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Message to the Congress on Pelly Certification and Icelandic Whaling

April 1, 2014

To the Congress of the United States:

On January 31, 2014, Secretary of the Interior Sally Jewell certified under section 8 of the Fisherman's Protective Act of 1967 (the "Pelly Amendment")(22 U.S.C. 1978), that nationals of Iceland are conducting trade in whale meat and products that diminishes the effectiveness of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). This message constitutes my notification to the Congress consistent with subsection (b) of the Pelly Amendment.

This is the third certification by United States Government agencies of Iceland for their continued whaling activities. In 2004, Secretary of Commerce Donald L. Evans made a certification regarding Iceland under the Pelly Amendment because its scientific whaling program diminished the effectiveness of the International Whaling Commission (IWC). When Iceland resumed commercial whaling in 2006, Secretary of Commerce Carlos M. Gutierrez continued Iceland's certification. In 2011, Secretary of Commerce Gary Locke increased actions to be taken by members of the Cabinet, Federal departments and agencies, and U.S. delegations by again certifying Iceland for diminishing the effectiveness of the IWC.

A single Icelandic company, Hvalur hf, conducts fin whaling. Iceland does not consume most of these fin whales; rather, they are exported, mainly to Japan. Iceland's commercial harvest of fin whales escalated dramatically in 2009 and 2010, was suspended in 2011 and 2012 due to difficulties in the Japanese market after the 2011 earthquake and tsunami, and resumed in 2013. Between 1987 and 2008, Iceland hunted a total of 7 fin whales. In 2009, Iceland hunted 125 fin whales, followed by 148 in 2010, zero in the years 2011–2012, and 134 fin whales in 2013. On December 16, 2013, Iceland set its 2014–2019 fin whale quota at 154 fin whales per year, an increase in its previous yearly whaling quota. According to the IWC, a harvest of 46 fin whales in the North Atlantic is biologically sustainable.

Iceland's actions jeopardize the survival of the fin whale, which is listed in CITES among the species most threatened with extinction, and they undermine multilateral efforts to ensure greater worldwide protection for whales. Specifically, Iceland's continued commercial whaling and recent trade in whale products diminish the effectiveness of CITES because: (1) Iceland's commercial harvest of fin whales undermines the goal of CITES to ensure that international trade in species of animals and plants does not threaten their survival in the wild; and (2) Iceland's current fin whale harvest and quota exceeds catch levels that the IWC's scientific body advised were sustainable.

In her letter of January 31, 2014, Secretary Jewell expressed her concern for Iceland's actions, and I share these concerns. Just as the United States made the transition from a commercial whaling nation to a whale watching nation, we must enhance our engagement to facilitate this change by Iceland.

To ensure that this issue continues to receive the highest level of attention, I have directed: (1) relevant U.S. agencies to raise concerns with Iceland's trade in whale parts and products in appropriate CITES fora and processes, and, in consultation with other international actors, to seek additional measures to reduce such trade and enhance the

effectiveness of CITES; (2) relevant senior Administration officials and U.S. delegations meeting with Icelandic officials to raise U.S. objections to commercial whaling and Iceland's ongoing trade in fin whale parts and products and to urge a halt to such action, including immediate notification of this position to the Government of Iceland; (3) the Department of State and other relevant agencies to encourage Iceland to develop and expand measures that increase economic opportunities for the nonlethal uses of whales in Iceland, such as responsible whale watching activities and educational and scientific research activities that contribute to the conservation of whales; (4) the Department of State to re-examine bilateral cooperation projects, and where appropriate, to base U.S. cooperation with Iceland on the Icelandic government changing its whaling policy, abiding by the IWC moratorium on commercial whaling, and not engaging in trade in whale parts and products in a manner that diminishes the effectiveness of CITES; (5) the Department of State to inform the Government of Iceland that the United States will continue to monitor the activities of Icelandic companies that engage in commercial whaling and international trade in whale parts and products; (6) Cabinet secretaries and other senior Administration officials to evaluate the appropriateness of visits to Iceland in light of Iceland's resumption of fin whaling and ongoing trade in fin whale parts and products; (7) relevant departments and agencies to examine other options for responding to continued whaling by Iceland; and (8) all relevant departments and agencies to report on their actions, within 6 months of certification, and any updates as needed beyond, through the Departments of State and the Interior. In addition, previous Pelly certifications of Iceland, and the direction to take actions pursuant to those certifications, remain in effect. I concur with the recommendation, as presented by the Secretary of the Interior, to pursue the use of non-trade measures and that the actions outlined above are the appropriate course of action to address this issue. Accordingly, I am not directing the Secretary of the Treasury to impose trade measures on Icelandic products for the whaling activities that led to the certification by the Secretary of the Interior.

The Departments of State, Commerce, and the Interior will continue to monitor and encourage Iceland to revise its policies regarding commercial whaling. Further, within 6 months, I have directed relevant departments and agencies to report to me through the Departments of State, Commerce, and the Interior on their actions. I believe that continuing focus on Icelandic whaling activities is needed to encourage Iceland to halt commercial whaling and support international conservation efforts.

BARACK OBAMA

The White House,
April 1, 2014.

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