

as defined in those paragraphs. On the other hand, paragraph 12 (a) requires that all whales taken (except minke whales) shall be processed. It will probably be agreed that even whales which are taken illegally should be processed rather than wasted. In that event, the prohibition in paragraphs 4, 5, 6, 7 and 10 should be confined to the "taking and killing" of whales, an expression which accords with that used in paragraphs 2 and 3.

3. Paragraph 10 (d) requires each Contracting Government to declare one open season each year for minke whaling by land stations and "all whale catchers" under its jurisdiction. The expression "all whale catchers" includes catchers attached to factory ships. In effect the paragraph provides that there shall be one open season common to all the catchers under the flag of each Contracting Government, except that separate open seasons may be declared for land stations more than 1,000 miles apart. If a Contracting Government wishes to declare an open season for land stations in the Northern Hemisphere and a separate open season for land stations in the Southern Hemisphere, it is at liberty to do so, but there is no provision at present to enable a Contracting Government to declare, e.g. one open season for land stations in the Northern Hemisphere and a different one for its factory ships operating in the Southern Hemisphere. Provision for this is contained in the proposed new paragraph 7 (c).

4. It would then also be desirable to provide specifically for an open season for minke whaling by those catchers which hunt the minke whale in particular, and which do not work in conjunction with a factory ship or land station but process the whales on board. This is done in the amended paragraph 10 (d) proposed (although strictly this is a land station paragraph) by relating the paragraph to "land stations and all catchers other than those attached to factory ships".

5. The amendment to sub-paragraph (a) of paragraph 12 made in 1951 to "except minke whales" seems to go further than was intended, in that it would relieve factory ships and land stations from the obligation to process all parts of such whales. The intention was only to relieve from that obligation those catchers which do their own processing on board. The proposed revision of paragraph 12 is designed to meet this point.

6. Amendment of Paragraph 8 is desirable to make it clear that nil returns on days when no humpback whales are taken should be made only during the humpback whaling season.

7. Paragraphs 7 (c) and 10 (c) as they now exist can be dispensed with as unnecessary in view of the present paragraph 12 (a).

## APPENDIX III

### CHAIRMAN'S REPORT OF THE FOURTH ANNUAL MEETING

1. As decided at the Third Meeting at Cape Town, the Commission held the Fourth Meeting in London. The first Plenary Session was held at the headquarters of the Royal Geographical Society, Kensington Gore, London, on Tuesday afternoon, 3rd June, 1952, when the Commissioners, with their experts and advisers, and various observers, were welcomed by Mr. G. R. H. Nugent, M.P., Joint Parliamentary Secretary to the Ministry of Agriculture and Fisheries, who addressed the Commission and emphasized the importance of their responsibilities in the matter of whale conservation. The final Plenary Session was held on 6th June, 1952.

2. The Scientific and Technical Committees (as instructed by the Commission at the Third Meeting) held preliminary meetings during the previous week, including a joint meeting on 30th May, 1952.

3. Commissioners were present from *Australia, Brazil, Canada, Denmark, France, Iceland, Japan, Netherlands, New Zealand, Norway, Panama, Sweden, Union of South Africa, U.S.S.R., U.K., and U.S.A.* Mexico was not represented.

Representatives were also present, all as observers, from *Argentina, Italy, Peru and Portugal*, from the Food and Agriculture Organisation of the United Nations from the International Council for the Exploration of the Sea, and from the Association of Whaling Companies.

4. At the First Plenary Session, after approving the agenda, the Commission proceeded to the election of a Chairman and Vice-Chairman for the three-year period beginning 1st June, 1952.

On the proposal of Professor Bergersen (Norway), Dr. Remington Kellogg (U.S.A.), was unanimously elected Chairman, and on the proposal of Mr. Clark (Canada), seconded by Dr. von Bonde (South Africa), Dr. G. J. Lienesch (Netherlands) was unanimously elected Vice-Chairman.

The Chair was then taken by Dr. Remington Kellogg (U.S.A.).

By a unanimous vote, the Commission expressed their warm appreciation of the services rendered during his term of office by Professor Bergersen (Norway), the outgoing Chairman.

5. In accordance with the Rules of Procedure, as amended at the Third Meeting at Cape Town, the Commission were polled as to whether any additional country desired representation on either of the two Committees, with the result that the Scientific Committee now consists of Australia (Mr. Cummins), Brazil (an observer), Canada (Mr. Clark), Denmark (Mr. Erichsen), France (Dr. Budker), Japan (Dr. Omura), Netherlands (Dr. Slijper), Norway (Professor Bergersen), South Africa (Mr. Larsen), U.S.S.R. (Mr. Tverianovich), U.K. (Dr. Mackintosh), U.S.A. (Dr. Kellogg), with the addition of experts. The Technical Committee consists of Australia (Mr. Anderson), Canada (Mr. Clark), France (Mr. Martin), Japan (Mr. Maeda), Netherlands (Mr. Drost), Norway (Mr. Knudtzon), Panama (Mr. Aleman), South Africa (Dr. von Bonde), U.S.S.R. (Captain Solyanik), U.K. (Mr. Johns, with Mr. Leach as alternative), U.S.A. (Dr. Kask), with experts in addition.

The Commission also decided that at the first meeting of each Committee after the First Plenary, the election of a Chairman for the ensuing year should automatically take place, and Dr. Mackintosh and Dr. von Bonde were again elected Chairmen of the Scientific and Technical Committees respectively.

6. As regards the Finance and Administration Committee which, under the Rules of Procedure, falls to be appointed by the Chairman, the existing Committee consisting of Professor Bergersen (Norway), Mr. Clark (Canada) and Dr. Lienesch (Netherlands) was re-appointed by the new Chairman for a further year with power to elect its own Chairman. Mr. Clark (Canada) was subsequently elected Chairman.

To this last mentioned Committee were referred the Financial statements regarding the estimated expenditure for 1951-52, and the estimated expenditure for 1952-53 (Fourth Meeting, Documents I A and B) and in addition the question as to the date and place of the next meeting.

7. As the result of the Committee's deliberations, the Commission decided to accept the statement for 1951-52 subject to final certification by the Ministry of Agriculture and Fisheries, it having been impossible for certain items of expenditure for this year to be finally settled by the time the Commission met, as the financial year does not end until 31st May. The Commission took note of the fact that, according to the figures supplied provisionally for the year ending 31st May, 1952, the net cost of the Commission for the year was just under £2,500 with a carry forward of £838. There were no particular features about the year's expenditure, but as the Third Meeting was held away from the Headquarters, the items Secretary's Fees and Travelling Expenses were higher than usual.

8. As regards the year 1952-53, while a reduction in the Secretary's Fees is contemplated, the cost of the accommodation required for the Commission's annual meetings will be higher as the accommodation in Cape Town was provided free by the Government of the Union of South Africa. There will also be an increase in the cost of certain services rendered by the Ministry of Agriculture and Fisheries, which have hitherto been on a token basis. On the Committee's recommendation the item Travelling and Subsistence was raised from £100 to £450 as last year, this item to be divided into £100 Secretary and £350 experts when engaged on behalf of the Commission between meetings, and the item Contingencies reduced from £688 to £338. The estimated cost for the year, leaving out of account the Contingencies Fund of £338, is £3,000 and the Commission therefore decided that the contribution from each Contracting Government should be £150, an increase of £25 upon the previous year's contribution.

9. The Commission took note of the fact that the contribution from Brazil had not been received by the close of the financial year 1951-52, the only outstanding contribution for that year. As regards Panama, the Commission were gratified to observe that the contributions for the years 1950-51 and 1951-52 had now been paid although that for 1951-52 was 14s. 9d. short owing to exchange differences. The Panamanian contribution for 1949-50 has, however, not been received. The Commission directed the Secretary to press for all these outstanding amounts to be settled. Before however the Commission completed its work, it was reported that these outstanding amounts (excluding the £100 from Panama in respect of 1949-50) had since been received.

10. The Committee also reported on the date and place of the next meeting, in which connection an invitation had been received from Japan. The Committee gave careful consideration to this proposal and, after considering all the circumstances RECOMMENDED that, in view of a number of overriding considerations it would be best to hold the next meeting in London in the first fortnight of July, the meeting to begin on a Monday and without any preliminary Committee meetings. It was anticipated that the meeting would last for not more than a week.

The Commission accepted this recommendation with a modification as to the date of the next meeting but RESOLVED that a warm vote of thanks should be accorded to Japan for their attractive invitation.

11. The Committee having received a statement from the Secretary as regards travelling and subsistence expenses in London decided that he should be refunded these expenses at the usual authorised rates, whenever an Annual Meeting is held in London.

12. The Resolutions arising out of the Finance and Administration Committee's recommendations were as follows:—

(1) that the Provisional statement of Expenditure for 1951-52 as drawn up by the Ministry of Agriculture and Fisheries (Fourth Meeting, Document I (A)) be approved with such modifications as the Ministry may find to be necessary, when they have been able to examine all the accounts up to 31st May, 1952,

(2) that the estimated expenditure for 1952-53 (Fourth Meeting, Document I (B)) be approved with two modifications, Travelling and Subsistence Expenses being raised from £100 to £450, and the item for Contingencies being reduced from £688 to £338, the item Travelling and Subsistence being divided as to £100 Secretary and as to £350 Experts when engaged on behalf of the Commission between meetings,

(3) that the contribution to be asked of each Contracting Government be raised from £125 to £150 (as in 1950-51), with an explanation as to the increase appended,

(4) that steps be taken to obtain the outstanding amounts from Panama (£100 for 1949-50 and 14s. 9d. in respect of 1951-52) and the outstanding contribution from Brazil for 1951-52 (£125). (In this connection attention is called to the fact that these amounts except the contribution of Panama for 1949-50 have since been paid as indicated in the concluding sentence of paragraph 9 above),

(5) that the next (Fifth) Meeting of the Commission be held in London during the last ten days of June, 1953, the First Plenary to be held on Monday morning 22nd June, 1953, the whole meeting to be completed, if possible, in a week and no Committee to meet until after the First Plenary,

(6) that the Secretary be refunded his travelling and subsistence expenses at the usual authorised rates whenever the Annual Meeting is held in London,

(7) that the cordial thanks of the Commission be accorded to the Japanese Government through the Japanese Commissioner for their generous invitation for the Fifth Meeting, of which, for various reasons the Commission have found themselves unable to recommend acceptance.

13. The Commission approved the draft submitted to them of the Third Report, subject to such verbal amendments as may be approved by the Chairman, but **RESOLVED** that the Chairman's Report, which is the authoritative record of the Commission's Annual Meetings, should in future be included among the Appendices to the Annual Report. The Commission also **RESOLVED**, as recommended by the Technical Committee, that the Laws and Regulations Questionnaire (Fourth Meeting: Document VII) should also be printed as an Appendix to the Report, outstanding replies being included as supplements in later reports.

14. The Commission had before them, in the usual form, the detailed figures, supplied by the International Bureau of Whaling Statistics, in respect of the whaling season of 1951 (Land Stations) and 1951-52 (Pelagic season).

As regards the pelagic season, there were 20 expeditions with 270 catchers, a total of 32,561 whales were caught and the total production amounted to 2,328,869 barrels. The land stations in the Antarctic produced another 144,812 barrels, making a grand total of 2,473,681 barrels, an increase of 169,991 barrels on the previous year. The total production outside the



Antarctic amounted in 1951 to 656,426 barrels, as compared with 382,699 in the previous year. The Commission noted that pelagic whaling in the Antarctic was stopped at midnight on 5th March, 1952, over a month before the normal end of the season (7th April), by which time 16,006 (barely over the authorised limit of 16,000) blue whale units had been taken. The catching of humpbacks (permitted only from 1st February, 1952), was also stopped as from midnight on 5th February, 1952, by which time 1,545 humpbacks had been taken, 295 more than the permitted figure of 1,250.

The Commission RESOLVED that no alteration should be made in the existing limit of 16,000 blue whale units.

15. The Commission had before them reports by the Scientific and Technical Committees, some of whose meetings had been held (at the direction of the Commission at Cape Town) prior to the first plenary session.

Arising out of the report of the Technical Committee, the Commission adopted the following RESOLUTIONS:

(a) that the model Log Book sheets attached to the Report of the special Sub-Committee set up at Cape Town be adopted and circulated to all Contracting Governments, with a suggestion that they should be adopted by them;

(b) that a copy of Laws and Regulations received from Contracting Governments should be retained in the Commission's office in sufficient numbers to enable any Commissioner to consult them from time to time;

(c) that the Laws and Regulations Questionnaire should be printed as an Appendix to the Third Annual Report. (This has already been referred to in paragraph 13);

(d) that the Secretary be instructed to communicate with the International Bureau of Whaling Statistics in any case where their assistance is necessary to complete any information required in the matter of infractions or otherwise;

(e) that the printed form for recording infractions should in future include a separate space for recording the whales legitimately taken for the purpose of local consumption as human and animal food;

(f) that a sub-committee consisting of the Vice Chairman and Mr. Knudtzon (Norway), reinforced by one of the legal staff of the Ministry of Agriculture and Fisheries, with the Secretary, be set up to consider the production of a revised and rearranged Schedule to the Convention, for consideration at the next meeting of the Commission. (This was also recommended by the Scientific Committee);

(g) that in future the Scientific and Technical Committees of the Commission should not hold any meetings until after the First Plenary Session, at which appropriate matters will be referred to them. (This was also recommended by the Scientific Committee.)

16. Arising out of the Report of the Scientific Committee, the Commission adopted the following Resolutions:

(i) that whale marking should be continued on as large a scale as possible and that the design of marks might be improved. A further approach should be made to the whaling companies and Whaling Inspectors to enlist their help in recovering marks, together with all useful data and relative material.

(ii) that the present limit on the catch of 1,250 humpbacks should be continued, but in a different form, as will be seen under amendments to the Schedule (para. 18).

(iii) that a sub-committee be appointed to consider the matters referred to in paragraph 4 (b) of the Scientific Committee's Report (the humpback problem), to consist of Mr. Cummins (Australia), Dr. Budker (France), Professor Bergersen (Norway) and Dr. Mackintosh (U.K.); with Professor Bergersen as convener.

(iv) that the countries concerned should be asked to study the general question of blue and humpback whales in the Northern Hemisphere with a view to the inclusion of this subject in the Agenda for the next Meeting.

(v) that tables should be prepared by the International Bureau of Whaling Statistics on the lines of tables 12 to 22 in this year's statistics, to cover the years 1945-46 to 1950-51 and, if possible for a few years prior to 1939-40, and that these tables should be circulated as soon as available to all concerned.

(vi) that a sub-committee should be set up consisting of Dr. Mackintosh (U.K.); Professor B. Bergersen (Norway); Dr. Omura (Japan) together with representatives nominated by Netherlands and U.S.S.R. (with Professor Bergersen as convener) to consider the matters referred to in paragraphs 6 and 7 of the Scientific Committee's report (16,000 blue whale unit limit and sanctuaries).

17. The Commission then proceeded to the consideration of the large number of amendments to the Schedule that appeared in the Agenda.

After a very full discussion of the amendments involving closed areas in the Northern Pacific, standing in the name of Canada, these amendments were withdrawn.

As regards the other proposed amendments, many of which were of a drafting and clarification nature, after further detailed discussion, these, with two exceptions, were referred to a special sub-committee consisting of the Vice Chairman (Dr. Lienesch), Mr. Knudtzon (Norway) with the addition of a member of the legal staff of the Ministry of Agriculture and Fisheries and the Secretary. To this sub-committee was entrusted the task of bringing forward a revised and re-arranged Schedule, with all the necessary amendments, for consideration at the next meeting in London.

18. The only amendments that were adopted by the Commission were in respect of *Article 6* and *Article 8* of the Schedule.

As regards 6, the Commission **RESOLVED** unanimously that the words "provided that in the pelagic whaling season for baleen whales 1952 a maximum of 1,250 humpback whales may be taken in those waters commencing on February 1st" be deleted and the following words substituted therefor:—"provided that in the pelagic whaling season for baleen whales 1953 the taking of humpback whales shall be permitted on the 1st, 2nd and 3rd February and if the number of humpback whales taken on those three days is less than 1,250, the International Bureau of Whaling Statistics shall in their discretion specify one or more days later in the season on which further humpback whales may be taken, so as to bring the total up to a maximum of 1,250".

Article 6, as amended, will therefore read as follows, the words in bold type being new:--

6. It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating humpback whales in any

waters south of 40° south latitude; provided that in the pelagic whaling season for baleen whales 1953 the taking of humpback whales shall be permitted on the 1st, 2nd and 3rd February and if the number of humpback whales taken on those three days is less than 1,250, the International Bureau of Whaling Statistics shall in their discretion specify one or more days later in the season on which further humpback whales may be taken, so as to bring the total up to a maximum of 1,250.

The acceptance of this amendment involves a purely consequential amendment to Article 8 (e) of the Schedule, which now becomes unnecessary and the Commission RESOLVED that it be *deleted*.

19. The second amendment to the Schedule that was adopted by the Commission without objection was in respect of Article 8 (c) of the Schedule and proposed by the United Kingdom Commissioner. The Commission RESOLVED to add the words "on which the taking of humpback whales is permitted" at the end of Article 8 (c) of the Schedule, which will therefore read as follows, the words in bold type being new:—

8 (c) Notification shall be given in accordance with the provisions of Article VII of the Convention, within two days after the end of each calendar week, of data on the number of blue whale units taken in any waters south of 40° South Latitude by all whale catchers attached to factory ships under the jurisdiction of each Contracting Government; and in addition notification of data on the number of humpback whales taken in pursuance of Paragraph 6 including nil returns on days when no humpback whales are taken shall be given at the end of each day on which **the taking of humpback whales is permitted.**

20. The Commission also had before them a request from the U.S.S.R. Commissioner which had been submitted to the Technical Committee, who felt that the matter should properly be dealt with at a plenary meeting of the Commission.

The request was for the supply in future to all Contracting Governments of the following additional statistical data:—

(a) weekly information in respect of each factory ship of the catches of whales in terms of blue whale units; and

(b) copies of all statistical data relating to each individual Whaling Company.

It was explained that (a) would seem to be justified on the grounds of reciprocity, while (b) was put forward on scientific grounds.

Considerable discussion took place on this request and when (a) was put to the vote it was lost by 8 votes to 2, with 3 abstentions, 4 Commissioners not being present.

As regards (b) it was finally decided to incorporate this request in a Resolution in the following terms, which was accepted by the Commission, 10 being in favour, 2 against and 5 Commissioners not being present or abstaining.

"That all data regarding the location and day of killing of all whales killed in the Antarctic in the course of pelagic whaling, without any reference to individual whaling companies, should be sent to the Commission at the end of each session, for the inspection of and copying by Contracting Governments".

21. Before the conclusion of the meeting the Japanese Commissioner raised the question as to the number of whales lost by pelagic factory ships and sought to have a communication sent to all Contracting Governments as to the desirability of keeping this number down as far as possible. After hearing the views of one of the British experts (Mr. Salvesen) he decided to withdraw any motion on this subject.

22. The Japanese Commissioner also raised the question of the confidential nature of meteorological information and information as to the position of factory ships supplied to the Australian radio station and asked that the Australian Commissioner would communicate with his Government on the subject. This was agreed to by the Australian Commissioner, and a number of the other Commissioners remarked that their factory ships had communicated only with South Africa.

23. The Commission through its Chairman expressed their appreciation of the continued valuable services rendered by the International Bureau of Whaling Statistics, and in this connection RESOLVED that a letter of condolence be sent to the widow of the late Mr. Paulsen, who for so many years had been the Director of the Bureau and in that capacity had rendered such signal services.

24. Finally the Chairman wound up the proceedings and incorporated in his remarks, on the motion of South Africa (Dr. von Bonde), an appreciative reference not only to the Ministry of Agriculture and Fisheries for the facilities afforded in connection with this meeting and otherwise, but also to all the members of the staff of the Ministry and the Commission who had worked so hard to make the meeting a success.

Signed on behalf of the Commission :

REMINGTON KELLOGG,

*Chairman.*

8th June, 1952.

Certified to be a true copy of the original :

A. J. TATE,

for *Secretary*,

International Whaling Commission.

12th June, 1952.



International Whaling Commission,  
Ministry of Agriculture and Fisheries,  
Fisheries Department,  
3, Whitehall Place,  
London, S.W.1.  
14th October, 1952.

Ref. C.R.IV.

DEAR SIR,

CIRCULAR TO ALL COMMISSIONERS  
PROCEEDINGS AT FOURTH MEETING

Your attention is called to the discussion which took place with regard to item 11 (1) and (2) of the agenda of the Fourth Meeting which is recorded, verbatim, on pp. 1 and following of *Fourth Meeting Document XIV (D)*, and in particular to the conclusion to the discussion as recorded on p. 17 of the same document.

You will observe that the proposal of the Canadian Commissioner for the closure of an area in the N.E. Pacific was supported in principle by the U.S.A., U.S.S.R. and Japanese Commissioners, but that the Canadian Commissioner, realising that the proposal would not be accepted unanimously, withdrew the proposed amendment on the understanding that information on catch statistics for the specific area would be assembled and analysed for submission to the Scientific Committee and discussion at the next meeting of the Commission.

It may well be that a reference to this discussion should have been included in the Chairman's Report and it is important therefore that the verbatim record of this discussion should not be lost sight of, and, I am accordingly to request that you will ensure that all available statistics are sent to me for transmission to the Scientific Committee, so that the matter may be dealt with as agreed at the Fourth Meeting.

My attention has also been called by the Canadian Commissioner to the omission in the Chairman's Report of any reference to the decision reached with regard to the proposed Amendments to paragraphs 9 (a) and (b) of the Schedule. These Amendments were discussed at length as recorded on p. 28 and following of *Fourth Meeting Document XIV (D)*.

It was finally decided that paragraphs 9 (a) and (b) of the Schedule should remain as they are, and it did not occur to me therefore that any reference to the matter was necessary in the Chairman's Report, as the *status quo* was not altered.

Yours faithfully,

(Sgd.) A. T. A. DONSON,  
*Secretary to the Commission.*