own 7-Eleven, the two companies are intimately connected through corporate governance. Four of the thirteen Board Directors of 7-Eleven hold key executive offices within Ito-Yokado, namely the Honorary Chairman, the President and CEO, the Executive Vice President and the General Manager for Corporate Development.

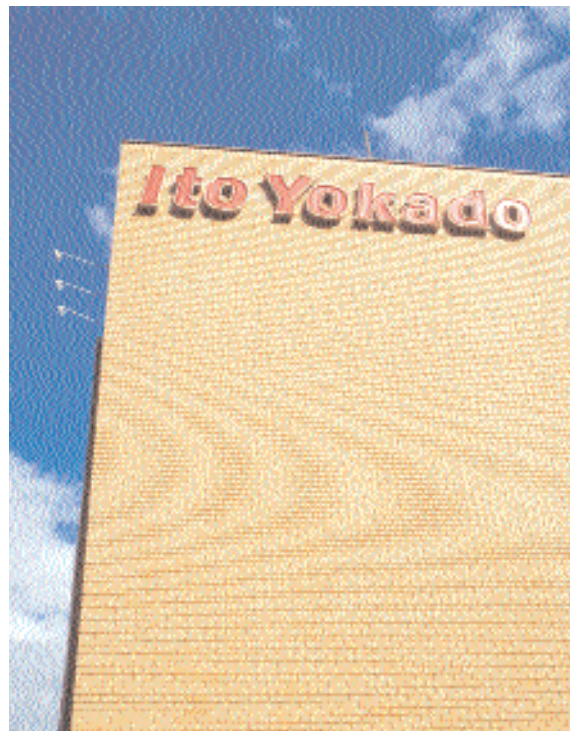
Below: Up to 18,000 Dall's porpoise are killed in hand harpoon hunts in Japan every year.



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7-Eleven plays a vital role in the success of Ito-Yokado. The revenues from US operations account for over 30% of Ito-Yokado's consolidated revenue totals. Furthermore, the revenues from all convenience store operations (made up of both 7-Eleven, Inc. and Seven-Eleven Japan) amount to almost 50% of Ito-Yokado's revenue total.

Ito-Yokado's ownership of 7-Eleven guarantees that the corporate executives of Ito-Yokado directly oversee decisions made at 7-Eleven and have the power stop the sale of cetacean products in all Ito-Yokado owned supermarkets.

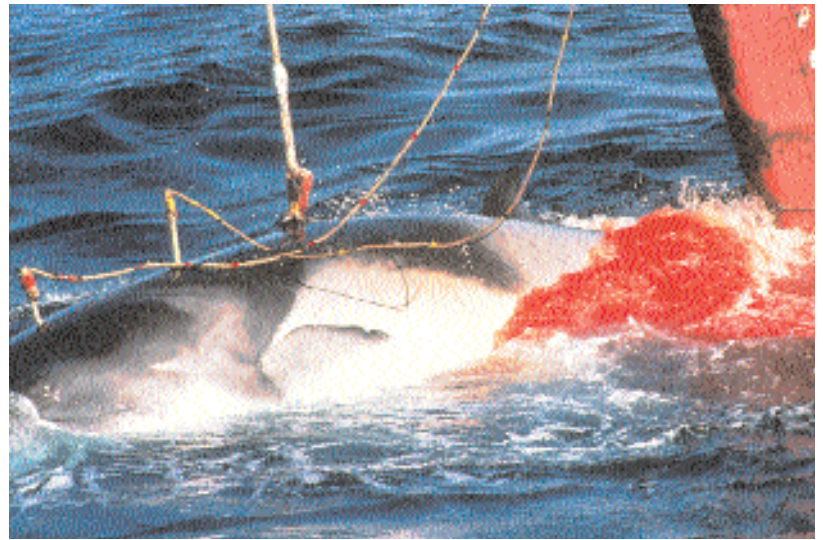
History of Whaling

During the 20th century the commercial whaling industry decimated whale populations across the globe. Even before 'modern whaling' started in 1870, the British, Dutch and North American fleets had practically eradicated right whales from the northern hemisphere. With the advent of steam-powered whaling vessels and the development of the exploding harpoon in the latter half of the 19th century, commercial whalers were able to exploit the fast swimming blue, fin, sei and Bryde's whales.²

Commercial whaling inevitably caused a major reduction in the abundance of the exploited species. Driven by short-term economic incentives, the over-hunting, under-reporting and mis-reporting of species, size and sex of whales was widespread. As one species was decimated, the whalers turned their attention to progressively smaller species.

The International Whaling Commission (IWC) was established in 1946 under the International Convention for the Regulation of Whaling (ICRW) as the body responsible for the global management and conservation of whales. The convention was signed and ratified by all the major whaling nations. Repeated attempts by the IWC to control commercial hunting through quota and size restrictions failed however, and by the 1970s most species of great whale had been catastrophically depleted.

In 1982 the IWC agreed a moratorium on all commercial whaling, setting zero catch quotas for all the great whales listed under the ICRW, to take effect in 1986. In support of the moratorium, the Convention on International Trade in Endangered Species (CITES) also banned international trade in the products of all the great whale species that were not already fully protected. The moratorium has saved many whale species from almost certain extinction through over-hunting. Despite relentless efforts by Japan and Norway to overturn them, these conservation measures remain in place today. Only Japan and Norway have consistently defied the moratorium and continue commercial whaling operations.



© Greenpeace/Morgan

Continuing Illegal Trade

Sixteen years after the implementation of the IWC moratorium there is still a disturbing variety of meat from protected whale species sold in Japan's commercial markets. Recent DNA surveys exposed the sale of fin, sei, Bryde's and minke whale products (all protected since the 1986 moratorium) as well as gray and humpback whale (protected since 1937 and 1966 respectively).³

Rather than crackdown on the flourishing domestic trade in illicit whale products from protected species, the Government of Japan has recently legalised the sale of meat from whales caught in fishing nets.⁴ The new legislation enacted in July 2001 resulted in an immediate five-fold increase in the number of minke whales reported trapped and killed in fishing gear. According to Japanese news agencies, 52 minke whales were ensnared and subsequently sold in the last six months of 2001.⁵

Above and below: Japan continues to hunt whales despite the internationally agreed moratorium implemented in 1986.



© Greenpeace



This thinly disguised commercial whaling has drawn repeated criticism from the IWC

'Scientific Whaling' and the Growing Intransigence of the Government of Japan

In 1987, Japan started to catch minke whales using a loophole in the 1946 Whaling Convention that allows countries to issue themselves with special permits for catching whales for 'scientific purposes'. Since then, the Government of Japan has permitted more than 5,000 whales to be killed, mostly in the Southern Ocean which was designated as an IWC whale sanctuary in 1994.⁶ With the resulting meat and blubber products sold commercially in Japan, this thinly disguised commercial whaling has drawn repeated criticism from the IWC. Between 1987 and 2001, the IWC passed 19 resolutions urging the Government of Japan not to issue such permits for the hunt.

In May 2000 the Japanese government announced that they had issued permits to take two additional protected species from the North Pacific – Bryde's and sperm whales. The international community was outraged, and

many countries around the world protested at the highest diplomatic level.⁷ The Government of Japan refused to capitulate and Japan's whaling fleet killed 93 Bryde's whales and 13 sperm whales during the 2000 and 2001 Pacific hunts. The United States has since certified Japan under the 1978 Pelly Amendment of The Fisherman's Protective Act of 1967. This act allows the President to sanction a country that is diminishing the effectiveness of an international conservation program for threatened or endangered species. To date the US has stopped short of imposing sanctions, although Japan has been denied future access to fishing rights in US waters.

The Government of Japan has recently announced its intention to further expand its 'scientific whaling', this time increasing the annual self-issued quota of minke whales by 100 and including 50 sei whales in the catch, a species that has been listed as endangered by the World Conservation Union (IUCN) since 1975.⁸

Japan has also indicated its intention to import whale meat from Norway, in defiance of the international trade ban implemented by CITES in 1986. The current ban on international trade in great whale products represents the democratic decision of a body of more than 150 countries.⁹

Whales protected by the IWC moratorium

pictured

- Blue whale
- Fin whale
- Sperm whale
- Right whale
- Sei whale
- Humpback whale
- Gray whale
- Minke whale

not pictured

- Bowhead (or Greenland Right whale)
- Bryde's whale
- Pygmy whale





Left: Southern Ocean minke whale.

© Debra Glasgow/SOCEP

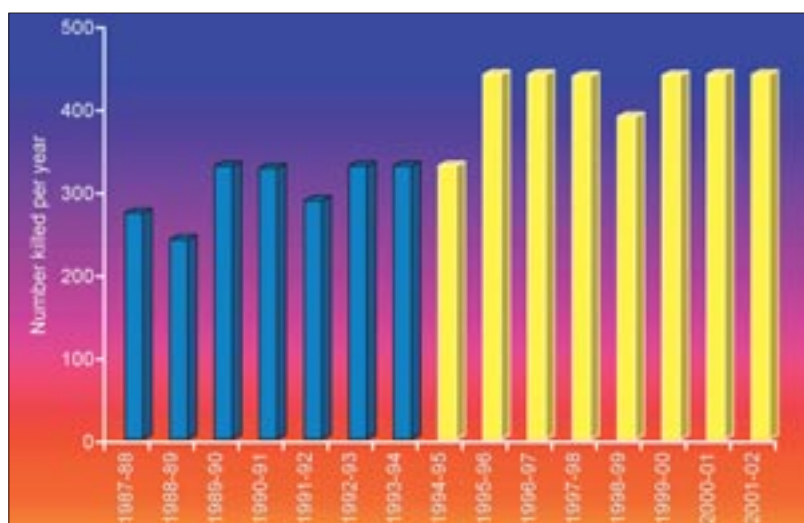
Japan's Abuse of the Southern Ocean Sanctuary

In 1994 the IWC voted by a majority of 23 to 1 to designate the entire Southern Ocean as a sanctuary, with only Japan voting against the designation.

The Southern Ocean Sanctuary was created to '... contribute to the rehabilitation of the Antarctic marine ecosystem and the protection of all Southern Hemisphere species and populations of baleen whales and the sperm whale on their feeding grounds.' It was also designed to link up with the Indian Ocean Sanctuary, providing a large area within which all whales would be free from commercial hunting.¹⁰

Japan began catching minke whales under scientific permit in the Antarctic in 1987, immediately after the IWC moratorium was implemented. Despite the almost universal support for the Southern Ocean Sanctuary within the IWC, Japan continued whaling within the sanctuary under scientific permit after registering an objection under Article V of the Convention. Japan's whaling fleet has since killed more than 5,000 Southern Ocean minke whales in the name of 'science'.¹¹

There is now serious concern regarding the status of Antarctic minke whales. Recent abundance estimates reported by the IWC Scientific Committee suggest that the population may have suffered a precipitous decline over the last decade. The cause of the decline is not known, but scientists have suggested that the effects of climate change are most likely to blame.¹² IWC member governments further reiterated their strong opposition to Japan's Antarctic hunt in a resolution passed at the 53rd meeting in July 2001.¹³



Japan's catches of Southern Ocean minke whales after the moratorium was implemented in 1986, yellow bars show catches of minke whales in the Southern Ocean after it was designated as a Sanctuary.

Source: Japan Progress Reports to the IWC Scientific Committee



The Southern Ocean Sanctuary (shown in yellow) was set up to protect whales in their feeding grounds and to allow Antarctic marine ecosystems to recover.



The Slaughter of Small Cetaceans in Japan

Since Ito-Yokado obtained majority ownership of 7-Eleven in 1991, more than 175,000 dolphins, porpoises and small whales (collectively known as small cetaceans) have been caught off the coast of Japan. The mass killings continue each year, despite overwhelming international and growing domestic opposition to the hunts.

Small Cetacean Hunts

The Government of Japan permits the killing of up to 22,000 dolphins, porpoises and small whales off its coast each year, with the products sold in commercial markets across Japan.

There is no government enforcement or regulatory control of small cetacean hunts. Numerous EIA investigations have confirmed that the landing, transportation and distribution of small cetaceans and small cetacean products are almost completely

unsupervised. Fishermen are merely required to report the number of animals caught to their local fishery cooperative, which then reports the overall number to the regional prefectural office. These figures are then used to compile national statistics. Prefectural staff are not required to physically inspect or monitor the numbers of dolphins and porpoises caught or landed. With over 400 boats authorized to hunt small cetaceans, the system of self-regulation is wide open to abuse.¹⁴

In 1959, over 20,000 striped dolphins were caught in the area of Shizuoka alone. Over the next twenty years, the population plummeted due to over-hunting and the catch for striped dolphins almost completely collapsed.¹⁵ The Red List of Japanese mammals records the striped dolphin as 'highly endangered'.¹⁶

As the striped dolphin catches declined, Dall's porpoise meat was shipped south to fill the gap in the market. At the same time, Japan's big whaling companies began trading in porpoise meat to compensate for the reduction in large whale catches due to the IWC moratorium.¹⁷ As a result, the Dall's porpoise

Below:
After the IWC
Moratorium, Japan's
big whaling
companies began
large scale trading
in porpoise meat.



The 2001 IWC resolution on Dall's porpoise was passed by 20 votes to 13. It read, in part:

"NOTING that the Scientific Committee reiterated its extreme concern for these stocks and repeated its previous recommendations that catches be reduced as soon as possible to sustainable levels . . . Now therefore the Commission URGES the Government of Japan to halt the directed takes of Dall's porpoises until a full assessment by the Scientific Committee has been carried out." ²²



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catch shot up from around 10,000 in 1985 to over 40,000 in 1988. In 1990 the IWC passed the first of a series of resolutions calling for a reduction in Japan's catch of Dall's porpoises.¹⁸ In 1992 and 1993 the IWC passed further resolutions, calling on the Government of Japan to follow the IWC Scientific Committee's advice to immediately halt the hunt for striped dolphins until a proper assessment is made.¹⁹ Although a smaller Dall's porpoise quota was set in 1991, the resolutions and the recommendations of the IWC Scientific Committee have been largely ignored by the Government of Japan.

The Dall's porpoise hand harpoon hunt continues to be the world's largest direct kill of any cetacean species, with up to 18,000 animals killed each year. Data released by EIA in 1999 revealed a high proportion of mature and lactating females in some catches, causing concern that one or more populations are being

Reported catches of small cetaceans in Japan since 1991

Year	Dall's porpoise	Striped dolphin	Spotted dolphin	Bottle-nose dolphin	Risso's dolphin	Short-finned pilot whale	False Killer whale	Baird's beaked whale	Total
1991	17634	1017	153	405	393	355	54	54	20065
1992	11403	1045	636	172	121	360	97	54	13888
1993	14318	544	565	215	505	337	20	54	16558
1994	15947	545	449	362	312	196	0	54	17865
1995	12396	539	105	963	405	239	49	54	14750
1996	16100	303	67	314	372	484	40	54	17734
1997	18540	602	23	352	228	347	43	54	20189
1998	11385	449	460	266	445	229	48	54	13336
1999	14807	596	38	749	489	394	5	62	17140
2000	16171	300	39	1426	506	304	8	62	18816
Total	148701	5940	2535	5224	3776	3245	364	556	170341

Above: The dall's porpoise hunt is the largest direct kill of cetaceans in the world.

Source: Japan Progress Reports to the IWC Scientific Committee



The recommendations of the IWC Scientific Committee have been largely ignored by the Government of Japan

severely over-hunted.²⁰ After a status review at the 53rd meeting of the IWC in July 2001, the IWC Scientific Committee expressed “extreme concern” over the huge numbers killed each year.²¹ The current abundance estimates used to set quotas by the Japanese government are over a decade old. Since then more than 130,000 porpoises have been reported taken, as well as substantial numbers classified as ‘by-catch’ which do not figure in official statistics. In response to the IWC Scientific Committee

review the IWC passed a further resolution, this time calling for an immediate halt to the Dall’s porpoise hunts. The Government of Japan has once again ignored this resolution, and continues to ignore the advice of the IWC’s scientific body. Japan has also refused to take part in the future work of the small cetacean sub-committee of the Scientific Committee, thus preventing the completion of a full status review of the Dall’s porpoise.



On 13 October, 1999, around 175 bottlenose dolphins were driven into Futo Harbour in Shizuoka, southern Japan. Six of the dolphins were caught for aquariums and 69 were brutally killed. Shocking video footage of the capture and slaughter created a wave of international protest against the hunts. The fishermen involved in the capture, removal and slaughter of the dolphins clearly had no training in effective and humane slaughter techniques, or had any concern for the welfare of the dolphins. The resulting negative publicity forced a promise from the Japanese IWC delegation to introduce a ‘code of conduct’ to ensure that dolphins are killed as quickly as possible.²³ So far, no action has been taken, and the IWC Commissioner for Japan has subsequently refused to honour the promise.²⁴ Futo fishermen however have admitted that international pressure may stop the hunts, and further, that stopping the hunt would cause no economic hardship.²⁵



The Sale of Cetacean Products in Japan

It is estimated that the annual quantity of 'whale' meat sold in Japan, including that of small cetaceans, is between 4,000 and 5,000 tons. Market surveys indicate that more than 70% of whale meat sold is not identified by species, nor do many retailers specify the source of the meat.²⁶ DNA surveys of meat sold in 42 of Japan's 47 prefectures during 1999 and 2000 found that just over half of the products sold as whale meat were minke whale from 'scientific whaling'. Most of the remaining samples were dolphins, porpoises and small whales.²⁷

According to the Government of Japan, a new labelling system now requires dolphin meat to be labelled as such. The system, which

came into force in July 2000 for unprocessed meat and in April 2001 for processed meat, applies to all food products in Japan. The system apparently includes penalties that would apply to the mis-labelling of dolphin meat as whale meat.²⁸ EIA investigations have demonstrated that the sale of dolphin or porpoise as whale is still widespread in Japan, and that the general public is unaware that they are purchasing and consuming dolphin products. Of 17 'whale' products purchased by EIA investigators in March 2001, only five proved to be products from great whales. DNA analyses revealed a variety of small cetaceans, including Dall's porpoise, pilot whale and bottlenose dolphin. A further survey of Ito-Yokado supermarkets in October 2001 reaffirmed that small cetacean products are mislabelled as 'whale' and sold to an unknowing public.



Left: Whale meat on sale at Tsukji fish market, Japan 2001.

© David Sims/Environmental Investigation Agency

Right: Whale meat in Tsukji fish market, Japan.

Far right: Whale meat on sale in Ito-Yokado store, Japan.



© David Sims/Environmental Investigation Agency

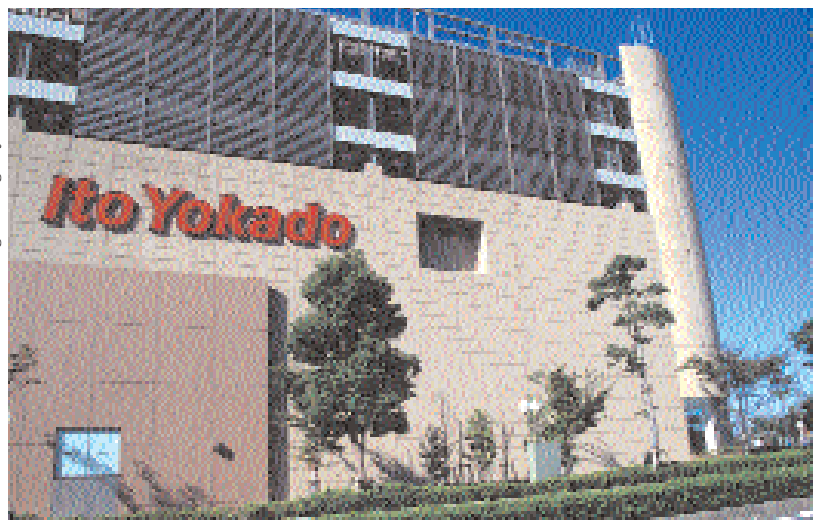


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The Role of Japan's Supermarket Chains

The influence and importance of Japan's large supermarket chains in the sale and distribution of whale and dolphin products became apparent in October 1999. An international group of toxicologists from Japan, US and the UK carried out DNA and contaminant analyses on 61 cetacean products bought in Japan. The analyses found that up to 40% of the samples contained toxic substances above advisory limits for mercury and pesticides (DDT and dieldrin). The concentration of mercury in one sample of dolphin liver was more than 500 times greater than levels allowed under Japan's Food Sanitation Law.²⁹ The scientists presented their findings to Japanese officials in the Fisheries Agency and the Ministry of Health and Welfare, and the results were widely reported in the media. The resulting food scare prompted two large supermarket chains to suspend their sales of small cetacean products and forced a temporary halt to the dolphin hunts. Dolphin hunting and the sale of whale and dolphin products in supermarkets resumed after media attention died down.

Below: Ito-Yokado operates 181 supermarkets across Japan.



© David Sims/Environmental Investigation Agency

All of the small cetacean products purchased by EIA in March 2001 from another Japanese supermarket chain exceeded the provisional government permitted level for mercury contamination. The high contaminant levels typically found in coastal small cetaceans remain a particular concern for Japanese consumers.

The Sale of Cetacean Products in Ito-Yokado Stores

Ito-Yokado operates 181 supermarkets across 24 prefectures in six regions of Japan. EIA commissioned a survey of Ito-Yokado supermarkets to determine the extent of their involvement in the retail of cetacean products. A Japanese researcher questioned staff working in the fish department of all 181 supermarkets. The survey confirmed that a staggering 107 of the supermarkets sold whale products.

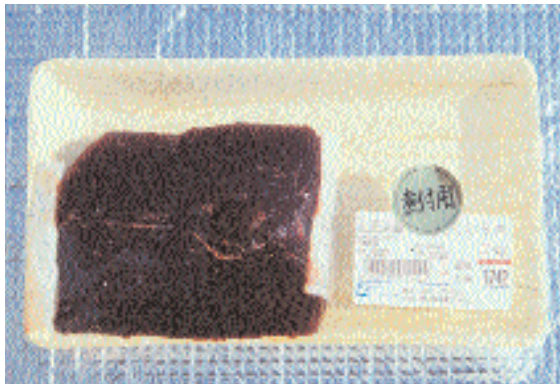
In October and November 2001, EIA investigators travelled to the Chugoku, Kansai, Kanto, Chubu, Tohoku and Hokkaido regions of Japan, covering nine prefectures and visiting 46 Ito-Yokado supermarkets. When visited cetacean products were found on sale in 39 stores, representing 85% of the sampled stores.

EIA purchased 24 cetacean products from 16 Ito-Yokado stores. DNA analysis confirmed that Ito-Yokado sells meat from dolphins and porpoises slaughtered in brutal drive and

harpoon hunts, as well as meat and blubber from Antarctic minke whales hunted in the Southern Ocean Sanctuary – an area where all commercial whaling is prohibited. Twenty-two of the 24 samples that EIA investigators purchased from Ito-Yokado stores were Antarctic minke whales.

The two remaining samples were meat from small cetaceans. One sample sold in an Osaka store as ‘whale meat from the Pacific’ was identified as porpoise meat, most likely Dall’s porpoise. The second sample, purchased in an Ito-Yokado store in Shizuoka, was revealed to be meat from a bottlenose dolphin. Both of these small cetacean samples exceeded the Government of Japan’s permitted levels for mercury and methylmercury. An employee from the store had earlier told EIA that they did not sell ‘whale’ products.

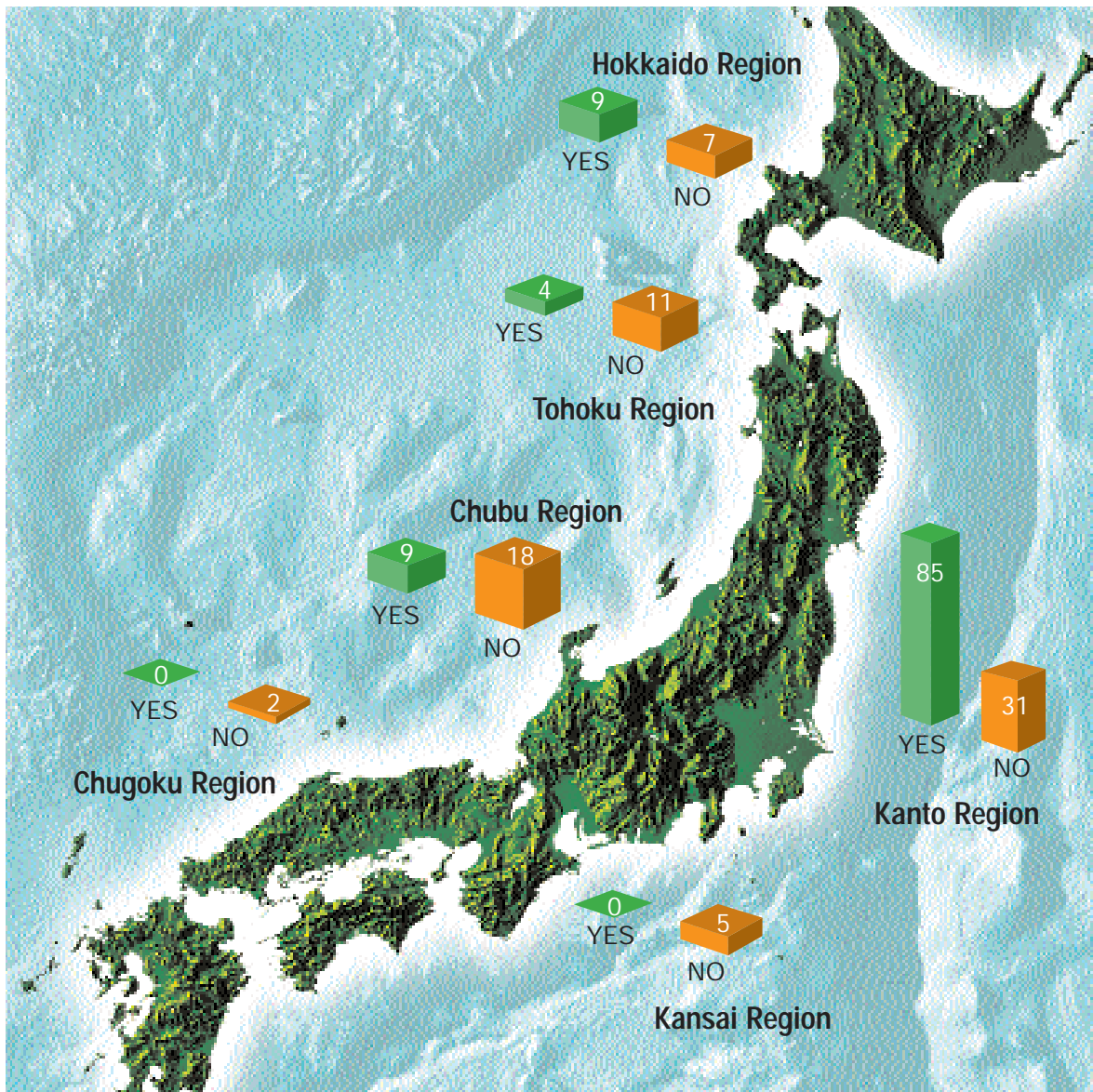
Six of the 46 stores that EIA visited revealed that they no longer sell whale meat



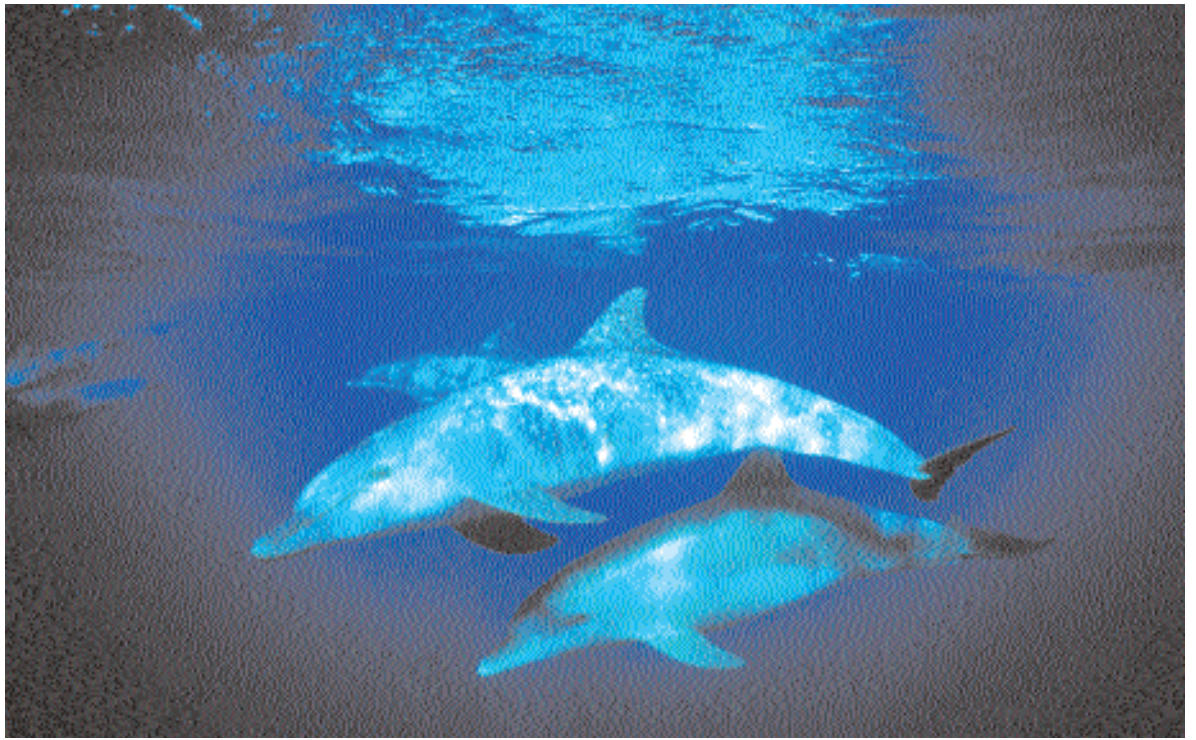
© David Sims/EIA

Left: Porpoise meat on sale as ‘whale meat’ in Ito-Yokado store.

because of international condemnation of Japan’s whaling. One store manager in Shinden even told EIA investigators “Ito-Yokado is not supposed to sell any whale meat.” However, other stores in the same area openly sold such products. The DNA survey confirms Ito-Yokado’s extensive sale of meat and blubber from protected cetacean species.



Left: Number of Ito-Yokado stores answering Yes/No to the question “do you sell whale meat?”.



© J. Stafford-Deitshch

Conclusions and Recommendations

EIA is calling on 7-Eleven to persuade Ito-Yokado to permanently end the sale of all whale, dolphin and porpoise products in their stores.

Since 1986, the Government of Japan has pursued a relentless campaign to overturn the international moratorium on commercial whaling and has spent more than US\$320 million in development aid primarily to small Caribbean countries in exchange for votes to reinstate commercial whaling.³⁰ Not content with hunting around 500 minke whales under

the pretext of ‘scientific research’, Japan has expanded the targeted species to Bryde’s whales, sperm whales and most recently sei whales, a species officially listed as endangered. In addition, the Government of Japan sets quotas for the killing of more than 22,000 small cetaceans every year.

Dolphin and porpoise products are often found labelled as ‘whale’ for sale in supermarket chains in Japan. Most consumers in Japan are unaware that the ‘whale’ they are purchasing could be dolphin or porpoise meat, and that it poses a grave health risk due to high levels of mercury and other contaminants.

Major supermarket chains such as Ito-Yokado are responsible for the sale and distribution of large amounts of whale, dolphin and porpoise meat. By stopping the sale in their stores, Ito-Yokado can help reduce the demand for endangered and threatened cetacean species that are killed in vast numbers in cruel and unsustainable hunts.

The Japanese government has continually ignored the decisions and recommendations of the IWC and clearly has no intention of abiding by future democratic decisions taken by IWC member governments.

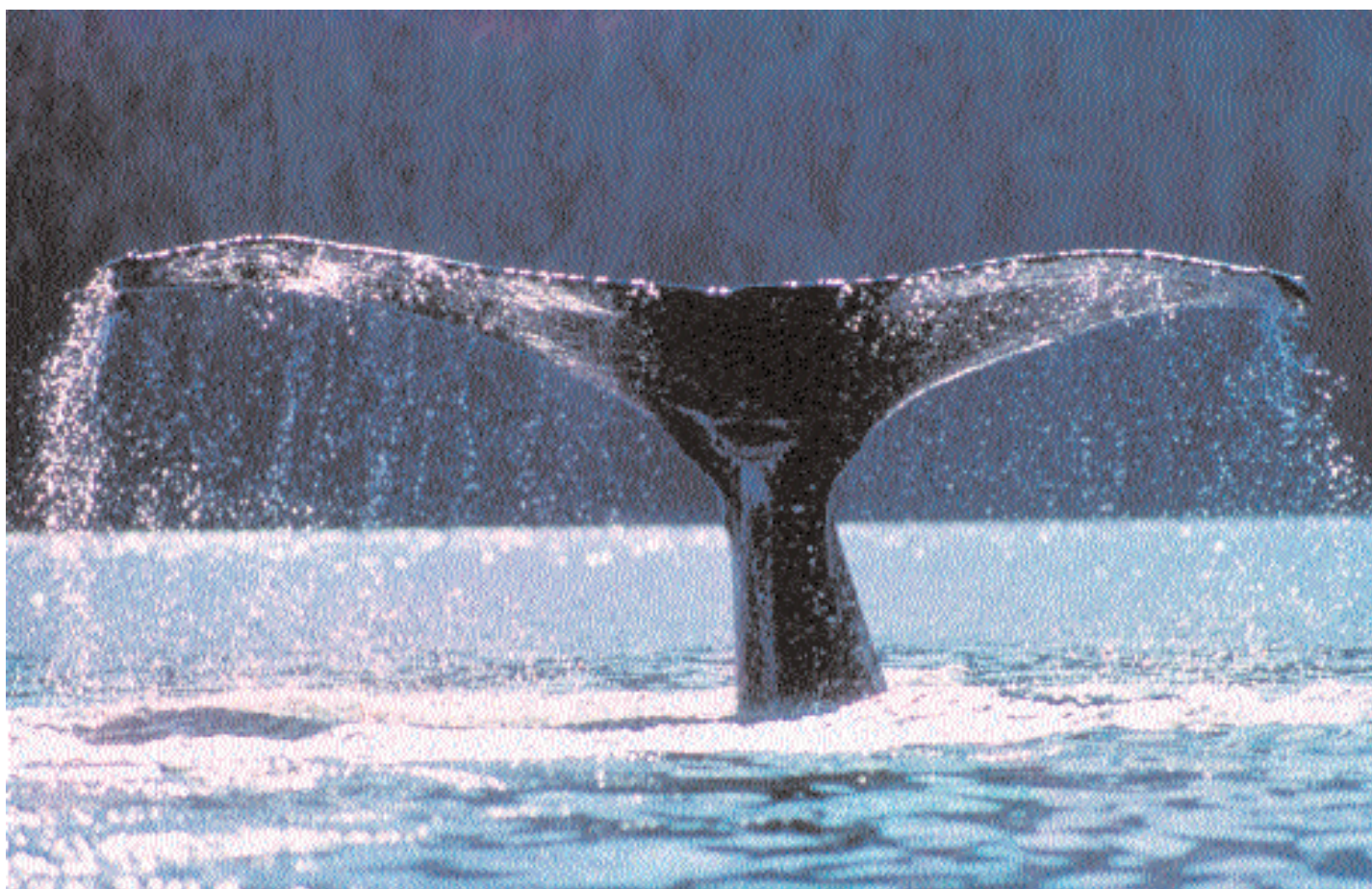
In the face of such blatant disregard for international conservation measures and international opinion, EIA is appealing to 7-Eleven to use its connections with Ito-Yokado to help bring about an end to the ongoing slaughter of cetaceans in Japan.



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