CONGRESSIONAL RECORD—SENATE
June 29, 2001

(4) more than 12,000,000 African children have lost 1 or both parents to AIDS or AIDS-related illnesses, and that number will grow to more than 35,000,000 by 2010;

(5) if current trends continue, 50 percent or more of all 15-year olds in the worst affected countries, such as South Africa, and Botswana, will die of AIDS or AIDS-related illnesses; and

(6) one-quarter of the sub-Saharan African population could die of AIDS or AIDS-related illnesses by 2020, according to the Central Intelligence Agency;

Whereas confronting the AIDS pandemic is a moral imperative of the United States and a priority in the national interest of the United States,diverting national resources, and undermining states’ ability to provide for their national defense or international peacekeeping forces;

Whereas United Nations Secretary General, Kofi Annan, asserts that between peacekeeping forces;

Whereas between the Chairman and Ranking member of every committee of the Senate, except that the Select Committee on Ethics shall continue to be composed equally of members from both parties. No Senator shall cease to be effective, except for Sec. 3, between the Chairman and Ranking member of each committee shall remain in effect, unless modified by subsequent agreement between the Chairman and Ranking member.

Resolved, That it is the sense of the Senate

12560

SENATE RESOLUTION 121—ORGANIZATION OF THE SENATE

Mr. DASCHLE (for himself and Mr. LOTT) submitted the following resolution—which was considered and agreed to:

S. Res. 120

Resolved, That the Majority Party of the Senate for the 107th Congress shall have a one seat majority on every committee of the Senate, except that the Select Committee on Ethics shall continue to be composed equally of members from both parties. No Senator shall lose his or her current committee assignments by virtue of this resolution.

SEC. 2 Notwithstanding the provisions of Rule XXV the Majority and Minority Leaders of the Senate are hereby authorized to appoint their respective committees consistent with this resolution.

SEC. 3 Subject to the authority of the Standing Rules of the Senate, any agreements entered into regarding committee funding and space prior to June 5, 2001, between the Chairman and Ranking member of each committee shall remain in effect, unless modified by subsequent agreement between the Chairman and Ranking member.

SEC. 4 The provisions of this resolution shall cease to be effective, except for Sec. 3, if the ratio in the full Senate on the date of adoption of this resolution changes.

SENATE RESOLUTION 121—EXPRESSING THE SENSE OF THE SENATE REGARDING THE POLICY OF THE UNITED STATES AT THE 53RD ANNUAL MEETING OF THE INTERNATIONAL WHALING COMMISSION

Mr. KERRY (for himself, Ms. SNOWE, Mr. HOLLINGS, Mr. MCCAIN, Mr. BIDEN, Mr. SARBANES, Mrs. BOXER, Mr. KENNEY, and Mr. FEINGOLD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 121

Whereas whales have very low reproductive rates, making whale populations extremely vulnerable to pressure from commercial whaling;

Whereas whales migrate throughout the world’s oceans and international cooperation is required to successfully conserve and protect whale stocks;

Whereas in 1946 the nations of the world adopted the International Convention for the Regulation of Whaling, which established the International Whaling Commission to provide for the proper conservation of the whale stocks;

Whereas the Commission adopted a moratorium on commercial whaling in 1986 in order to conserve and promote the recovery of the whale stocks;

Whereas the Commission has designated the Indian Ocean and the western ocean around Antarctica as whale sanctuaries to further enhance the recovery of whale stocks;

Whereas many nations of the world have designated waters under their jurisdiction as whale sanctuaries where commercial whaling is prohibited, and additional regional whale sanctuaries have been designated by nations that are members of the Commission;

Whereas several member nations of the Commission have taken reservations to the Commission’s moratorium on commercial whaling and 1 member nation is currently conducting commercial whaling operations in spite of the moratorium and the protests of other nations;

Whereas the Commission has adopted several resolutions at recent meetings asking member nations to abandon plans to initiate or continue commercial whaling activities conducted under reservation to the moratorium;

Whereas another member nation of the Commission has taken a reservation to the Commission’s Southern Ocean Sanctuary and continues to conduct unnecessary lethal scientific whaling in the waters of that sanctuary;

Whereas the Commission’s Scientific Committee has repeatedly expressed serious concerns about the scientific need for such lethal whaling;

Whereas scientific information on whales can readily be obtained through non-lethal means;

Whereas the lethal take of whales under reservations to the Commission’s policies have been increasing annually;

Whereas there continue to be indicators that whale meat is being traded on the international market despite a ban on such trade under the Convention on International Trade in Endangered Species (CITES), and that meat may be originating in one of the member nations of the Commission;

Whereas engaging in unauthorized commercial whaling and lethal scientific whaling undermines the conservation program of the Commission; Now, therefore, be it,

Resolved, That it is the sense of the Senate that—

(1) at the 53rd Annual Meeting the International Whaling Commission the United States should—

(A) remain firmly opposed to commercial whaling;

(B) initiate and support efforts to ensure that all activities conducted under reservations to the Commission’s moratorium or sanctuaries are ceased;

(C) oppose the lethal taking of whales for scientific purposes unless such lethal taking...
is specifically authorized by the Scientific Committee; (D) seek the Commission’s support for specific efforts by member nations to end illegal trade in whale meat; and (E) support the permanent protection of whale populations through the establishment of whale sanctuaries in which commercial whaling is prohibited; (2) of the International Trade in Endangered Species, the United States should oppose all efforts to reopen international trade in whale meat or downlist any whale population; and (3) the United States should make full use of all appropriate diplomatic mechanisms, relevant international laws and agreements, and other appropriate mechanisms to implement the goals set forth in paragraphs (1) and (2).

Mr. KERRY. Mr. President, as Chairman of the Oceans and Fisheries Subcommittee, I rise today to submit a resolution regarding the policy of the United States at the upcoming 53rd Annual Meeting of the International Whaling Commission, IWC. I wish to thank the Ranking Member of the Subcommittee, Mr. McCaul, for co-sponsoring this resolution. I wish to also thank my colleagues Mr. Hollings, Mr. McCain, Mr. Biden, Mrs. Boxer, Mr. Sarbanes, Mr. Kennedy and Mr. Feingold for co-sponsoring as well.

The IWC will meet in London from July 23-27th. Despite an IWC moratorium on commercial whaling since 1985, Japan and Norway have harvested over 1000 minke whales since the moratorium was put in place. Whales are already under enormous pressure worldwide from collisions with ships, entanglement in fishing gear, coastal pollution, noise emanating from surface vessels and other sources. The need to conserve and protect these magnificent mammals is clear.

The IWC was formed in 1946 in recognition of the fact that whales are highly migratory and that they do not belong to any one Nation. In 1982, the IWC agreed on an indefinite moratorium on all commercial whaling beginning in 1985. Unfortunately, Japan has been using a loophole that allows countries to issue themselves special permits for whaling under scientific purposes. The IWC Scientific Committee has not requested any of the information obtained by killing these whales and has stated that Japan’s scientific whaling data is not required for management. Norway, on the other hand, objects to the moratorium on whaling and openly pursues a commercial fishery for whales.

This resolution calls for the U.S. delegation to the IWC to remain firmly opposed to commercial whaling. In addition, this resolution calls for the U.S. to oppose the lethal taking of whales for scientific purposes unless such lethal taking is specifically authorized by the Scientific Committee of the Commission. The resolution calls for the U.S. delegation to support an end to the illegal trade of whale meat and to support the permanent protection of whale populations through the establishment of whale sanctuaries in which commercial whaling is prohibited.

I ask unanimous consent to insert into the RECORD a statement from the World Wildlife Fund, WWF, concerning the upcoming meeting of the IWC and the protection of whales.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

STATEMENT OF WORLD WILDLIFE FUND

Today, populations of nearly all the great whales are at depressed levels, a legacy of unsustainable whaling during the last two centuries. Some, such as the North Atlantic right and Antarctic blue whales, survive as a few hundred individuals at the brink of extinction, having failed to rebound from past exploitation. Others are believed to be returning to healthy levels. While direct human-driven persecution is largely ended, other more diffuse threats may ultimately exact a greater toll. Rapid climate warming in the next few decades is expected to disrupt whale migration, breeding, and feeding. And accumulation of DDT, PCBs, and other toxic contaminants in the marine food chain is already affecting some whales and may endanger their immune systems and ability to reproduce. Such broad-based threats to the marine environment are difficult to address in ways that will alleviate harm to whales specifically, and make it all the more important that whales are not also threatened by uncontrolled commercial whaling.

The International Whaling Commission, IWC, was established in 1946 as the only international organization to deal with whaling. The IWC’s core mission is to conserve and protect the world’s whale populations.”

Despite the global moratorium on commercial whaling put in place by the IWC in 1986, over 1000 Northern and Southern minke whales are killed each year. Within the IWC, Japan continues to catch hundreds of whales (many in the Southern Ocean which is designated as an IWC whale sanctuary) using a loophole for scientific research, while Norway pursues an openly commercial hunt under a legal “objection” to the moratorium. For over a decade, both countries have proceeded without IWC approval and indeed in the face of repeated censure by the Commission. Norway is currently moving to re-open international trade in whale products despite a ban under CITES, and Japan has just extended its scientific whaling to include sperm and Bryde’s whales as well as the two species of minke.

Japan and Norway’s insistence on hunting whales despite the moratorium has brought IWC to a dangerous impasse. No sound management scheme currently exists to ensure the sustainability of whale populations. Although a Revised Management Scheme, RMS, that could help to do so has been under discussion in the IWC for several years, Japan and Norway have long said they viewed completion of the RMS as a turning point in their efforts to lift the whaling moratorium, and both countries have harshly criticized the IWC’s draft proposal for such an agreement on the RMS. In recent IWC talks, however, the great majority of countries present sought to include crucial safeguards on the IWC’s enforcement and continued support in the RMS. They did so over the strength and repeated objections of Japan and Norway, who seemed unwilling to agree to safeguards that would ensure that commercial whaling does not threaten whale populations.

In addition, Japan and Norway are supported in the IWC by the votes of a loyal group of countries, small island states that receive significant assistance from Japan. This gives the whalers a blocking minority of votes and has exacerbated the IWC’s deadlock.

Because a tiny minority of countries in the IWC refuses to cease commercial whaling, it is imperative that new safeguards (including highly precautionary catch limits and provisions on monitoring, surveillance, and control such as DNA sampling of all whales caught, a diagnostic DNA register, and sanctions for non-compliance) be agreed that will contain their activities and bring them back under full IWC control at the earliest possible date. An RMS could advance this goal if it contains safeguards, including a Revised Management Scheme that sets all catch limits at zero unless otherwise calculated and approved. Such an RMS could replace the now obsolete 1974 management scheme.

The IWC 53rd Conference of Parties meets at Hammersmith, London, in late July of this year. The Hammersmith meeting must make progress in resolving the impasse within IWC, bringing whaling by Norway and Japan under international control as a matter of urgency, and ensuring that any discussion on the RMS incorporate rigorous safeguards to rein in current and potential whaling abuses.

The IWC’s mandate requires first and foremost that we, as a nation, continue to speak out passionately against this practice. It is also time to close one of the loopholes used by nations to continue whaling without regard to the moratorium or established whale sanctuaries. The practice of unnecessary lethal scientific whaling is outdated and the value of the data of such research has
been called into question by an international array of scientists who study the same population dynamics questions explored by the Maui Whales in the name of science. This same whale meat is then processed and sold in the marketplace. These sentiments have been echoed by the Scientific Committee of the IWC which has repeatedly passed resolutions calling for the cessation of lethal scientific whaling, particularly that occurring in designated whale sanctuaries. They have offered to work with all interested parties to design research protocols that will not require scientists to harm or kill whales.

Last year, Japan expanded their scientific whaling program over the IWC’s objections. The resolution that we are offering expresses the Sense of the Senate that the IWC, as well as individual nations, should continue to remain firmly opposed to any resumption of commercial whaling and oppose, at the upcoming IWC meeting, the non-necessary lethal taking of whales for scientific purposes.

Commercial whaling has been prohibited for many species for more than sixty years. In 1982, the continued decline of commercially targeted stocks led the IWC to declare a global moratorium on all commercial whaling which went into effect in 1986. The United States was a leader in the effort to establish the moratorium, and since then we have consistently provided a strong voice against commercial whaling and have worked to uphold the moratorium. This resolution reaffirms the United States’ strong support for a ban on commercial whaling at a time when our negotiations at the IWC most need that support. Norway, Japan, and other countries have made it clear that they intend to push for the elimination of the moratorium, and for a return to the days when whales were treated as commodities.

The resolution would reiterate the U.S. objection to activities being conducted under reservations to the IWC’s moratorium. The resolution would also oppose all efforts made at the Convention on International Trade in Endangered Species, CITES, to reopen international trade in whale meat or to downlist any whale population. In addition, the resolution would reaffirm national laws and regulations regarding the protection of whales in our own waters, throughout the world’s oceans, and as we protect whales in our own waters, so should we act to protect them internationally.

Whales are among the most intelligent animals on Earth, and they play an important role in the marine ecosystem. Yet, there is still much about them that we do not know. Resuming the intentional harvest of whales is irresponsible, and it could have ecological consequences that we cannot predict. Therefore, we tend to even consider easing conservation measures. The right policy is to protect whales across the globe, and to oppose the resumption of commercial whaling. I urge my colleagues to support swift passage of this resolution.

SENATE RESOLUTION 122—RELATING TO THE TRANSFER OF SLOBODAN MILOSEVIC TO THE INTERNATIONAL CRIMINAL TRIBUNAL FOR YUGOSLAVIA, AND FOR OTHER PURPOSES

Mr. McCONNELL, for himself and Mr. LEAHY, submitted the following resolution:

Whereas Slobodan Milosevic has been transferred to the International Criminal Tribunal for Yugoslavia to face charges of crimes against humanity; and

Whereas the transfer of Slobodan Milosevic and other indicted war criminals is a triumph of international justice and the rule of law in Serbia; and

Whereas corruption and warfare under the Milosevic regime caused Yugoslavia extensive economic damage, including an estimated $29,400,000,000 in lost output and a foreign debt that exceeds $12,200,000,000; and

Whereas democrats and reformers in the Federal Republic of Yugoslavia deserve the support and encouragement of the United States; Now, therefore, be it

Resolved, That (a) the Senate hereby—

(1) recognizes the courage of Serbian democrats, in particular, Serbian Prime Minister Zoran Djindjic, in facilitating the transfer of Slobodan Milosevic to the International Criminal Tribunal; and

(2) calls for the continued transfer of indicted war criminals to the International Criminal Tribunal for Yugoslavia and the release of all political prisoners held in Serbian prisons.

(b) It is the sense of the Senate that the United States should remain committed to working with the United Nations and other international organizations to support the success of economic, political, and legal reforms in the Federal Republic of Yugoslavia.

Mr. McCONNELL. Mr. President, Senator LEAHY and I welcome the news of the transfer yesterday of Slobodan Milosevic and other indicted war criminals to the International Criminal Tribunal for Yugoslavia, ICTY.

Last year, we worked to include language in the fiscal year 2001 Foreign Operations Appropriations bill to condition assistance to Serbia on, among other issues, certification by the President that the government is cooperating with the ICTY on the “surrender and transfer” of war criminals to The Hague.

While our efforts to secure justice for the victims of Milosevic’s atrocities through Section 594 of P.L. 106-429 contributed to dramatic events in early April, when Milosevic was first arrested, and again yesterday, the real credit for facilitating the transfer belongs to the hard work of the United States’ strong support for a ban on commercial whaling by other countries. Whales migrate throughout the world’s oceans, and as we protect whales in our own waters, so should we act to protect them internationally.

There is no victory sweeter than justice. It is now up to the ICTY to deliver justice to the victims and the survivors of Milosevic’s atrocities committed in Kosovo, Bosnia, and Croatia.

Mr. LEAHY. Mr. President, last year, when Senator McCONNELL and I included language in the fiscal year 2001 Foreign Operations bill to condition United States assistance in Serbia on the Federal Republic of Yugoslavia’s cooperation with the War Crimes Tribunal, we could not predict what the effect of our provision would be. While we both wanted to support democracy and economic reconstruction in Serbia, we also felt strongly that if Serbia’s leaders wanted our assistance they should fulfill their international responsibility to apprehend and surrender indicted war criminals to The Hague.

I am very grateful for the way Senator McCONNELL, and his staff have worked closely with me and my staff on this. It has been a classic case of how conditioning our assistance and our cooperation together, not only on the administration, can achieve a result that significantly advances the cause of international justice. Milosevic’s transfer to the War Crimes Tribunal should bring