

# U.S. Aquarium Claims 18 Beluga Whales Captured off Russian Coast

By [The Moscow Times](#)

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Two Beluga whales swimming at the Georgia Aquarium in January 2006.

An aquarium in the U.S. state of Atlanta has gone to court to seek federal permission to bring 18 captured beluga whales to the United States from Russia.

The Georgia Aquarium sued the U.S. National Oceanic and Atmospheric Administration fisheries service in September for the right to acquire the whales, which were captured off the coast of northern Russia in the Sea of Okhotsk and are currently in the care of Russian scientists.

Lawyers for both sides argued the case before a U.S. district judge in Atlanta on Wednesday, but a final decision could be two months away.

The government contends that bringing the whales to the U.S. would contribute to the depletion of the known wild beluga whale population and violate the Marine Mammal

Protection Act.

The aquarium disputes that and wants NOAA Fisheries to hand over more internal documents to show how the government made its decision.

As recently as March 2013 the permit to bring in the whales seemed to be getting the green light, said Daniel Diffley, an attorney for the aquarium. But five months later the government denied the aquarium's permit.

"If they are going to change their minds, we are entitled to look at why," he said. "We believe the decision is arbitrary."

The aquarium also wants to submit more studies about the known whale population.

Ethan Eddy, an attorney with the Department of Justice representing NOAA, told the court that the memos and e-mails are protected discussions among staffers about the merits of the permit request.

"What we're hearing is a lot of innuendo, that there might be a bad motive behind this," Eddy told the court. Allowing staff to have candid conversations in private was a valuable tool for making decisions, he added.

Eddy discounted the aquarium's request to submit more studies, which he described as three obscure Russian papers with incomplete or unverified translations.

He also raised concerns as to whether or not all the whales were captured in a humane way, as required by law.

Aquarium President David Kimmel said that acquiring the whales would help protect them.

"We want to pursue the goals of conservation, research and education," Kimmel said. "With global climate change, it's more important now than ever to learn how to protect these animals."

If approved, some of the whales would join the four belugas that currently reside at the aquarium and the rest would go to other approved marine sites, including SeaWorld theme parks.

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