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Media Contacts:

Amey Owen, amey@awionline.org, Animal Welfare Institute, (202) 446-2128

NMFS' Designation of Russian Beluga Whales as Depleted Makes Their Import into US Illegal

Washington, DC— (October 27, 2016) —The Animal Welfare Institute (AWI), Cetacean Society International (CSI), Earth Island Institute (EII), and Whale and Dolphin Conservation (WDC) lauded the U.S. National Marine Fisheries Service (NMFS) today for its [final designation](#) of the Sakhalin Bay-Amur River population of beluga whales in Russia as depleted under the Marine Mammal Protection Act (MMPA).

The depleted designation makes it illegal to import any belugas from this population into the United States for public display, including belugas captured from this stock that are already in captivity and their offspring. The final rule came after a 60-day public comment period on a proposed rule and several months of deliberation by the agency. The rule marks the first time that the agency has exercised its authority under the MMPA to help protect a whale population inhabiting wholly foreign waters by designating it as depleted.

"This was the only right decision," said Dr. Naomi Rose, AWI marine mammal scientist. "Although the belugas are in Russian waters, what we do here in the United States sets an example for authorities responsible for marine mammal protection everywhere. This final decision puts the United States solidly on the high ground in future collaborative efforts to provide additional protections for these beleaguered whales, which are still subject to capture for the display industry, especially in Russia and China."

In early 2014, the groups submitted [a petition](#) to NMFS to designate this population of belugas as depleted after Georgia Aquarium, a U.S. facility, applied in 2012 for a permit to import 18 whales captured from the population. The science clearly showed that the population was well below 60 percent of its historic size, and therefore depleted under MMPA criteria. The groups supported NMFS' decision to deny Georgia Aquarium's import permit and [intervened on behalf of the agency after it was subsequently sued by the aquarium](#).

While a September 2015 ruling by a federal court in Atlanta finally upheld the agency's decision, the possibility remained that other facilities, or even Georgia Aquarium itself, could apply again for import permits. A depleted designation eliminates this possibility—even for belugas captured from this stock that are already in captivity and their offspring—thereby providing conservation benefits that may reduce the impacts of live captures to this stock.

The designation also provides a framework for U.S. agencies to promote stronger protections for the Sakhalin Bay-Amur River population of belugas. Russia has allowed captures from this population for the purpose of public display for many years. Many of the captured whales are used in Russia's domestic facilities or are shipped to China and other destinations every year.

"Today's finding should send a clear message to captive facilities that the US is putting conservation before profit," stated Regina Asmutis-Silvia, executive director of WDC North

America. "We look forward to the day when all captive facilities follow suit and whales and dolphins are only found in the wild."

"CSI is grateful to NMFS for providing this protection for these increasingly targeted belugas," added William Rossiter, CSI executive director for advocacy, science and grants. "Russian capture quotas remain obscene despite the science backing NMFS's decision, but now none will come here. Everyone that buys a ticket to see a beluga in a tank should know that every capture is likely to leave behind injured and dead belugas. These belugas define what exploitation for entertainment is all about."

"NMFS is to be commended for making this decision to protect the beluga whales of Russia," stated Mark J. Palmer, associate director of the International Marine Mammal Project of Earth Island Institute. "Too many aquariums now want live belugas, which do poorly in captivity and should not be consigned to a miserable life of eating dead fish in a small concrete tank."

To view the final rule in the Federal Register, visit <https://www.federalregister.gov/documents/2016/10/27/2016-25984/designating-the-sakhalin-bay-nikolaya-bay-amur-river-stock-of-beluga-whales-as-a-depleted-stock> For more information on the groups' efforts to protect the Sakhalin Bay-Amur River belugas, visit <https://awionline.org/cases/protection-beluga-whales>.

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About the Animal Welfare Institute

The Animal Welfare Institute is a nonprofit charitable organization founded in 1951 and dedicated to reducing animal suffering caused by people. AWI engages policymakers, scientists, industry, and the public to achieve better treatment of animals everywhere—in the laboratory, on the farm, in commerce, at home, and in the wild. For more information, visit www.awionline.org.

About Cetacean Society International

For 42 years CSI has worked to stop human activities that kill, harm or harass cetaceans, while enhancing public awareness of and concern for cetaceans and the marine environment. www.csiwhalesalive.org.

About Earth Island Institute

The International Marine Mammal Project of Earth Island Institute works to protect whales, dolphins and their marine habitat. For more information, visit www.savedolphins.eii.org.

About Whale and Dolphin Conservation

Whale and Dolphin Conservation (WDC) is an international charity dedicated to the conservation and welfare of whales, dolphins and porpoises worldwide. Established in 1987 with offices in the United States, United Kingdom, Argentina, Germany, and Australia, WDC works to reduce and ultimately eliminate the continuing threats to whales and dolphins and their habitats, while striving to raise awareness of these remarkable creatures and the need to protect them in their natural environment. Visit www.whales.org to learn more.