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JOINT MEDIA RELEASE

Monday, 9th May 2011

AUSTRALIA FILES ITS MEMORIAL IN THE WHALING CASE AGAINST JAPAN

The Government has announced that Australia will file its written submission in the Whaling Case against Japan at the International Court of Justice later today in The Hague.

The filing of the Memorial is the next step in the case to stop Japan's Southern Ocean whaling program for good.

The Australian Government believes Japan's whaling activities are contrary to its international obligations, in particular, the International Convention for the Regulation of Whaling.

Despite Australia repeatedly calling on Japan to cease its illegal whaling activities, Japan has refused to do so. That is why the Australian Government has taken this case in the ICJ.

The decision to commence proceedings in May 2010 was not taken lightly. The Government disagrees with Japan's decision to continue whaling and this is the proper way to settle legal differences between friends.

Australia will argue that Japan is in breach of the general prohibition under the Convention on commercial whaling as well as a prohibition on such whaling in the Southern Ocean Sanctuary, also established under the Convention.

Japan has sought to rely on an exception to the Convention concerning whaling 'for purposes of scientific research'.

The Government believes the whaling carried out by Japan is commercial, not scientific, and does not fall within that narrow exception.

The decision to take legal action demonstrates the Government's commitment to do what it takes to end whaling globally.

The Memorial will remain confidential until its public release is ordered by the Court, which is likely to be at the first oral hearing of the case. Japan must file its Counter-Memorial by 9 March 2012.

In March, the ICJ accepted the nomination of Professor Hilary Charlesworth AM as Australia's ad hoc judge in the Case.

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