

American Court to Weigh Destiny of 18 Russian Beluga Whales

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ATLANTA — A U.S. court hearing on Friday on the fate of 18 beluga whales captured in Russia pitted federal regulators against the Georgia aquarium seeking to bring them to the United States.

U.S. environmental officers have said moving the whales to the United States would hasten the depletion of the wild population and violate the Marine Mammal Protection Act.

"No matter how you slice the data," the whale population can't handle the losses from capture for display in zoos and aquariums, said Clifford Stevens, a lawyer for the government.

The Georgia Aquarium in Atlanta, which is suing the National Oceanic and Atmospheric Administration (NOAA) fisheries service, says that its efforts will promote education and conservation.

The aquarium disputed the government's calculations of whale populations and the numbers

dying, whether from hunting, capture in fishing nets, climate factors or pollution.

"The defendants have cooked the books on the numbers," said Aquarium lawyer George Mannina, arguing that the local Russian population is healthy. "They've created a burden that no one could ever meet."

Also known as white whales, belugas normally swim in Arctic or sub-Arctic waters and are classified as endangered in some areas and as "near threatened" worldwide, according to the aquarium.

The aquarium sued the government in September 2013 for the right to acquire the whales, captured in 2006 off the coast of northern Russia in the Sea of Okhotsk and currently in the care of Russian scientists.

This was the second time the case had appeared before U.S. District Judge Amy Totenberg, who has yet to rule on arguments heard last August when the aquarium sought access to government documents that led to the denial of its permit.

If the permit is denied, the whales' fate will be decided in Russia. A court decision is not expected for several months.

Up until March 2013, the project seemed to have the green light from NOAA, according to court filings by the aquarium.

"Agencies do change their minds sometimes," Stevens said.

If the aquarium, which already has three belugas, brings the whales to the United States, some would remain in Atlanta on display and the others would go to facilities across the country including SeaWorld parks, the permit application said.

SeaWorld has come under scrutiny for its killer whale shows.

Two baby beluga whales born at the aquarium have died since 2012, although their deaths have not been raised in the case.

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