

RESPONSE TO “MOTIVIATION” DOCUMENT

with regard to APPLICATION FOR CITES PERMIT TO EXPORT MORGAN TO LORO PARQUE

Compiled by the Free Morgan Group, 21 July 2011.

SUMMARY

The Dolfinarium Harderwijk, the facility which currently holds the young orca known as Morgan, has applied to the Commission for the International Trade in Endangered Animals (CITES) for an export Permit to move Morgan from the Netherlands to Loro Parque, Canary Islands, Spain.

The Dolfinarium Harderwijk is applying for the CITES permit under the guise that Morgan will be used for Research and Education and that she will be shipped to a facility with ‘the highest standard of housing and care’.

The Free Morgan Group has abundant documentation to illustrate that the proposed entertainment park is NOT a suitable location, for many reasons, including safety for the animals, social disharmony among the animals, inexperienced trainers, poor holding facilities, inadequate ‘research’ proposals and a strong commitment by the park to the entertainment industry and to SeaWorld for their animals to be used for breeding purposes.

We have outlined *inter alia*, our concerns about different aspects by dismantling the document into various sections (see Annex One, LIST OF DOCUMENTS).

This document deals specifically with the ‘motivation’ of why the Dolfinarium Harderwijk believes Morgan should go to Loro Parque and why we believe she should not.

As there is no obvious author for this section (and the ‘Analysis and Conclusions’) of the application to CITES by the Dolfinarium Harderwijk, we will consider the Dolfinarium Harderwijk the author and refer to them as DH. We will refer to the Free Morgan Group (and the associated Expert Board) as FMG.

Most of the aspects which DH raises or refutes are contested by the FMG in the attached documents submitted along with this material. To enhance brevity, we will refer to the points raised in the ‘Motivation’ document in a few words and guide the reader to the relevant documents rather than repeat the arguments in full here.

DETAILS

Natal Group/Pod/Population

The document outlining the Dolfinarium Harderwijk’s Motivation for the Request for the issue of the CITES Permit attempts to cloud the issue of potential rehabilitation and release by stating the following at the beginning of their submission

“..... releasing animals back into the wild, of which the original/natal population/group/habitat is not known is undesirable.....”

This implies, erroneously, that neither the population, nor the habitat of Morgan is unknown, which is *NOT* true. The Dolfinarium themselves released (limited) data which stated that Morgan originates from the herring eating population of orca from the waters of Norway (but that Iceland can't be ruled out) and that the group “she is closely related to the NP pod.” (van Elk, 2010, page 11, point 10).

What IS true is that her natal group has not been located, but we have clearly explained why we, based on evidence that has been collected from this very population orca, believe that Morgan should still be given the opportunity for an attempt at rehabilitation and release.

The focus of the ‘Motivation’ document keeps returning to the disputed fact that the DH maintains that Morgan must have her natal group in order to survive in the wild. The Free Morgan Group (FMG) is adamant that this is not the case. We refer to the Visser & Hardie (2011) document which outlines that a natal group is not necessary based on the fluid fission-fusion nature of some populations of orca. Additionally, there is evidence that Norwegian orca are not as rigid in their social structure as DH is attempting to ascertain. For instance, when using photo identification results “*The cluster analysis showed 10 groups of whales that spent together more than 50% of the time, suggesting strong bonds between some individuals*”, and during short-term observations (10 minute bouts) “*whales switched from one sub-group to another, making the number of whales in the sub-groups change, during 17% of the observations*” (Ugarte 2001). Stenersen and Similä (2004) also describe the social networking of one young orca who has been sighted with five different groups of orca who provision. The document Refuting van Elk also points out that the diet of the Norwegian and Icelandic orca may not be as rigid as has previously been assumed.

Lack of Research/Research Proposals from Loro Parque

Clearly the past six to eight months have been in direct violation of the permit which they hold, in that Morgan has not been kept by them with a goal toward release, as their training methods (and lack of) have clearly illustrated (e.g., see evidence in Visser & Hardie (2011), page 25 in REFUTE van Elk). Despite written protests by various members of the concerned public and organizations, nothing has been done and the Dolfinarium Harderwijk has continued to hold Morgan for public display and conducted no visible research that we can ascertain.

As ASCOBANS so clearly delineates, the only way an animal of Morgans status can be kept is if scientific research is being conducted. The poorly masked attempt to suggest that Loro Parque is conducting research and that Morgan is needed for that research is preposterous. The fact that these research proposals are at least six or seven years old indicates that there was never intention to use Morgan for research.

This document is in response to the Research Proposals and refutes the validity of them and their use of Morgan. Of particular note is that, with the exception of the proposal which discusses the introduction of Morgan to the group, that **these Research Projects are apparently a 'recycling' of the documentation** which was used to apply for the original importation CITES Permits, to bring the orca which are now housed at Loro Parque, from the USA to Spain. In all cases, **the letters of 'support' are either non-existent (see introduction proposal), dated January 2005 (i.e., seven years old), or in the case of one proposal (conservation aspects and behavior), omitted all together (although listed as attached in the proposal).** It is abundantly clear that these recycled Research Projects are not specifically for Morgan, nor do they actually even require Morgan, but have been added to this permit application in an attempt to 'fluff-out' the application and give the impression that Loro Parque conducts 'research' thereby fulfilling the requirement set by the Netherlands Government that Morgan be shipped to a facility which is 'suitable' by their criteria. Given that the CITES application to import orca to Loro Parque was successful in the past, the facility may have thought that using the same documentation as was used in the original CITES application, without even an attempt at an update of the scientific references or letters of endorsement would be sufficient. **Not one of the Research Projects has a scientific reference after 2005.** Significantly, despite an extensive search of the internet through search engines such as SCHOLAR, only one scientific published article could be found which notes Loro Parque as the venue for the research. Although we freely admit that there may be more published articles that we are unaware of (particularly in Spanish, given the native language of Loro Parque) we would have anticipated and logically expected that a full publication list would have been submitted as part of the 'evidence' used in the application to illustrate the venue was 'scientific' or that, at the very least, 'research' was conducted on its premises.

Additionally, and perhaps adding more evidence to show that this documentation is just 'recycled', even though Loro Parque has been involved in the one scientific study we could find published in a peer-reviewed journal, and which was directly conducted at the facility, this article not cited in any of the proposals, in the application anywhere that we could find, or even appended to the application. That study was published in 2010.

Given the short timeframe (three working days) in which the Free Morgan Group has had to respond to the full application of the Dolfinarium Harderwijk for their CITES permit, it has not been possible for us to fully dissect each of the proposals.

However, herein are short notes with some points raised. There are many more issues at stake than these few which have been raised and a full investigation is warranted. For instance, one of the Research Projects proposes an 'acoustical window' which will give the animals an impression that the wall has a 'window' in it – this is not only potentially dangerous to the animals as they may swim into an existing wall, it is unethical to 'dangle' a carrot of such magnitude (i.e., 'freedom' or 'danger').

Such a misuse of the terms 'Research' (not to mention education) as a means to apply for a CITES permit to acquire yet another orca for the SeaWorld 'collection' is unacceptable and a direct reflection of the low standard of moral and ethical conduct, which this facility has gained a reputation for. It is also a clear attempt to make a mockery of the CITES application process and the spirit in which CITES was formed.

There is clearly no real 'need' for Loro Parque to acquire Morgan, other than for breeding, as she is 'new blood' and as a young female she will boost the dwindling number of animals which can produce offspring. The orca which are in captivity, many of which are inbred, do not 'need' Morgan, either. Particularly in a situation where there are already multiple orca. If orca welfare was truly the reason that these facilities were wanting to bring in Morgan so that they can form 'social groups', then the solitary orca which have been in captivity at various facilities around the world should be consolidated into a social group and Morgan should be given the chance to return to her natural family.

We have ample documentation to illustrate that Loro Parque is far from a 'research' facility and that first and foremost a commercial enterprise, set up with entertainment of the public and breeding of orca in mind.

Quality of Facility/Breeding Stock/Trading

There is also clear evidence that Loro Parque is not the high-quality facility that DH is attempting to portray. For instance please see Zimmermann (2011 attached). That document is based on the report by Suzanne Allee, a former employee at Loro Parque who has spoken out because of the poor conditions for the animals (and trainers). (see attached report and covering letter by S. Allee).

It is no secret that SeaWorld owns the other orca already at Loro Parque and that they wish to acquire Morgan (see Garcia, 2011, attached). There is an increasing urgency within the marine mammal captive industry to acquire animals for breeding stock as more and more nations become aware of the unsatisfactory nature of these facilities and ban the import of wild-caught specimens. Trading between facilities has become common-place and we suspect that Morgan will just be used as a bargaining chip, or worse yet a breeding cow. The DH has been involved in these types of deals before (please see Cornell letters, attached)

These motivations (and evidence to refute them) are clear. This is all obvious violation of the agreements such as CITES and ASCOBANS and the DH is clearly flaunting their position and attempting to circumvent these very valid and important conservation regulations.

The 'trade' in animals between facilities is a well-established process in the captive marine mammal industry and the risks to the animals have been well documented.

The Free Morgan Expert Panel is adamant that moving Morgan to a facility such as Loro Parque is inappropriate, unethical and will severely impact on the welfare of Morgan. We cannot use words strong enough to indicate that we believe that shipping Morgan to Loro Parque would be inappropriate.

We conclude that the attempt to disguise Loro Parque as a facility which conducts research, is just that, a disguise. The only acceptable (and logical and ethical) option is to attempt rehabilitation and release Morgan, with the possibility of long-term care in either a semi-natural facility (such as a sea-pen) or through 'support' for her whilst she remains in the ocean.

Garcia, J., (2011) Seaworld seeks Dutch killer whale. Orlando Sentinel, Issue date: July 20, 2011. (B5-B6).

Ugarte, F. (2001). Behaviour and social organisation of killer whales in Northern Norway Masters, University of Tromsø.

Zimmermann (2011). Blood in the water. Outdoor Online. *Monday, July 18, 2011.*

<http://www.outsideonline.com/outdoor-adventure/nature/Blood-in-the-Water-Keto.html?page=1>