

The Philippine Fishery for Bryde's Whales in the Western North Pacific, 1983-1986

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Abstract

The brief episode of Philippine commercial whaling in the 1980s took an unknown number of Bryde's whales and possibly the pygmy species of Bryde's-like whales. The putative shore-based whaling operation in the Philippine EEZ was actually conducted pelagically from a small catcher/factory ship in international waters, documented here by an appendix summarizing internal and external Philippine correspondence and official documents.

BACKGROUND

Because of the recent discovery that two or more species of Bryde's-like whales exist in the western Pacific (Wada and Numachi 1990, Wada et al. 2003), the specific identity of putative Bryde's whales taken by the Philippines in the period 1983-86 has come into question in the course of preparing for implementation of the RMP for western North Pacific Bryde's whales (IWC 2005). This review summarizes potentially relevant information on development, operations and catches of the Philippine whale fishery available in documents among the papers of the late Inocencio A. Ronquillo, Chief of the Research Division (and later Assistant Director) of the Bureau of Fisheries and Aquatic Resources (BFAR) of the Ministry of Natural Resources (later Ministry of Agriculture and Food) during the period (Appendix). Access to Prof. Ronquillo's papers was kindly provided by his son Wilfredo P. Ronquillo of the National Museum in Manila. Partial results of a briefer examination of the papers were given in Perrin and Dolar (1998).

ORIGIN OF THE WHALING OPERATION

After meeting Ronquillo at a conference in La Jolla, Francisco Palacio of the Tinker Center for Tropical Marine Coastal Studies at the University of Miami wrote to him in early 1981 encouraging accession of the Philippines to the ICRW (to protect whales), offering financial support for dues and expenses of participation in meetings. This was taken up at higher levels and the Philippines became a member of IWC in August 1981. Shortly thereafter, an inter-agency meeting discussed Philippine policy on whaling on an urgent basis (with unknown results), and in October 1982, the company First

International Sea Harvest (FISH) Corporation (supposedly a wholly-owned Philippine company but with close ties to Japanese interests) applied for a license to whale. The application was denied by BFAR on the supposed grounds that membership in IWC meant full protection of whales, and an initiative to codify this in Philippine law was taken up. However, BFAR was overruled by the Minister for Natural Resources, Teodoro Peña, and a license was issued to FISH for the 1983 season. The move to protect whales in Philippine law was abandoned. As pointed out later by Ronquillo, the president of FISH, Alberto Valdes, was related to the then Ambassador to Japan, Carlos Valdez, a close relative of then President Ferdinand Marcos. Thus, asserted Ronquillo, BFAR had no control over the decision.

The original application for a permit specified that the whaling operation was to be conducted in international waters approximately within 4-25°N and 130-150°E. The vessel licensed was the *Faith I*, built by "Narasake Shipyard" (Nagasaki Shipyard?) in January 1973 as a stern trawler and later modified to process whales at sea. It was previously registered as *Faith No. 1 (Honduras)*. It had a total length of 42.4 meters and gross tonnage of 277.71mt. It was a small factory ship, with stern ramp and capacity for 150mt of frozen whale meat. In accordance with the IWC ban on pelagic factory-ship whaling, the whales were to be processed at a land station. However, an information release from FISH stated that each fishing trip would take 10-14 days, reasonable for reaching grounds beyond the EEZ but far beyond the length of a trip that would allow bringing whales back to a land station for processing. These internal inconsistencies in the announced plans were not noted officially by BFAR, likely due to deliberate inattention. An estimated 200 whales would be taken annually, for production of 1080 mt of whale meat to be exported to Japan. The intention to take 200 whales in 1983 was conveyed to the IWC.

CATCHES

Nine whales were taken in early 1983. The catch was reported to the IWC, which promptly informed the Philippines that it was in violation of IWC regulations, as Japan had already taken the entire 1983 quota of 536, and requested that the whaling operations stop. Japan was extremely upset that the Philippines expected to take part of the quota (not allocated by nation), and negotiations began between the two countries. Japan eventually agreed to allocate 55 whales to the Philippines for 1984 (after the Philippines initially demanded 200 and expected at least 136) and 40 in 1985 (half the quota, or at least 80 were expected).

The catch localities reported by FISH and relayed to the IWC were about 80-200+ nmi. from the supposed land station at Surigao, Mindanao, within the EEZ. This did not square with the initial stated objective of whaling in international waters but contributed feasibility to the putative use of a land station. It also evaded the issue of whether whales were being imported from sea in contravention of CITES (the Japanese accused them of this, as well as exporting to Japan without a CITES permit). The Philippine position was that the CITES provisions would not enter into force until January 1986, however CITES later did put the Philippines on notice for violations.

Pending resolution of the bilateral difficulties, Japan recalled the Japanese "technicians" (captain and gunner) working on the *Faith I* and made it illegal for Japanese nationals to work in foreign whaling operations. The importation of Philippine

whale meat was also barred, ostensibly until the Philippines had satisfied everyone that all IWC regulations were being followed. These bans were eventually partially lifted, and the meat from whales landed in 1983, 4 and 5 made its way into the Japanese market.

Reports to the IWC continued to state that all requirements were being met. Processing dates were indicated as one or two days after capture. The 1984 reported catch localities (47 whales) were all again within the EEZ. A BFAR biologist inspected the facilities in 1984 and reported that a land station and explosive harpoons were being used and that there were no irregularities. A Japanese national was appointed by the IWC as the international inspector; his report for 1985 too indicated that a land station was being used and all other requirements were observed. However, in a confidential memo to the head of BFAR, Ronquillo noted, "Because whales are taken more than 6 hours' towing time from land, Japan and U.S. presume violation of ban on factory-ship whaling. Learned from Japan that *Faith I* has record of slaughtering whales on board. FISH knows the regulations and should have been following them. *Faith I* has record in Japan of illegal whaling in the North Pacific [source of this assertion unknown]. Despite request that FISH set up land station, they did not intend to set one up and have not done so." He recommended suspension of the license pending compliance with IWC regulations. In June 1984, the Japanese partners in FISH, Faith Marine S. de R. L. (Fuji Suisan Co., Ltd), requested that the operation be investigated in view of reports of violations. An investigation was carried out by the regional office of BFAR in Cebu, interviewing crew members and examining the ship's logs. It was determined that the fishing grounds were at least a week away, outside the EEZ (the logbook positions did not match those reported to the IWC; see Figure 1), whales were processed on board and not at a land station, and the four Japanese citizens working as crew members did not have valid Philippine fishing licenses. The former name of the vessel was the *Settsu Maru*. The licensing division of BFAR repeatedly recommended suspension of FISH's license. However, the findings were given neither to the Japanese company that owned part of FISH nor to the IWC, and the license was renewed for 1985 at the order of higher levels in government. 1985 reports to the IWC were as before, with all IWC requirements reported as followed and the inspections by the international IWC inspector cited. FISH stated that if Japan did not allow its citizens to work on the *Faith I*, experienced Taiwanese would be hired. FISH also agreed to pay all Philippine contributions to the IWC and expenses for meeting attendance.

The total number of whales taken by the Philippines during the period 1983 to 1986 is unknown. Catches reported to the IWC were 9, 47, and 40 (total 96) for the years 1983, 1984, and 1985, respectively, but some catches may not have been reported. Whaling is reported to have continued illegally (without Philippine permit) into 1986. One local newspaper (Item 200 in Appendix) claimed that about 400 whales were taken in 13 trips through 1986, but this is likely an exaggeration.

THE END OF PHILIPPINE WHALING

Because of having backed the U.S. in the 1985 IWC meeting in its negotiations on a bowhead quota, the Philippines expected that it would be included in the agreement reached by the U.S. with Japan to allow it to continue coastal whaling two years beyond the moratorium, until 1988. It announced its intention of continuing whaling until 1988 and took a position that since Japan was ignoring the moratorium, it was justified in

doing so as well. This provoked a swift unofficial response from the U.S., with a threat of applying trade restrictions under the Pelly and Packwood Amendments. The IWC Secretariat also strongly opposed the intention to continue whaling (Item 179 in Appendix). The Philippines rallied counterarguments, but at about this point the Marcos regime fell, and the proposal was shelved, with the Philippines noting at the 1986 IWC meeting that the FISH whaling license had not been renewed. However, BFAR continued to pursue the idea of Philippine whaling, under a scientific permit. The catch would be about the same, but with research conducted by FISH. However, before this could be developed to the proposal stage, the report of an investigation of Philippine whaling by Greenpeace was published (Davies 1986), exposing the major non-compliance with IWC regulations. A government investigation of possible malfeasance in BFAR was launched, and all proposals for continued whaling by the Philippines came to an end.

The license held by FISH was not renewed for 1986, but protestations in the record by BFAR officials of non-involvement in allowing continued whaling suggest that some unreported catches occurred.

CONCLUSIONS

1. The Philippine whaling operation from beginning to end did not conform to IWC regulations, in using a factory ship to process whales at sea and in reporting falsified catch positions. This was with full knowledge of the Philippine Bureau of Fisheries and Aquatic Resources, who initially attempted to prevent the deception but was ordered to support it by higher levels in government.
2. The catch locality data reported to the IWC were falsified and should be removed from the IWC database. The positions recovered from the ship's log in the BFAR investigation are the same or close to those reported by Davies (1986), suggesting that that report is accurate. The present location or fate of the ship's log is unknown.
3. Other parts of the catch data, including number, size, sex and reproductive condition of the whales should be considered suspect, given the evidence reported by Davies (1986) as collected from the crew. In particular, some whales may have been much shorter than the ~10m reported, leaving open the possibility that they were of the pygmy species.
4. The whales recorded in the ship's log as taken near the Bonin Islands (Figure 1) were undoubtedly ordinary Bryde's whales. Those taken near the Caroline Islands (in U.S. Trust Territories waters) were also probably ordinary Bryde's whales, as they were taken over depths of 2000 to over 5000m, but the specific identity must remain uncertain because this region lies within the potential range of the pygmy species of Bryde's-like whale (Perrin et al. 1999). Those whales taken in 1984 and 1985 for which the ship's-log positions were not recovered in the BFAR investigation were from unknown localities and must remain of unknown specific identity.
5. Unreported catches of unknown size probably occurred in early 1986.

Table 1. Catch localities reported to IWC and localities for same catches (or catches reported on adjacent dates) as recovered from ship's log in official government investigation of whaling operations (document no. 111 in Appendix).

Date	Number	Position reported to IWC	Position in ship's log
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	of whales		
30 July 1983	1	10°50'N/127°25'E	29°13'N/140°E
31 July 1983	2	10°40'N/127°10'E	29°13'N/152°55'E
3 August 1983	1	None reported	29°N/152°E
4 August 1983	1	10°20'N/127°10'E	None recorded
6 August 1983	1	10°50'N/127°35'E	27°54'N/151°52'E
5 February 1984	1	9°20'N/127°25'E	4°36'N/138°46'E
6 February 1984	2	9°15'N/127°00'N	4°25'N/139°48'E
8 February 1984	1	9°00'N/127°05'E	4°34'N/140°57'E
9 February 1984	1	9°05'N/127°25'E	4°26'N/141°15'E
11 February 1984	2	9°30'N/127°05'E	None recorded
12 February 1984	2	None reported	3°09'N/136°48'E

References

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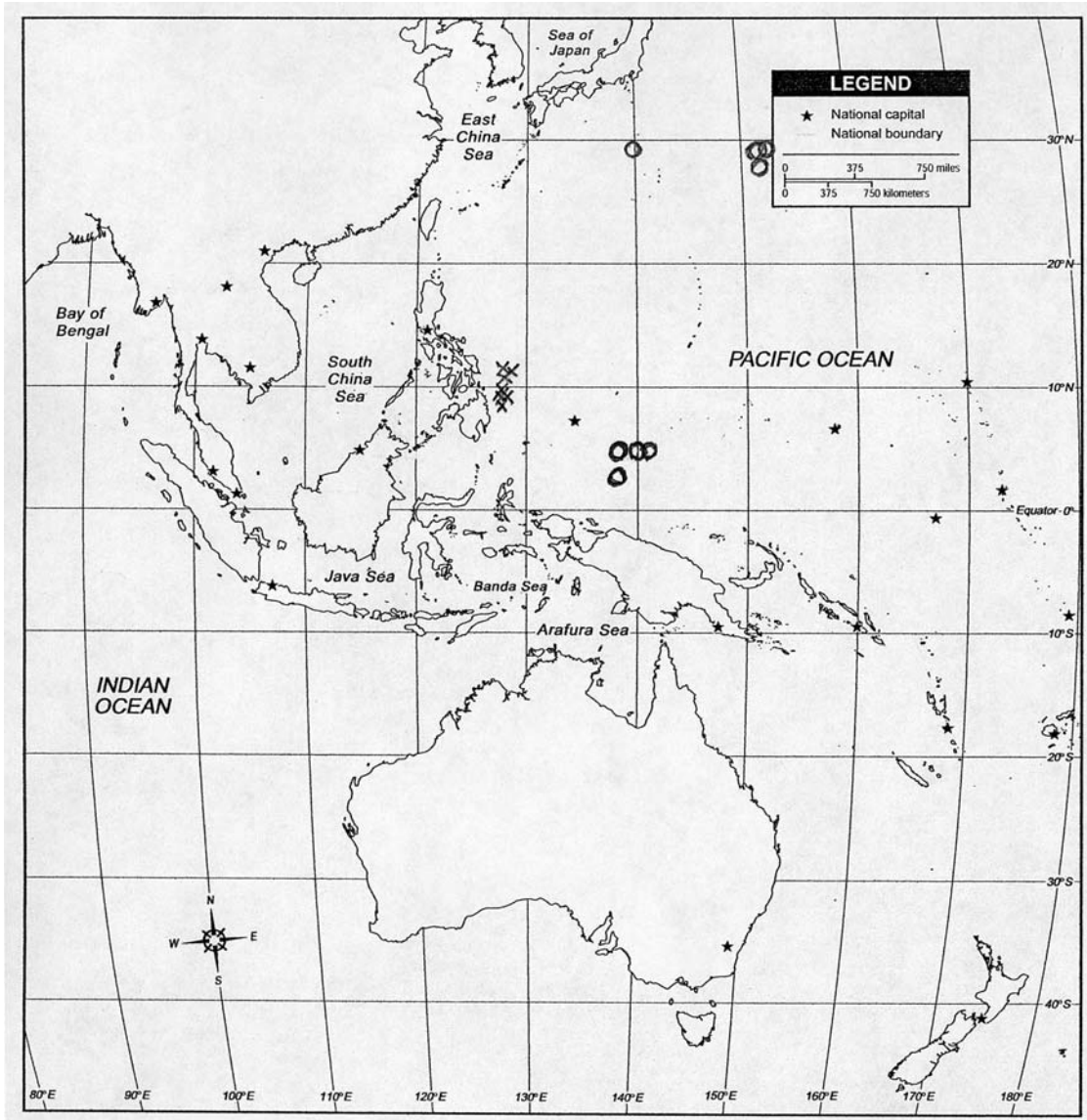


Figure 1. Catch positions for Bryde's whales landed by Philippines in 1983-84 as reported to IWC (X's) and as recorded in the ship's log of the whaling vessel *Faith I* (O's).

Appendix. Summary of documents relating to Philippine whaling in the 1980s from the papers of the late I. Ronquillo, former Director of Research, Bureau of Fisheries and Aquatic Resources, Department of Agriculture and Food, Government of the Philippines.

The record is incomplete because large portions of the files, stored in the National Museum, Manila, were destroyed by termites.

1. (9 Feb 81) Letter from Francisco Palacio, Director of Tinker Center for Tropical Marine Coastal Studies in Latin America, University of Miami, to Prof. Inocencio A. Ronquillo, Chief, Division of Research, Bureau of Fisheries and Aquatic Resources (BFAR), Manila. Followed a conference in La Jolla, California at which the two met. Encouraged the Philippines to join the IWC and provided information on how to do that. Offered support, to include membership fees and expenses of participation in Commission meeting in England.
2. (26 Feb 81) Memo from Felix R. Gonzales, Director, BFAR, to Minister of Foreign Affairs, enclosing Palacio letter and recommending accession to the International Convention for the Regulation of Whaling.
3. (4 Jun 81) Letter from Palacio to Arnold B. Caoili, Deputy Minister of Natural Resources, Manila, confirming offer of financial assistance.
4. (6 Jul 81) Second memo from Director, BFAR to Minister of Foreign Affairs, again enclosing Palacio letter and urging accession.
5. (28 Aug 81) Letter from Ray Gambell to Philippine Ambassador, London, acknowledging Philippine's deposit of instrument of adherence to ICRW and requesting payment of membership fees.
6. (5 Sep 81) Cable from Palacio to Ronquillo congratulating Philippines for joining IWC and asking whether he would attend next meeting in July 1983.
7. (29 Sep 81) Memo to Director, BFAR from Ronquillo, enclosing Palacio cable and asking whether he would attend.
8. (8 Oct 81) Letter from Palacio to Ronquillo congratulating him on his role in bringing Philippines into IWC and enclosing copy of report of 1981 Commission meeting and statement by Craig Van Note before U.S. House sub-committee.
9. (11 Nov 81) "Urgent" memo from Rosalinda V. Tirona, Acting Assistant Minister for United Nations and International Organizations, to Director, BFAR, announcing inter-agency meeting on 18 Nov 81 to discuss Philippine policy on whaling.
10. (21 Jun 82) Cable from Palacio confirming that he would pay IWC fees in July.

11. (19 Oct 82) Memo from Ronquillo to Officer-in-charge, Fisheries License Division, returning application of First International Sea Harvest Corporation (FISH) to be licensed for whaling, saying, ".we may not license any vessel to capture whales in the country as we are now signatory of the IWC, which wants to stop Japan and other nations from catching whales." "The First Lady has been quoted in New York in support of the IWC, and letters of praise on this position from Malacañang [president's residence] were referred to this division for action."

12. (10 Nov 82) Letter from Alberto Valdes, President, First International Sea Harvest Corporation to Gonzales, Director, BFAR, stating that whaling operations (initially for export to Japan) would be conducted in the Central and South Pacific areas in international waters approximately within 4-25 degrees N and 130-150 degrees E. Main species would be Bryde's whales with average length of 10-15m weighing 20 tons each. Annual estimated production would be 1000mt per year. Letter closes with "We trust this meets your requirements and we look forward to your support for the industry." Enclosed Certificate of Philippine Registry for "Faith No. 1" ex "Settsu Maru", 362 gross tons.

13. (22 Nov 82) Memo from Reuben Ganaden, OIC, Fisheries Research Division to Chair, FAO[Fishery Administrative Order] Committee, recommending issuance of an FAO prohibiting the catching of whales, dolphins, porpoises and dugongs in Philippine waters, with draft attached [not with copy].

14. (10 Dec 82) Memo from Romeo De Sagun, Acting Chief, Legal Division, BFAR to Director, BFAR, noting that "Minister Peña" [Minister of Natural Resources] had entered a handwritten comment on the application by First International Sea Harvest Corporation (FISH) for a whaling permit, "Director Gonzales, is there any law or rule which prohibits corporation from licensing their whaling vessels?" and orally ordered him to research the matter. A search revealed no such rule or law, but De Sagun noted that since the Philippines had become a member of the IWC, it had "pledged that the killing of whales and dolphin will be banned by the government in the wake of IWC's vigorous campaign against killing them in the waters where they thrive."

15. (23 Dec 82) Memo from Gonzales, Director, BFAR, to Ronquillo, directing him to

- 1). Prepare a position paper on the international commitment of the Philippine government for the conservation of whales in the Philippines and the possible implications and consequences of issuing a whaling license to FISH.
- 2). Draft an FAO banning catching of whales and dolphins in Philippine waters.
- 3). Provide both by 31 Dec 82.

16. (notarized 31 Dec 82) Contracts of service for fishing master Asano Tetsuichi of Wakayama and chief engineer Ishikura Katsuyoshi of Aomori, Japan with FISH.

17. (29 Dec 82) Letter from Gonzales to Valdes, FISH, denying application for whaling license and noting that an FAO protecting whales and dolphins was being prepared.

18. (6 Jan 83) Memo from Ronquillo to Gonzales, presenting arguments against issuing a permit for whaling, urging that it be "the policy of the Government not to allow commercial whaling in the Philippines...and neither shall we license any national to fish for whales in international waters." He went on to note that the quota for Bryde's whales in the East China Sea, the closest waters to the Philippines, was only 10 whales, which would not support the start-up of a new whaling industry.

19. (14 Jan 83) Letter from Hiromichi Kimura, Executive Director, FISH, to Gonzales, Director, BFAR, asking for reconsideration of application for permit to whale, noting that the IWC did not ban all whaling but rather regulated catch limits and that 9 countries continued to whale, including Brazil, Chile, Iceland, Japan, Korea, Norway, Peru, Spain and the USSR. He pointed out that the moratorium on pelagic and coastal whaling would not come into effect until 1986. He said that the catch limits for the Bryde's whale western North Pacific stock had increased to 536 for the 1983 season and that it would be possible to negotiate with Japan for a share of the catch limit.

20. (18 Jan 83) Letter from Gonzales to Kimura, FISH, again denying the permit application.

21. (4 Feb 83) Letter from Jose Leviste, Secretary General, Office of the Prime Minister, to Teodoro Peña, Minister of Agriculture and Food, stating that FISH had proposed to engage in whaling, had received no definitive answer, and had been told that an FAO was being drafted to ban whaling in the Philippines. "May we then follow-up on your comments regarding the alleged whaling ban."

22. (8 Mar 83) Letter from Alberto Bolaños, consultant, FISH, to Peña, repeating whaling proposal. Hand-written comment on letter, "Dir. Gonzales – OK. T. Peña." [At this point, the Ministry of Natural Resources over-ruled its Bureau of Fisheries and Aquatic Resources]

23. (24 Apr 83) "Sales offer sheet No. 100" from FISH and Settsu Suisan Company, Ltd, 13-13, Ikeda Cho, Nishinomiya, Hyo-go Ken, Japan, offering "First class frozen whale meat produced in Philippines." Attached is apparent note to Philippine regulating agency, asking for indulgence in placing inspectors and observers because of the newness of the operation, stating that "the whales catchers are based on so-called 'land station'", and asking that Japanese crewmen be recognized as technical instructors to Philippine sailors.

24. (14 Jul 83) Letter from Ronquillo to Minister of Foreign Affairs, with draft reply to note from the Japanese Embassy [not in files] and answer to US question about Philippine position, for use by Philippine delegation at IWC meeting in London. The reply to the Japanese note described the proposed whaling in detail, saying that the intention was to catch 200 whales from the western Pacific in international waters. The whale meat would be exported to Japan. The reply to the US question:

"Philippines policy on commercial whaling is to promote and support moderate whaling....while also preserving whaling stocks"

Advice on policy in the IWC: "Notice [should] be given that in view of the Philippines granting a license to one company to catch whales, increased [sic] in the catch quota [should] be put forward so as not to compete with Japan as they claim that the present quota is their own to take."

Ronquillo also enclosed a copy of the Certificate of Authority issued to FISH and a copy of the report of a feasibility study that provided the basis upon which the certificate was issued. Report contains extensive details on the catcher vessel and proposed operations. The Certificate of Authority (No. 482) certifies that FISH a 100% Filipino owned corporation was authorized to accept 1,499,400 pesos (US\$180,000) in the form of capital equipment (the catcher/factory ship *Faith*) from *Faith Marine S de R.L. Corporation of Honduras* [as it turned out, a Japanese company] in exchange for 40% of subscribed capital stock, with expected export sales of \$150,000 per year through 1984 and beyond.

25. (14 July 83) Memo from Ronquillo to Director BFAR recommending adoption of national whaling regulations in an FAO, with sanctions. Recommended requirements included *inter alia* a land station at which whales would be "unloaded, processed and repacked for export"; use of explosive harpoons; BFAR technicians aboard to monitor catches and check accuracy of logs; and no whaling in archipelagic waters.

26. (undated) Telex to Ray Gambell noting 1983 catch limit of 536 Bryde's whales and stating that the Philippines would limit catch to 200.

27. (21 Jul 83) Provisional agenda and list of documents for Second Inter-Agency Meeting on Whaling at Ministry of Foreign Affairs and minutes of First Inter-Agency Meeting (8 Jul83). Arrears to IWC of 16,335 pounds sterling noted. Decision made to not accept offer by American foundation to pay the dues, as this would be a violation of sovereignty, and to accept offer by FISH to pay them.

"Ambassador Tirona posed the question of how to go about reconciling our initial position of preserving the whales and our desire now to go on commercial whaling. Mr. Gerochi, Assistant Director of BFAR, replied that engaging in commercial whaling would benefit the Philippines economically provided that we keep whaling activities within limits."

Mention made of an earlier failed attempt by the Rizal Development and Finance Corporation to get a whaling license from BFAR.

28. (3 Aug 83) Telex from Phillipine Ambassador in Tokyo. Embassy was told "1) whaling industry people in Japan were 'unhappy and shocked' to learn about the Philippine intervention to engage in whaling business; 2) the 536 Brydes whales quota although legally open to any country, it belongs to Japan as she was the one which negotiated it with IWC; 3) difficult for Philippines with nine trips to catch 200 whales in one season; 4) commercial whaling will be banned by 1986; 5) Japanese fishermen in matter of weeks will be able to fill up the quota for the current season and 6) Japan will be criticized by anti-whaling countries with Philippines entry as whale meat will be

actually exported to Japan." Ambassador Ambavaldes commented "...those [assertions] are self serving and intended to discourage in some way the Philippines from entering into whaling operations as her entry will compete with Japanese fishermen who have monopolized the North Pacific quota on Brydes whales since the USSR withdraw in 1980 from commercial whaling operations."

29. (16 Aug 83) Aide-memoir from Embassy of Japan, Manila to Ministry of Foreign Affairs informing Philippines that Japan had taken the entire 1983 quota of Bryde's whales.

30. (29 Aug 83) Letter from Hiromichi Kimura, General Manager of FISH informing director of BFAR Gonzales that the *Faith* departed Cebu on 18 Jul to go whaling and returned on 25 Aug.

31. (Aug 83) "Project Highlights" from FISH. Excerpts:

"Catch limits...for the 1986 coastal and 1985/86 pelagic season and thereafter shall be zero.." "The IWC ban on commercial whaling...would not necessarily cover whaling within Philippine EEZ provided the national catch restriction is not exceeded."

"The vessel, *Faith No. 1*, was built by Narasaki Shipyard in January 1973. It has a total length of 42.4 meters,...and a gross tonnage of 277.71."

"The land station is located on a one-hectare land in Mandaue, Cebu."

"Whaling operations in the Western part of the North Pacific region (international waters-West of 160°W excluding the East China Sea Stock) will be conducted for a period of six consecutive months. Each fishing trip takes about 10 to 14 days. It takes an average of 3 to 5 days to unload the catch and prepare for the next fishing trip.... Thus 6 given 180 days (six months) the vessel can conduct 9.47 trips per pelagic season excluding coastal whaling operation (whaling operation within Philippine territorial waters). ...9 fishing trips would amount to about 1080 M.T. per season. In order to attain this production output the company would require a catch quota of about 200 Bryde's whales for each pelagic season."

32. (1 Sep 83) Memo to Chief, Fisheries Research Division [Ronquillo] from B. G. Santiago, Officer-in-Charge, Fisheries License Division, reporting catch of F/V *Faith*: 30 Jul (1), 31 Jul (2), 3 Aug (1), 4 Aug (1), 6 Aug (1), 7 Aug (1), 17 Aug (1), 18 Aug (1) [Returned to Cebu on 25 Aug; whales evidently processed at sea].

33. (1 Sep 83) Telex to Ray Gambell from Gerochi, BFAR informing him that as of 24 August nine whales had been taken.

34. (5 Sep 83) Letter from Tirona, Ministry of Foreign Affairs to Ronquillo, BFAR with enclosed copy of "Note Verbale No. 504-83, dated 10 August 1983, from the Embassy of Japan, with the information that Japan has filled the figure which corresponds to the quota of bryde's whales allocated to the North West Pacific Ocean for 1983."

35. (6 Sep 83) Telegram from Ray Gambell to Fisheries Director Gonzales, stating that Japan had taken quota of 536 by 6 Aug and requesting that Philippine whaling operations stop since some of take exceeded quota.
36. (undated) Copy of provisional agenda for interagency meeting on 15 December preceding bilateral meeting. Item "Resolution of Issues as to whether or not a country should deposit a reservation to the International Convention in the Trade of Endangered Species before it can engage in commercial whaling" with handwritten notation "removed."
37. (15 Dec 83) Letters from P. A. Castro, Deputy Minister for Foreign Affairs to BFAR and Ministry of National Economic and Development Authority announcing "exploratory consultations" between Philippines and Japan on sharing of quota, to be held 21-23 December and asking for participation in a meeting of the Philippine Panel on 19 December.
38. (16 Dec 83) "Urgent" memo from Ronquillo to Director BFAR on consultation with Japan to take place 21-22 December. Summary of briefing session with MFA and NEDA (background and rationale for issuing whaling license) and attached draft of FAO to regulate whaling in 1984 and beyond. Recommends possibility of raising quota in IWC to accommodate Philippine take. Philippine panel for consultation to consist of one each from NEDA, BFAR, FIDC and the staff of the MFA. Handwritten addition to FOA draft sets 1984 season as 1 January to 30 June.
39. (16 Dec 83) Memo from Ronquillo to Director BFAR confirming meeting on 19 December to finalize consultation agenda and "hear the NEDA Philippine position."
40. (16 Dec 83) Memo from Tirona to Deputy Minister, MFA informing him of consultation, summarizing reviews of Philippine's right to whale and benefits therefrom and recommending that attached follow-up letters be sent to NEDA and MNR (no attachments with copy).
41. (19 Dec 83) Information sheet from FISH, "Technical Aspect." States hunt will be 1 January to 30 June and gives details of hunting and killing operations, including use of explosive harpoon (three to seven minutes to death).
42. (19 Dec 83) Telex to Martin Harvey, IWC from BFAR Director Gonzales, giving specifications of whaling vessel *Faith I*. Built in Narasake Shipyard, Japan in 1973. Previous name *Faith No. 1 (Honduras)*.
43. (20 Dec 83) Memo from Ronquillo to Gonzales confirming that both will participate in consultation with Japanese.
44. (20 Dec 83) Memo from Assistant Secretary for Finance and Management Services A. Y. Capay to Gonzales, Director BFAR, requesting participation of Ronquillo in consultation.

45. (undated) Draft "Informal summary records" of consultation. Many marginal handwritten annotations. Key provision struck out, "The Consultations considered, on a preliminary basis the offer of the Japanese Panel that the share of the Philippines from the International Whaling Commission annual quota for Bryde's whales in the Western portion of the North Pacific should be _____heads." Philippine participants: Ambassador R. V. Tirona, Counsellors J. Bautista and C. Delgado, Ronquillo, and A. R. L. Leong of NEDA [Gonzales not present]. Japanese participants: Razu Shima, Counsellor, Oceanic Fisheries Department of JFA; Kazuhiko Nagao, Chief of Long Distance Fisheries Division, and first secretaries to the Japanese Embassy Yasuo Saito and Yoshikazu Matsura.

46. (28 Dec 83) "Very urgent" memo to Capay, Deputy Minister of Natural Resources from Ronquillo reporting on consultation. Notes that initially the impression was that the Japanese were willing to allocate part of the quota to the Philippines but later it developed that Japan did not even want to see included the declaration by the Philippine delegation at the preceding IWC meeting that the Philippines intended to take 200 whales per year, or if it was included, insertion of a disavowal by the Philippines (rejected). The Japanese also pointed out that the Philippines failed to observe CITES in exporting the 9 whales to Japan without certification. They wanted to include statements in the summary report to the effect that the Philippines would refrain from taking Bryde's whales in the western North Pacific. This was rejected by the Philippines panel. Draft report taken to Tokyo for further instructions. Both sides agreed to meet again within three weeks.

47. (28 Dec 83) Nearly identical memo from Gonzales, BFAR Director, to Minister of Natural Resources, with recommendation that draft summary be endorsed by Tirona.

48. (undated) [draft?] Summary Record of Philippines-Japan Informal Consultation on Whaling, Manila, 21-23 December 1983. Shima's statement included "...the whaling industries have been struggling to survive from the standpoint of operating a company under strict regulations of the IWC and that there seems to be no possibility to receive new entries into whaling activities for Bryde's whales in the region." He also said that parties should meet to agree allocations in advance of the whaling season if more than one country plans to harvest the same stock. The Philippines panel stated the sovereign right to share in resources and restated the ability to take 200 whales per year. It was agreed to meet again not later than the third week of January and that both nations would refrain from whaling for Bryde's whales until after the second consultation.

49. (9 Jan 84) Telex ("Confidential") from Philippine ambassador in Berne to Minister for Foreign Affairs, confirming Philippines interpretation that CITES provision for Bryde's whales would not enter into force until 1 January 1986.

50. (11 Jan 84) Telex ("Confidential") from Philippine ambassador to Brazil to Minister of Foreign Affairs informing him that "Brazil never had discussions with Japan concerning sharing of quota for southern Pacific area nor for any other area as quotas are set by International Whaling Commission."

51. (12 Jan 84) Letter from Valdes, FISH to Gonzales, BFAR requesting change of season to 21 January – 20 July, because of seasonal changes in availability of whales.
52. (13 Jan 84) Memo from Ronquillo to Gonzales, "Consolidated report on the status of whaling in the Philippines." Repeated summary of initial consultation and stated that second consultation would be on "Allocation of catches of Bryde's whales" Attached report summarizes developments since license issued to FISH and states that the quota of 536 "will be availed of with or without the Japanese agreement." Notes that FIDC not party to consultation although requested to be. If agreement with Japan not reached in second consultation (on allocations only), "Philippines will resume whaling as soon as possible with the vessel that is available plus other vessel that maybe obtained abroad if necessary." Notes that CITES issue is a non-issue.
53. (16 Jan 84) Memo from Ronquillo to Gonzales reporting "Inter-office meeting at the MFA [Ministry of Foreign Affairs] chaired by Amb. Rosalinda V. Tirona, 11 January 1984 on whaling." Noted receipt of clean draft of summary record of December consultation from Japanese and that second consultation would be 19-21 January, on allocation only. Philippines would repeat statement that catch would be 200 but would be agreeable to allocation of 160. Whaling season would begin 23 January and last 6 months. Byde's whales do not go into waters of less than 20°C and would be off Philippines in winter and move to Japan in May. Right to export whale meat confirmed (no CITES problem). Repeated request for participation by FIDC. Copy of summary record of consultation attached, with page from Japanese stating the points summarized above.
54. (17 Jan 84) Memo from Ronquillo to Gonzales reporting that FISH requested season be 21 January to 20 July. Copy of information sheet from FISH attached.
55. (17 Jan 84) Memo from Gonzales to Minister of Foreign Affairs relaying the information from FISH.
56. (21 Jan 84) Official receipt for 202 pesos from FISH for application to whale.
57. (30 Jan 84) Letter from Valdes, FISH, to Gonzales reporting catches: 21 Jan (2), 24 Jan (1), 26 Jan (2), 28 Jan (2), with request that information be forwarded to IWC.
58. (30 Jan 84) Letter from Kubota, FISH, to Abisado, Regional Director BFAR, Cebu City reporting same catches plus 2 on 30 Jan.
59. (2 Feb 84) Memo from A. Y. Capay, Assistant Secretary for Finance and Management Services, to Minister, Natural Resources, relaying request from FISH for season covering period 21 January to 20 July and notifying government that they intend to take 250 whales. Suggested letter to MFA attached. Handwritten comment by T. Peña (Minister, Natural Resources): "Director Gonzales – Don't we have an independent study

on when our whaling season should be and the magnitude of allowable catch? May I have an independent study and recommendations."

60. (6 Feb 84) Letter from FISH to Gonzales reporting catches: 30 Jan (2), 1 Feb (2), 3 Feb (2) and requesting that report be forwarded to the IWC "in the absence of a sharing agreement with Japan for the 1984 coastal season."

61. (12 Feb 84) Report from FISH: 5 Feb (1), 6 Feb (2), 8 Feb (1), 9 Feb (1), 11 Feb (2).

62. (20 Feb 84) Report from FISH: 12-18 Feb (0 catch)

63. (21 Feb 84) Memo from J. A. Ordoñez, Supervising Fishery Biologist to Gonzales, "On the declaration of 1984 Philippines whaling season." "In reply to Minister Peña's query..." [59 above]. No study on seasonal distribution except those made by foreign countries. Independent Philippine study would require huge resources, could be part of monitoring, control and surveillance program such as those in more advanced countries. Would need better vessels, better trained officers and crew, and experienced marine scientists. Existing regional resource assessment activities and observer programs could contribute.

64. (27 Feb 84) Report from FISH: 20 Feb (1), 21 Feb (2), 23 Feb (1), 24 Feb (1), 25 Feb (2).

65. (29 Feb 84) Summary report from FISH to Abisado, Regional Director, BFAR, for February: includes 26 Feb (1), 28 Feb (1), 29 Feb (1); total 21.

66. (5 Mar 84) Report from FISH to Gonzales: 26 Feb (1), 28 Feb (1), 29 Feb (1), 1 Mar (1).

67. (14 Mar 84) Memo from Ronquillo to Gonzales, "Appointment of Mr. Alex C. Mole, Jr. Fishery Technologist, as Philippine observer on the Japanese whaling vessel "Faith II." Next trip third week of March. Will gather data using IWC forms to be reported to IWC and used as documents in 35th annual meeting.

68. (6 Feb 84) Commercial Fishing Boat License for *Faith I*. To expire 31 December 1984.

69. (12 Mar 84) Report from FISH: 4 Mar (1), 6 Mar (1), 9 Mar (1).

70. (15 Mar 84) Memo from Ronquillo to Gonzales, "Information on Bryde's whales and whaling." At second consultation, Japan was willing to give the Philippines only some 30-50 whales a year; Philippines wanted 136 in six-month season when whales closest to the Philippines. They feed on sardines and small fish then in the EEZ, where they are easier to catch. No agreement reached, and FISH began the season. FISH agreed to accommodate biologists on trip third week in March. Visited *Faith I* off Cebu City

harbor. Two Japanese buyers aboard: M. Yamada and V. P. Moritan of Settsu Suisan and Co., Nishimoya.

71. (15 Mar 84) Memo from Gonzales to Minister, Natural Resources, "Declaration of whaling season of the Philippines to commence on the period January 21 to July 20, 1984." Given no agreement with Japan, recommends early season before the whales move north to Bonin Islands.

72. (20 Mar 84) Report from FISH: 11 Mar (1), 13 Mar (1), 15 Mar (1), 16 Mar (1).

73. (22 Mar 84) Letter from FISH to Peña, Minister of Natural Resources. Requests that MNR request MFA to intercede to prevent Japan from recalling two Japanese nationals working on the *Faith I*: Tetsuichi Asano (gunner) and Katsuyoshi Ishikura. Notes that third round of consultative talks with Japan to be held in Tokyo 30-31 March and that planned continued use of the two nationals for two years may be discussed.

74. (26 Mar 84) Report from FISH: 18 Mar (1), 20 Mar (1), 22 Mar (1), 23 Mar (1).

75. (31 Mar 84) Summary report from FISH to Abisado for March: total 17.

76. (2 Apr 84) Report from FISH to Gonzales: 25 Mar (1), 27 Mar (2) [only 1 reported in 74 above], 29 Mar (1), 31 Mar (1).

77. (9 Apr 84) Report from FISH: 1-7 Apr (0). Cumulative total 47.

78. (9[sic] Apr 84 – received 25 Apr) Report from FISH: 8-14 Apr (0).

79. (12 Apr 84) Memo from Ronquillo to Gonzales, "Feedback on the meeting regarding the Philippine whaling held last April 6, 1984 at the MFA." Tirona will meet with Japanese April 9-10. Nine whales caught last year have been sold, but whether will be able to export this year's 47 is uncertain. Professor at Los Baños [Univ. of Philippines] asked by conservation group to contact BFAR about possible infraction. James Plowden of Waterlife Association of Andover, Mass. took pictures of *Faith I* and believes it possible that whales are being processed aboard, against IWC regulations. Letter and infraction forms sent to FISH (not attached).

80. (16 Apr 84) Memo from A. C. Mole to Gonzales, "Observer report on the whaling operation of the First International Sea Harvest Corporation." Visited land station 3-10 February. Suluan Land Station located on Suluan Island, eastern Samar. During period, 7 whales caught (4 males, 3 females – one with 1.8-m fetus, none lactating). Explosive harpoon used. Meat frozen, rest rendered. All in accordance with IWC regulations.

81. (16 Apr 84) Report from FISH: 15-21 Apr (0).

82. (23 Apr 84) Report from FISH: 22-28 Apr (0).

83. (23 Apr 84) Memo from Ronquillo to Capay, Assistant Minister of Natural Resources, "Brief on the two-day meeting in Tokyo regarding whaling negotiation with Japan." Tirona wants agreement on draft (attached). Needs certification that all whales taken in accord with IWC regulations (has not yet been done; company must do, and BFAR must certify accurate). Japanese national to inspect land station. Japan wants draft initialed so can be signed on 27 April. Caveat: will check on practices of FISH as it appears that it may be violating IWC regulations. [Draft not attached].

84. (undated) Draft agreement, marked "Confidential." Agreement on catches from land stations. Agreed to not exceed IWC quota. Philippines ask Japan to consider 47 whales taken in 1984 as taken in accord with IWC regulations, although proof is not available. Japan agrees, providing convinced by data supplied on whales, which includes date harpooned and date processed as well as standard IWC items, and receives certification by Government of Philippines that whales taken in compliance with IWC regulations, based on report by government supervisor. After 21 Apr 1984, verification will be required by Japanese observers. Philippines requested that the two Japanese nationals working for FISH be allowed to continue. Japan responded that necessary permits would be issued but would be canceled if any infraction of IWC rules occurred. Annex A with details of season, allocations (55 to Philippines, 481 to Japan), assignment of leftovers to either side. Annex B spelled out land-station reciprocal observer scheme. Memorandum on exchange of technical information, including names of captain and gunner. Minor handwritten emendations throughout draft of agreement, none in annexes or memorandum.

85. (2 May 84) Memo from Ronquillo to Gonzales, summarizing agreement and stating that a separate confidential memo will be sent.

86. (2 May 84) Memo from Ronquillo to Gonzales, marked "Confidential", "International Whaling Commission's schedule and regulations for Bryde's Whale." Summarizes IWC requirements on land station operations and observers, and notes verification by Japanese to be pre-condition of export of 47 whales from 1984 to Japan and that Japan does not want to be open to international criticism by importing illegal whales. Because whales are taken more than 6 hours' towing time from land, Japan and U.S. presume violation of ban on factory-ship whaling. Learned from Japan that *Faith I* has record of slaughtering whales on board. FISH knows the regulations and should have been following them. *Faith I* has record in Japan of illegal whaling in the North Pacific. Despite request that FISH set up land station, they did not intend to set one up and have not done so. Recommends suspension of license pending compliance with IWC regulations.

87. (7 May 84) Report from FISH to Gonzales: 29 Apr – 5 May (0 catch).

88. (11 May 84) Memo from BFAR Regional Office No. 7, Cebu City to Gonzales conveying FISH report ("certification") of whaling from January to March, 1984 (dated 10 May). "Suluan Land Station Report" with certification issued by C. M. Amil,

Provincial Fishery Officer , BFAR, Cebu City. Is only summary list of catches as listed in earlier weekly and monthly reports.

89. (15 May 84) IWC circular communication to commissioners and contracting governments, "Agreements between Japan and the Philippines." Summarizes agreement and announces appointment of observer and interpreter to serve at Surigao (on Mindanao Island) from 16 May to 30 June.

90. (15 May 84) "Certification" signed by Joemari D. Gerochi of FISH that land station report furnished "herewith" to Government of Japan indicates date and time taken, position, species, time of hauling, length, sex, whether lactating, whether pregnant, and corresponding identification and that the 47 whales were caught in accordance with IWC regulations. [Report not attached]

91. (15 May 84) Telex from G. Donovan, IWC to Gonzales informing him that certificates of appointment issued to T. Makino and interpreter R. Goto to serve at Philippines land station during the 1984 coastal season. Copy sent to Ronquillo.

92. (18 May 84) Memo from Ronquillo to Gonzales, "Notice from Ambassador Tirona and the Japanese Embassy." Japanese inspector to arrive 28 May, and notice also received from IWC. Whaling agreement apparently signed in Tokyo. Valdez of FISH will accompany inspector to land station in Cebu.

93. (18 May 84) Letter from FISH to Ronquillo, submitting land station report and certification from regional office, Cebu [90 above].

94. (24 May 84) Memo from Gonzales to Tirona, MFA, "Arrival of the Japanese Land Inspector as Observer on Whaling." Reports that FISH has suspended whaling pending agreement made operational and because vital Japanese technicians went back to Japan. Requests visa of Japanese observer and copy of officially signed agreement with quota arrangement. Negotiations needed on return of Japanese technicians and on when whaling can resume. Pending that, requests that arrival of Japanese observer be postponed (as per letter from FISH [dated the next day]).

95. (24 May 84) Telex from Avisado, Cebu Office of BFAR to Gonzales, "Already inspected FB Faith No. 1 and found to be a whale catcher with harpoon and 150 tons freezing facilities."

96. (25 May 84) Letter from Polido, FISH, to Gonzales. No whaling operation at present and therefore visit by Japanese inspector should be postponed. Asks that observer furnish in advance his terms of reference and specific questions or areas of interest for them to prepare accordingly.

97. (30 May 84) Demarche from Embassy of Japan formally requesting exchange of data required by IWC, including time of catch and time of hauling out and processing at land station.

98. (29 May 84) Letter from CITES Secretariat to Director, Bureau of Forest Development, Ministry of Natural Resources, informing Philippines that whaling operation (introduction from international waters) and export to Japan both in contravention of CITES.
99. (31 May 84) Letter from Bautista, MFA, with copy of data furnished by Japan and request that similar data be supplied in same format for Philippines whaling operation "by tomorrow." [Japanese data not attached].
100. (1 Jun 84) Letter from FISH to Ronquillo with enclosed information on land station, catcher etc. for 1984 season as requested. [copy of enclosure not with letter].
101. (4 Jun 84) Routing slip from Ronquillo to Bautista, MFA, relaying information from FISH.
102. (4 Jun 84) Letter from Valdez, FISH, to Tirona, MFA, transmitting information on 1984 season for relay to Japan as requested.
103. (13 Jun 84) Letter from MFA to Ray Gambell, IWC, naming Philippine delegates to 36 Commission meeting: Bautista (MFA) as Commissioner, Ronquillo (BFAR) as Alternate, and Valdez (FISH) as observer.
104. (15 Jun 84) Memo from Gonzales, BFAR, to Minister of Foreign Affairs, attention Tirona, "Report in compliance with the IWC regulations and the Philippine-Japan Bilateral Agreement on Whaling." Submitting copy of land station report with data on each whale and copy of 16-Apr report of observer Mole stating that the whaling operation is in accordance with IWC regulations (No. 80 above). [Positions within EEZ, ~80-200+ nmi from Surigao].
105. (18 Jun 84) Opening statement of the Philippine delegation, 36th Meeting, IWC. "The Philippines is now looking at the whale not only as a source of much needed foreign exchange but as a potential source of protein for its large population."
106. (18 Jun 84) Clipping from ECO (NGO newsletter circulated at IWC meetings) describing conflict and subsequent agreement between Philippines and Japan. Expresses doubt that Philippines complies with IWC and CITES regulations.
107. (19 Jun 84) Clipping from ECO. Notes that questions raised at Infractions Subcommittee about Philippines operations remain unanswered and suggests that Philippines plan to continue whaling beyond the moratorium to take effect in 1986.
108. (Received by BFAR Legal Staff on 21 Jun 84 but sent to Gonzales by A. V. Bolaños, Faith Marine S. de R. L. on 22 May). Letter noting that Philippines whaling operation is joint venture between FISH and Faith Marine S. de R. L. (Fuji Suisan Co., Ltd. of Japan) and requesting investigation of operations in view of reports that they are

in violation of IWC regulations, in particular in using a factory ship to process whales rather than a land station. Further complaint is that FISH is underpricing catch for export and "salting" dollars in Japan, to pay for the true value of the whaling vessel.

109. (21 Jun 84) Memo from Gonzales to Regional Director, Cebu City, ordering an investigation of the allegations by Faith Marine S. de R. L. and a check of the number and names of foreign fishery technicians employed and whether they have current foreign fisherman's licenses.

110. (21 Jun 84) Letter from L. Y Aro, Fishery Extension Specialist, BFAR Regional Office, Cebu City, to Avisado, Regional Director, stating that investigation of *Faith I* was already conducted on 16 May and that the vessel "is not only designed for catching whales or as a catcher boat but also as a factory ship capable of processing whales. We also knew that the boat has a blast freezer and cold storage facilities having a capacity of 150 tons. The boat is also fitted with a slipway in the stern and section with a spacious hauling platform on board. Mr. Akira Kubota with whom I spoke, said that the freezer and cold storage facilities are no longer functioning for some time."

111. (undated, after 19 Jun 84?) Report by Regional Office No. 7, Conservation and Law Enforcement Division of BFAR, Cebu City, "Report on the ocular inspection and investigation of F/B Faith No. I owned by First International Fish Harvester Corporation conducted on May 16 and June 19, 1984, by the Conservation and Law Enforcement Division personnel on board the said boat and the residence of Mr. Akira Kubota." Confirms that *Faith I* is factory ship with stern slipway and 150 tons blast-freezing capacity and that fishing grounds are at least one week away. Positions in logs did not correspond to those reported to BFAR; much farther to east (near Bonin Islands) and (in 1984) to south (near Caroline Islands). "Findings:

1. F/B FAITH NO. 1 not only hunts but also processes whales at sea.
2. The four (4) Japanese crewmembers...have no current foreign fishermen's licences.
3. The barge [supposed land station]...was not used yet in 1983. With its extension of two meters longer, it can be used for 1984 and the succeeding years.
4. Except for their Navotas storage, the owners of the boat maintained no mobile land station before.
5. The boat and its crewmembers are fishing outside Philippine waters."

112. (22 Jun 84) Handwritten letter from David Posten, Anti-whaling Collective, UK, to Philippine Embassy, "Disturbing reports reach us of your readiness to support – or collude in – whaling activities in contravention of C.I.T.E.S agreements and I.W.C. agreements. The activities of the whaler/catcher "FAITH" are especially despicable. It is perhaps not for us to say that the toleration of this "Pirate" operation place your country outside the comity of the civilized nations."

113. (25 Jun 84) Memo from Chief, Parks and Wildlife Divison, Bureau of Forest Development, MNR [Philippine authority for CITES] to Ronquillo, BFAR,

- forwarding letter from CITES (no. 98 above, informing of violations) and asking for comment/recommendations.
114. (28 Jun 84) Letter from Valdes, FISH, to Gonzales, BFAR, requesting that Government intervene with Japan to obtain permission for three Japanese nationals to work in the Philippine whaling operation. Notes that IWC observer Makino inspected land station 14-18 Jun, a condition set by the Japanese for permits for the Japanese nationals.
115. (28 Jun 84) Letter from FISH to Ronquillo conveying draft of Certification and draft of Observer Report [not with copy] and requesting copies of final versions.
116. (28 Jun 84) Handwritten letter from FISH to Ronquillo with attached letter requesting action on Japanese nationals (No. 114 above) and draft observer report and certificate. Additional copies of land station report also enclosed [not with copy].
117. (2 Jul 84) Letter from Gonzales, BFAR, to Minister for Foreign Affairs, relaying FISH request.
118. (5 Jul 84) Letter from Philippine Embassy, London to Minister for Foreign Affairs, relaying letter from Anti-Whaling Collective (No. 112 above), with extract from Philippine-Japanese agreement and noting that observers are required at land stations.
119. (9 Jul 84) Memo from Gonzales, BFAR, to Minister for Foreign Affairs, relaying CITES letter of 29 May (No. 98 above).
120. (11 Jul 84) Memo from Gonzales to Minister for Foreign Affairs, transmitting infraction report for 1983 with data on the 9 whales taken. Land station report by A. C. Mole, National Inspector gives positions originally reported (in EEZ), not those later reported by BFAR inspector after 1984 investigation (in international waters; No. 111 above). States that no whales taken in contravention of IWC regulations on operations and no whales remained in sea in excess of 33 hours [in contradiction with investigation, which found that whaling grounds a week away.]
121. (12 Jul 84) Letter from A. V. Bolaños, Faith Marine S. de R. L. to Minister of Agriculture and Food, saying that request had been made (copy of letter to Gonzales enclosed – No. 108 above) for investigation of alleged violations of IWC regulations and again asking for action.
122. (13 Jul 84) Letter from Ronquillo to Tadashi Imai, Ministry of Agriculture and Fishery, Japan, informing that export papers for 47 whales taken in 1984 ready and requesting release of Japanese import permits.

123. (13 Jul 84) Telex from Gonzales to Ray Gambell, IWC, relaying request by FISH for one-month extension of season, because of recall of Japanese technicians and suspension of whaling since late March.
124. (16 Jul 84) Letter from Polido, FISH, requesting extension of season for two months until 20 September.
125. (16 Jul 84) Letter from Tirona, MFA, to Ronquillo, relaying copy of response by Embassy of Philippines to protest by Anti-Whaling Collective [copy not with letter].
126. (17 Jul 84) Memo from Ronquillo to Gonzales relaying FISH request for 2-month extension of season, with draft telex.
127. (17 Jul 84) Telex from Gonzales to Ray Gambell, IWC, relaying FISH request for 2-month extension of season.
128. (20 Jul 84) Telex from Yamada [affiliation?] to Ronquillo requesting confirmation, through FISH, of IWC one-month extension of season.
129. (27 Jul 84) "1st Indorsement, July 27, 1984. Respectfully referred to the Director, Bureau of Fisheries and Aquatic Resources [Gonzales], Quezon City, for his information and appropriate action the attached letter from Alberto V. Bolaños, Managing Director, Faith Marine S. De. R. L.[No. 121 above] requesting information on action taken regarding their previous request that Office to look into the alleged report that FISH CORP. is violating the rules and regulations of the International Whaling Commission. Please inform Mr. Bolaños of action taken on their previous request, furnishing this Office with a copy of same. For the Minister: Aurora B. Marcos, Assistant Secretary [Ministry of Agriculture and Food]."
130. (1 Aug 84) Telex from Gonzales to Ray Gambell, IWC, informing that season ended 20 July and 47 whales caught.
131. (Stamped received 2 Aug 84 by License and Protection Division, BFAR; handwritten annotation "...answer question please, 8/1/84"; stamped received by another BFAR agency – stamp illegible- on 31 Jul 84; original dated 21 Jun 84) Report by Avisado, BFAR, Cebu City to Gonzales, "Submission of reports from the FED and CLED, this Office, re: the ocular inspection and investigation on F/B FAITH NO. 1 and its crew, as per memorandum dated 1984-05-08 from the Central Office." States that vessel is both catcher and processing boat, no land station maintained, and Japanese nationals have no current fishermen's licenses. Encloses two reports [not with copy] and recommends that whaling license "be revoked or cancelled for violation of agreement of which the Philippines is a signatory."

132. (2 Aug 84) Memo from Gonzales to Minister for Foreign Affairs, reporting end of season and take of 47 whales. Notes 8 whales of Philippine allocation not taken and that Japan may wish to take them. Letter from FISH enclosed [not with copy].
133. (2 Aug 84) Memo from Gonzales to Minister for Agriculture and Food (attention A. B. Marcos. Response to memo of 27 July (No. 129 above), enclosing "Reply to Mr. Alberto Bolaños re: FISH whaling activities."
134. (6 Aug 84) Letter from Gonzales to Bolaños, stating that FISH operations in accord with IWC regulations, with land "flinching" station at Suluan Island that has been inspected by IWC-designated Japanese inspector Makino with no major objections, and whale meat allowed to be exported to Japan. Inspector not able to see actual flensing operations because whaling season ended. Promise to closely observe FAITH-I operations next year. [No mention of results of BFAR investigation].
135. (9 Aug 84) Memo from B. G. Santiago, Chief, Fisheries License Division to Ronquillo, re report of 21 Jun by Regional Director, Cebu, of investigation of whaling operations. Requests action to cancel licenses of vessel and foreign crew. Handwritten annotation, "Received original copy the report of the Regional Director ..[illegible] 24 April 1985. by H. L.D."
136. (9 Aug 84) Letter from FISH to R. V. Tirona, MFA, requesting facilitation of exports. Notes that request to IWC to extend season was denied.
137. (24 Sep 84) Letter from FISH to Gonzales with photos of land station and copy of report of inspection on 8 September by BFAR representatives from Cebu, Tacloban and Guian [not with copy]. Request early season again in 1985. If Japanese technicians not allowed to participate, will hire Taiwanese. If exports banned, company will accelerate domestic sales (2000 mt of whale meat expected to be available.
138. (24 Sep 84) Letter from FISH to J. S. Bautista, MFA, with copy of letter to Ronquillo and request that consultative talks with Japan be initiated.
139. (24 Sep 84) Letter from FISH to Gonzales, noting that Japanese propose to hold talks in Japan on 10 December and requesting that they be held instead in Manila on 12 December.
140. (9 Nov 84) Letter from FISH to Gonzales conveying data report for 1984 season (see No. 143 below).
141. (9 Nov 84) Letter from R. M. Hager, Oregon Pacific Investment Development Company, Portland, to Philippine Ambassador, Washington D.C. Notes evidence of illegal Philippine whaling and urges that license not be renewed.

142. (7 Dec 84) Letter from Gonzales to Minister for Foreign Affairs (attention R. Tirona) confirming preference and availability to hold talks with Japan in Manila on 13 December, with strong statement of support of Philippine whaling.
143. (7 Dec 84) Memo from Gonzales to Minister for Foreign Affairs (attention J. S. Bautista) relaying summary of 1984 catch data (attached). [Positions as originally reported (inside EEZ) and not as determined in investigation (outside EEZ); hauling dates reported 1-2 days after catch, despite investigation findings that whaling grounds a week away from Surigao.]
144. (undated) "INTERNATIONAL CONVENTION FOR THE REGULATION OF WHALING, 1946, SCHEDULE APPENDIX A. TITLE PAGE (one logbook per catcher per season)" Specifications for 1984 season. [Captain and gunner have Philippine names, one year experience.]
145. (10 Dec 84) Memo from Gonzales to Minister for Agriculture and Food requesting that Philippines try for half and accept no less than 178 whales from the allocation for 1985, on grounds of need and that the whaling is in the EEZ
146. (11 Dec 84) Dispatch from Philippine Embassy, Washington D. C. enclosing copies of six letters [not with copy] protesting alleged Philippine illegal whaling and requesting information on present Philippine position and copy of report of 36th meeting of IWC.
147. (11 Dec 84) Memo from Office of American Affairs, MFA to Assistant Minister, UNIO, forwarding requests by Embassy in Washington D.C.
148. (undated) "A brief on the whaling industry of the Philippines" [Presumably the position statement requested by MFA.] States that is a coastal fishery and whales "usually brought to the land station for processing."
149. (17 Dec 84) Memo from E. G. Llana and V. B. Encina, Research Division to Gonzales on inter-agency meeting on 14 December to develop Philippine position for consultations with Japan. Season 1 January to 30 Jun, based on presence in Philippine coastal waters and need to document distribution. Negotiate for 178 whales (half of quota) but settle for at least 80. Three alternative bargaining strategies outlined, depending on whether Japan guarantees import and allows technicians to participate. Observer scheme necessary under all options. Suggests "Working Group on the Future Activities of the IWC" to consider small-scale whaling as a compromise with the moratorium, or in the case of no compromise, withdrawal from the IWC.
150. (17 Dec 84) "Statement of the Philippines, Consultation between the Philippines and Japan on Quota Sharing for 1985 Whaling Season, Manila, 17-21 December 1984." Notes reduction of quota from 534 to 357 and support by Philippines of

- Japan at IWC, but 47 whales from 1984 not yet allowed into Japan and two Japanese technicians not allowed to return. Delegation: Gonzales (BFAR), Bautista and Cabactulan (MFA) and Valdes (FISH, not allowed in closed sessions).
151. (26 Dec 84) Memo from Chief, Fisheries Licenses Division, to Ronquillo, again urging that results of investigation by Regional Director of *Faith I* operations be followed up with action.
 152. (27 Dec 84) Letter from Gonzales to Minister for Foreign Affairs (attention Tirona), requesting that season be set for 2 January to 1 July.
 153. (2 Jan 85) Memo from Ronquillo to Gonzales, with copy to Licenses Division, "On the renewal of license of F/B FAITH I of the First International Sea Harvest (FISH) Corporation." Land station established, therefore license can be renewed. Operations to be closely monitored by Japanese inspector accredited by IWC and by "this Division."
 154. (4 Jan 85) Letter from Greg Donovan, IWC, to K. Komatsu, Embassy of Japan, appointing Makino as IWC observer for Philippine land station, with certificates of appointment for him and interpreter.
 155. (4 Jan 85) Letter from Greg Donovan to Makino informing him of duties.
 156. (10 Jan 85) Telex from Gonzales to Regional Director, Tacloban City, ordering assignment of biologist to Homonhon Island to observe flensing and collect biological data.
 157. (22 Jan 85) Memo from Ronquillo to Gonzales conveying confidential report of agreement with Japan. Attached draft memo for MAF not with copy. Philippines share of quota agreed to be 40. [No provisions re export or use of Japanese technicians.]
 158. (6 Feb 85) Letter from Tirona, MFA, to Gonzales, conveying certificates of appointment from IWC for Makino.
 159. (19 Feb 85) Letter from Bautista, MFA to Gonzales, conveying Japanese data for 1984 catches (with Japanese cover letter dated 13 Feb).
 160. (14 May 85) Letter from Tirona, MFA, to Gonzales conveying IWC circular communication with the information that Philippines in arrears for dues for 83/84 and 84/85, with request that the amount be settled ASAP.
 161. (15 May 85) Export permit for 1984 catches.

162. (31 May 85) Letter from Masaaki Kuniyasu, Minister, to Tirona, MFA conveying draft report by observer Makino for 1984 season, with request for comment by 10 June. [Report not with copy].
163. (7 Jun 85) Letter from Tirona to Ronquillo conveying draft Makino report with request for comments. [Report not with copy].
164. (13 Jun 85) Memo from Ronquillo to Gonzales on meeting with Bautista and Valdez. FISH to supply data for 1984 report to IWC. Delegation to 1985 IWC to be Bautista, Valdez and Ronquillo. FISH will finance trip and pay all Philippines contributions to IWC (15,000 pounds for 83 and 84).
165. (9 Jul 85) Telex from Philippine Ambassador, Washington to MFA, Manila, relaying request that Philippines support US on aboriginal bowhead take.
166. (17 Jul 85) Memo from R. A. Ganaden, Fisheries Research Division, BFAR to Gonzales noting that matter of Philippines contribution to IWC has been settled.
167. (22 Jul 85) Telex from Gonzales to Ray Gambell asking if contribution of Philippines to IWC has been settled.
168. (22 Jul 85) Memo from Ganaden to Gonzales noting that previous comments based on memo from Ronquillo saying that FISH would pay all contributions. Suggested that contribution should be included in next budget so that issue does not arise again.
169. (24 Jul 85) Telex from Philippine Ambassador, London to MFA, Manila reporting results of IWC meeting. Philippines supported US on bowheads and Japan on coastal whaling and therefore hopes that US will be sympathetic to idea of Philippines sharing Japan quota of Bryde's whales in 1986-88.
170. (7 Aug 85) Memo from Ronquillo to Gonzales reporting results of 1985 IWC meeting. Supported US on bowheads. Door now open for negotiations with Japanese to share quota for 1986 and 1987 whaling seasons. US supports, as it will not allow larger quota (ergo Japan must share with Philippines). FISH happy to learn of results.
171. (12 Aug 85) Memo from Gonzales to Minister for Foreign Affairs reporting IWC results and recommending initiation of consultations with Japan.
172. (13 Aug 85) Endorsement by S. E. Escudero, Minister for Agriculture and Food of recommendation for consultations with Japan.
173. (18 Aug 85) Report to IWC: checklist of required items and list of infractions (none).

174. (22 Aug 85) Telex from Gonzales to Ray Gambell, IWC reporting 1985 catch of 40 whales.
175. (27 Aug 85) Memo from Ronquillo to Gonzales reporting on working luncheon meeting with Tirona, MFA, and Valdes, FISH. Japan has agreed to informal meeting in December. If successful, observer should be assigned to serve aboard *Faith I*.
176. (4 Sep 85) Certification by FISH of catch of 40 whales.
177. (5 Sep 85) Draft to Philippine Ambassador, London, by Tirona, MFA, of letter to IWC expressing reservation to moratorium and intent to continue whaling until 1988.
178. (26 Sep 85) Letter from A. L. Almendrala, Philippine Embassy, London, to Ray Gambell, IWC, as above.
179. (3 Oct 85) Letter from Martin Harvey, IWC, to Almendrala noting that Philippines abstained from vote on moratorium in 1982 and expressed no objections.
180. (27 Dec 85) Letter from Tirona, MFA, to Senator Ted Stevens. Notes that was given attached "non-paper" on Philippine whaling by US Embassy. Argues for US support for Japan-Philippines agreement to share quota beyond moratorium, based on equity with treatment of Japan, similarity of "infant" Philippine whaling to aboriginal whaling, and occurrence of the whales in Philippine waters. In attached "Whaling", "US Government deeply regrets the communication from the Philippine Government to the International Whaling Commission (IWC) that the Philippines will continue its whaling of the western stock of Bryde's whales until 1988." Threatens to certify under Pelly and Packwood Amendments.
181. (undated) "Philippines non-paper on whaling." presents arguments for whaling beyond 1985:
1. US obtained bowhead quota with Philippine support.
 2. Agreement between US and Japan to allow Japan to continue coastal whaling until 1988.
 3. Philippines should be able to reach similar agreement with US support because of abstention from vote on moratorium in 1982.
 4. Bryde's whales abundant and exploitable.
 5. Small quota would be like aboriginal whaling.
 6. The whales occur in Philippine waters during part of year; not fair to give all to Japan.
 7. Moratorium not a total ban and not based on science.
181. (8 Jan 86) Telex from MFA to Philippines Ambassador, Canberra, laying out Philippine position. Observed all IWC regulations in past; abstention on moratorium vote in 1982 was meant as objection; Philippine whaling operations

- small in comparison to those of other countries; would adhere to moratorium if all other countries did, but Japan continues to whale; Bryde's whale abundant and therefore exploitable (study to be done in collaboration with Brazil); Philippines intends to continue whaling until 1988 but desisting pending agreement with US.
182. (22 Jan 86) Letter from Philippines Embassy, London, to Ray Gambell, IWC. Presents arguments against moratorium on several legalistic grounds.
 183. (29 Jan 86) Telex from Gonzales to Regional Director, Tacloban requesting summary of 1985 catches, duly signed.
 184. (14 Mar 86) Handwritten letter from Lee Curry, New Haven, CT to Cory Aquino urging Philippines to observe moratorium.
 185. (3 Apr 86) Letter from A. Thornton, Environmental Investigation Agency [EAIA], London to Embassy of Philippines. Protests illegal whale catches in 1986 and requests immediate action to halt any further whaling.
 186. (4 Apr 86) Dispatch from Philippine Embassy to Minister for Foreign Affairs conveying EAIA letter.
 187. (15 Apr 86) Letter from Tirona, MFA, to BFAR (attention Ronquillo) conveying dispatch and EAIA letter.
 188. (7 Apr 86) Letter from S. H. Laurel, Vice President and Minister for Foreign Affairs to Minister R. V. Mitra, Ministry of Agriculture and Food. Continuation of Philippine whaling will be contingent on agreement similar to the US-Japan agreement. Refers to enclosed Nos. 180 and 181 above. Meanwhile, suggests overall policy review to determine if Philippines should continue whaling in 1986.
 189. (13 May 86) Handwritten letter from Ronquillo to Mike Cusi encouraging him to come to Manila to help prepare scientific whaling program with FISH.
 190. (14 May 86) Memo from BFAR to Minister for Foreign Affairs, notifying that FISH has ceased to engage in whaling, in compliance with IWC regulations.
 191. (28 May 86) Letter from Minister Mitra, MAF, to Vice President and Minister of Foreign Affairs S. H. Laurel, supporting Philippine adherence to moratorium.
 192. (Undated) Philippine statement, 38th IWC Annual Meeting [delivered by Ronquillo]. Philippines will not go into commercial whaling during the moratorium. Suggests that there may be a program of scientific whaling.
 193. (10 Jun 86) Clipping from ECO, "Philippines abides"

194. (27 Jun 86) Memo from Vice President and Minister for Foreign Affairs Laurel to President Aquino reporting on 38th IWC meeting. Notes avowal of Philippines to not engage in commercial whaling during moratorium and resolution supporting whaling under scientific permit.
195. (2 Jul 86) Memo from Ronquillo to Minister of Agriculture and Food reporting on IWC meeting in detail. In response to question from UK whether whales were taken in 1986, Ronquillo responded that permit had not been issued to do that, but that a scientific study of the whales would be conducted from 1987 onwards especially when whales are in the EEZ. Noted that general commendation of Philippines does not prevent capture for scientific research. The scientific take should not be more than the quota previously given to the Philippines. Recommended that Philippines and Japan work together on this in September 1986 and that FISH should present a programme of research.
196. (4 Aug 86) Letter from Ronquillo to Lee Curry in response to letter to Cory Aquino (No. 184 above) stating that Philippines observing moratorium but may capture some whales for research. Closing statement, "Please be informed that you do not have the monopoly of knowing what is the right thing to do under these circumstances." Copy of letter from Office of the President referring Curry letter attached.
197. (4 Aug 86) Same letter to Sonia Teichert, Prospect Heights, IL.
198. (1 Sep 86) Same letter to M. E. Revell, UK.
199. (7 Aug Sep 87 [note gap of nearly a year; many documents from this period destroyed by termites]) "Memo from M. P. Galenzoga, Executive Director, Office of European Affairs, MFA, to Director, BFAR. "Re: Greenpeace publication on Japanese whaling in RP. 1st Indorsement, Manila, 7 August 1987." Conveys copy of Greenpeace report, "Philippine Whaling." [not with copy].
200. 16 Aug 87) Clipping from newspaper *Malaya*: "Japanese using Cebu for illegal whaling." Based on ship's logs, interview of crew members and Philippine officials and documents: factory ship used, cold harpoon used, meat exported in contravention of CITES, about 400 whales taken in 13 trips through March 1986 [after license suspended], IWC inspectors deceived by phony land station, operation entirely Japanese.
201. (24 Aug 87) Clipping from newspaper *The Philippine Star*: "Int'l group bares illegal whaling in Cebu." Repeated charges.
202. (1 Sep 87) 2nd Indorsement, September 1, 1987" by J.D. Malik, Director BFAR to Galenzoga, MFA, summarizing history of whaling episode. FISH originally applied to license *Faith I* as a purse seiner, but inspection by BFAR found harpoon gun on bow, and license was denied, as Philippines signatory to IWC.

- FISH then applied for whaling license, which was denied by BFAR. Later in 1982, Minister Peña, MAF, asked whether whaling was prohibited under IWC and Philippine law and subsequently authorized issuance of a whaling license to FISH, renewed in 1983, 84 and 85 (valid through April 1986 but suspended before end of 1985). After moratorium, FISH willing to finance whale research, so BFAR invited Cusi to submit scientific research proposal. No proposal submitted. Many attachments [not with copy].
203. (undated) Letter from Ronquillo to editor of *Malaya*. "On the article 'BFAR man linked to pirate whaling' which appeared in *Malaya* August 30, 1987 [no copy in surviving files]." FISH license suspended before end of 1985, so Coast Guard should have prevented *Faith I* from sailing to take whales in 1986. Previous operations were legal under Philippine law. IWC authorizes whaling for research, so he tried to arrange something. Said that whaling activities were against personal policy as biologist and conservationist, but decisions made by higher authority. Accusation that he told Cusi that 30-40 whales could be taken per trip was false; aim was to take in scientific whaling only the number of whales taken annually in previous years. BFAR not aware that FISH associated with Japanese company. Monitoring was responsibility of Cebu regional office of BFAR, not Manila, and they submitted the reports sent to IWC. BFAR not aware of whaling in 1986, or would have moved to stop it.
204. (6[?] Sep 87) Letter from Malig, Director BFAR, to Valderrama, MFA. Suggests government should consider begging off on paying IWC arrears, as Philippines is a poor country. "Since we do not allow commercial whaling in the Philippines, it is not justifiable to be a member of the IWC anymore as we will not get any benefit from said organization."
205. (4 Nov 87) Letter from Ronquillo to The Board of Personnel Inquiry, Office of the Secretary, Department of Agriculture. "Re: Whaling in the Philippines." Explains position and actions. Tried to stop whaling license for *Faith I* but overruled by Minister Peña. Had nothing to do with Japanese company Settu Suisan, "just did my duty as a technical man in circumstances beyond my control." Noted that Alberto Valdes, president of and later consultant to FISH, related to then Ambassador to Japan, Carlos Valdes, a close relative of then President Ferdinand Marcos. Therefore, BFAR had no say on approval of activities of FISH. Attached "Documentary on First International Sea Harvest Corporation Activities in the Philippines." Chronology . Asserts that whaling was a coastal operation with whales processed at a land station. FISH notified of suspension of license on 27 December 1985. International observer visited land station in 1984 and 1985 and submitted reports finding no irregularities. His reports more reliable than statements by crew, who can be bought. FISH decided to initiate research whaling in 1986, so Cusi contacted by BFAR, but not interested. Sette Suisan had no dealings with BFAR. Disliked assignment to supervise activities of FISH. Activities of Greenpeace were subversive. Forty-nine attachments listed [not with copy, but most above].

206. (undated) Note from FISH to Ronquillo. "Contract between FISH Co. and importer [Sette Suisan] is with Mr. M. Yamada. He will go to Tokyo to hand it personally to Philippine representative."