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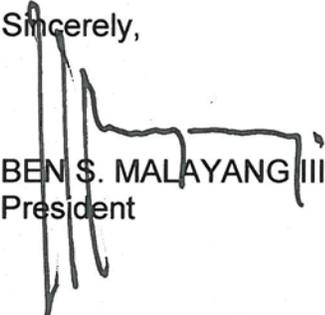
March 4, 2015

MS. TRIXIE CONCEPCION
Regional Director
Earth Island Institute – Philippines

Dear Ms. Concepcion:

Attached is the position letter of Silliman University regarding the importation of beluga whales to the Philippines. I hope the document will help your endeavors to prevent the approval of their importation.

Sincerely,


BEN S. MALAYANG III
President

Position Paper on the Importation of Beluga Whales into the Philippines

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BACKGROUND INFORMATION

In 2012, the Georgia Aquarium in the US requested a five-year permit to import 18 beluga whales (*Delphinapterus leucas*) from the Utrish Marine Mammal Research Station (UMMRS) in Russia to the United States for the purpose of public display in five US aquaria: the Georgia Aquarium, Sea World of Florida, Sea World of Texas, Sea World of California and the Shedd Aquarium. These whales were captured live from the Sakhalin-Amur region of Russia's Sea of Okhotsk between 2006 and 2011¹. The permit was denied by the National Marine Fisheries Science in the US in 2013. As a result, alternate aquaria are being sought to house these 18 beluga whales. In January 2014, Manila Ocean Park (MOP) requested a permit to import beluga whales into the Philippines. The beluga whales requested to be imported to the Philippines are currently contained in an oceanarium in Korea².

This request to import whales is in fact in contradiction to what the then MOP president Lim Chee Yong said during the opening of the facility in Manila. He said that the park has been given **strict limitations not to include protected species** of marine flora and fauna, which includes wild corals, sea turtles and **all marine mammals**. "The only time that the MOP can maintain such protected animals is if some caught specimens are unable to fend for themselves due to physical injury, but otherwise, the MOP cannot keep such creatures"³.

SILLIMAN UNIVERSITY'S POSITION

Silliman University **strongly advises against the importation** of belugas into the Philippines by the Manila Ocean Park for four major reasons. These reasons are discussed in this paper.

1. The welfare of the animals will be heavily compromised,

¹<http://www.livescience.com/38722-beluga-whales-georgia-aquarium-import.html>

²<https://www.change.org/p/manila-ocean-park-stop-the-importation-of-beluga-whales-into-the-philippines>

³<http://www.skyscrapercity.com/showthread.php?t=577781>

2. It had not been satisfactorily demonstrated that their removal from the wild will not be detrimental to the population where they were taken from and therefore importing them to the Philippines would be contrary to the provisions of the Convention of International Trade of Endangered Species (CITES),
3. Importation of these animals most likely would result in further capture of other beluga whales from the same population or stock, and
4. Introduction of the beluga whales into the Philippines could bring in exotic parasites and epizootic organisms which could affect our natural environment.

1.) Beluga whales are an Arctic species and are adapted to living in cold (-50°C to 18°C), pristine waters. Holding them in captivity in tropical waters will require a sophisticated facility that can provide a clean, unpolluted water supply with temperatures close to what they are used to. The facility where the beluga whales will be held is situated near Manila Bay and will most likely derive its waters from the Bay. The water there is not only warm (25°C to 37°C) but heavily polluted⁴. Although water filtration is being used in Manila Ocean Park, given the condition of Manila Bay that has been described as a 'reeking cesspool of sludge, human sewage, industrial waste and garbage'⁵, description of the type of filtration to be used for the beluga facility should be made available to the scientific community and the public and should be reviewed by experts in water treatment of marine mammal aquatic pools.

Beluga whales are highly mobile animals known to undertake large-scale annual migrations between wintering and summering grounds that are hundreds to thousands of kilometers apart (Jefferson et al. 2012). Some migrate to estuaries and up rivers, hundreds of kilometers from the sea. They feed on a wide variety of prey that includes fish, mollusks and benthic crustaceans and can dive down to 800 m (Jefferson et al. 2012). They are highly social and are found in large groups of up to hundreds of animals. Keeping them in an artificial pool **would constitute a cruel and inhumane treatment and a violation of the Animal Welfare Act** (Republic Act 8485 and 10631) that promotes not only the physical but also the psychological well-being of animals. Animal welfare as defined by this Act includes but not limited to "... the avoidance of abuse, maltreatment, cruelty and **exploitation of animals** by humans by maintaining appropriate standards of accommodation, feeding and general care, the prevention and treatment of disease and the assurance of freedom from fear, distress, harassment, and **unnecessary discomfort and pain, and allowing animals to express normal**

⁴<http://www.pemsea.org/profile/pollution-hotspots/manila-bay;>

⁵<http://www.greenpeace.org/seasia/ph/PageFiles/533258/OD-2013-Manila-Bay.pdf>

behavior.” There is nothing normal in the confines of a small tank completely devoid of the features of the natural environment.

Further, the Philippines lack scientific and legal guidelines and monitoring system that can ensure the well-being of this species in captivity. The welfare of these animals is relevant to conservation because ‘keeping them healthy, reproductively active and long-lived reduces the demand for replacement from the wild’ (Fisher and Reeves 2005).

2.) The beluga whale has been declared ‘Near Threatened’ by the International Union for the Conservation of Nature (IUCN) and is listed on Appendix II of CITES. Under CITES Agreements, the country of export (or re-export), prior to issuing an export (or re-export) permit must make findings regarding a) **the impact of the export on the survival of the species**; b) whether the collection of animals was consistent with existing domestic laws; and c) whether the shipment of animals was done in a way that minimizes the risk of injury, damage to health or cruel treatment.

In the same vein, importation of animals listed on Appendix II requires the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met: a) a scientific authority of the state of introduction advises that the introduction will not be detrimental to the survival of the species involved; and b) a management authority of the State of introduction is satisfied that any living specimen will be so handled as to minimize the risk of injury, damage to health or cruel treatment. CITES provides that the certificates mentioned above may be granted on the advice of a scientific authority in consultation with other national scientific authorities, or when appropriate, international authorities.

Both exportation and importation consider the detriment that the removal will cause to the survival of the species. This detriment has been examined in detail by the U.S. National Marine Fisheries Science (NMFS) who first received the application from Georgia Aquarium to import and display the beluga whales in captive facilities in the U.S. NMFS denied issuing the permit on several grounds, including that the Georgia Aquarium has not satisfactorily demonstrated that the proposed activity “... by itself or in combination with other activities, would not likely have a significant adverse impact on the species or stock”. NMFS argues that looking only at Potential Biological Removal (PBR) and comparing that to the number of animals removed by a single activity is not an appropriate way to assess the impact of the removal. Also, available data have suggested that the Sakhalin-Amur stock has declined and “PBR is not an appropriate proxy to determine sustainability of the live-capture”. Other determinations made by NMFS were that some of the animals were nursing when taken and the information it has suggests that the animals were taken from a depleted stock.

In addition, an IUCN independent review panel found the calculations made by Shpak et al. (2011) unacceptable because they were based on non-standard calculations of N_{min} values and they fell outside the spectrum of algorithms tested for the development of the PBR method (Wade 1998). The IUCN panel suspects that the method used by Shpak in general would yield greater number of removals (Reeves et al. 2011).

Guidelines often used in determining sustainability that include PBR presuppose that all animals are vulnerable to capture. Thus the preference of live-capture of young and female (more docile) members of the population will most likely change PBR values. Prevalence of juveniles will increase average reproductive value of the caught animals, and preference for females would require reassessment of PBR (Reeves et al. 2011).

The International Union of Conservation of nature (IUCN) argues that assessment of sustainability of removals that uses only a simple numerical approach ignores the biology of social animals (Reeves et al. 2011). Though belugas are known to be social, nothing much is known about their social structure. There is a chance that the removal might include socially important animals and destroy the social structure of the population.

Furthermore, it has been known that belugas exhibit high fidelity to their summering sites, and it is not known if site fidelity operates on a very local scale. If it does, removal of animals from one locality through time may deplete a local population (Reeves et al. 2011) and affect the overall genetic diversity of the species. Even without the live-capture, belugas are already under several threats that include climate change, increasing boat traffic, oil and gas explorations, hunting, expansion of fisheries, hydroelectric development, industrial and urban pollution (Alter et al. 2010; Elliot and Simmonds 2007, Jefferson et al. 2012).

3.) The requested importation of beluga whales into the Philippines would most likely result in taking or capture of more belugas from the wild. Capture of marine mammals in Russia has been legalized by the Russian government, and live-capture of belugas has been going on since 1989, and is expected to continue. Finding a market in Asia and in developing countries will encourage further capture from the wild. The combination of lack of high standards in marine mammal care, ineffective enforcement of animal welfare laws and low survivorship of beluga whales in captivity will, most likely, result in increased demand for animals from the wild to replace them. The Philippine government, as a CITES signatory and a promoter of biodiversity conservation through its Wildlife Resources Conservation and Protection Act (RA 9147) should lead the developing countries in Asia in ensuring the welfare of belugas in the wild.

4.)Dolphins and whales are known to harbor numerous epizootic organisms and parasites, many of which are specific to them (Aznar et al. 2005). One of the risks involved in introducing cetaceans into another country is the accidental transfer of alien species and spreading of epizootic diseases into the wild populations and ecosystems of that country, especially when animals have been transported over long distances (Reeves and Fisher 2005). Even when the beluga whales were to be housed in closed tanks, the water from the tanks will be released into Manila Bay and will definitely find its way into neighboring waters and in doing so spread whatever parasites and epizootic organisms are harbored by the whales. This could have an adverse effect on the natural balance of the ecosystem. The Philippines protects itself from such accidents via the Wildlife Resources Conservation and Protection Act (RA 9147) which, amongst its provisions,prohibits the introduction of exotic species. In addition the Section (16) on *Biosafety*requires that “All activities dealing on genetic engineering and pathogenic organisms in the Philippines, as well as activities requiring the importation, introduction, field release and breeding of organisms that are potentially harmful to man and the environment shall be reviewed in accordance with the biosafety guidelines ensuring public welfare and the protection and conservation of wildlife and their habitats”.

For these reasons, Silliman University would like to reiterate that it strongly opposes the importation of Beluga whales captured from Russia into the Philippines.

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