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Chairman's Report of the Thirty-Second Annual Meeting

1. DATE AND PLACE

The thirty-second Annual Meeting of the Commission was
held at the Metropole Hotel, Brighton, 21-26 July 1980.
The proceedings were conducted by the Chairman of the
Commission, Mr T. Asgeirsson (Iceland).

2. REPRESENTATION

Commissioners and delegates attended from all twenty-four member Governments, including Switzerland and Oman who had joined since the previous meeting. Panama withdrew from the Convention on 30 June 1980. Observers were present from the following non-member Governments:

Belgium, Columbia, Costa Rica, Federal Republic of Germany, Indonesia, Portugal and Sri Lanka.

Observers were also present from six inter-governmental organisations:

Convention on International Trade in Endangered Species of Wild Fauna and Flora
European Economic Community
Food and Agriculture Organisation of the United Nations
International Council for the Exploration of the Sea International Commission for Southeast Atlantic Fisheries
United Nations Environment Programme
from the International Union for the Conservation of Nature and Natural Resources

and from thirty-nine non-governmental international organisations listed in Appendix 1.

3. ADDRESS OF WELCOME

An address of welcome was given on behalf of the United Kingdom Government by Mr Jerry Wiggin, Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, who re-affirmed the United Kingdom's support for a ban on all commercial whaling and for an end to the use of the cold grenade harpoon. He also indicated the United Kingdom's concern over the state of the Bering Sea stock of bowhead whales, noting that if alternative ways of satisfying subsistence needs of the eskimos to reduce their dependence upon endangered whales cannot be found, there is a serious risk that the first extinction of a whale species in modern times could result. Mr Wiggin also drew attention to the agreement in principle reached by the Council of Ministers of the European Economic Community that the importation of all whale products into the EEC should be prohibited from 1 January 1982.

4. OPENING STATEMENTS

Following past practice and in order to save time, opening statements by Commissioners and Observers were distributed in written form only.

5. ADOPTION OF AGENDA

The Provisional Annotated Agenda had been distributed 60 days in advance of the meeting. By a vote of 6 in favour to 5 against, with 10 abstentions, a proposal by the Seychelles seconded by France was adopted to move item 14 on Aboriginal/Subsistence Whaling forward in the Agenda so that it became the first substantive matter for discussion. With the addition of a sub-item to this subject concerning a report on gray whales, proposed by the USA and seconded by Mexico, the Commission adopted the Agenda as amended. Items 6-26 were referred to the Technical Committee for consideration in the first instance, with the instruction that that Committee should report back to the Plenary Session when it had completed items 14, and 6, 7 and 8, which dealt with consideration of a ban on whaling and proposals for moratoria on all commercial and sperm whaling.

6. ABORIGINAL/SUBSISTENCE WHALING

6.1 Management Principles and Guidelines
Australia commented on the increasing importance of aboriginal/subsistence whaling in the discussions of the Commission. For this reason it believed that it would be helpful to develop appropriate management principles and guidelines for subsistence catches, parallel to those reflected in the Commission's management procedures for commercial whaling.
Without prejudging the Commission's position on small cetaceans and making no implications on coastal state competence, it was agreed to establish a Working Group of the Technical Committee with the terms of reference shown in Appendix 2. In order that the indigenous peoples involved may review any documents developed, the preliminary report of the ad hoc Working Group would not be considered for implementation until the 34th Annual Meeting in 1982.

6.2 Bering Sea Stock of Bowhead Whales
The Scientific Committee estimated that the present population is 6-23% of its initial size, and a simulation model indicated that the bowhead population would decline from 1980, even in the absence of catches, unless the most optimistic parameters were adopted. Consequently the Scientific Committee confirmed its recommendations of the last three years that the only safe

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course from a biological point of view is for the kill of
bowhead whales from the Bering Sea stock to be zero.
The USA presented an interim report produced in
compliance with the Resolution adopted by the IWC last
year, which detailed the cultural, historic and nutritional
needs of the Eskimo populations. The ranges of bowhead whales required under these three headings were reported as 18-22, 19-33 and 32-33 respectively. The cultural need has the greatest significance to the Community, and the USA is looking for nutritional alternatives.
By a majority vote the Technical Committee recommended a zero catch limit as advocated by the Scientific Committee. However, after extensive discussion this proposal was defeated by 7 votes in favour to 8 against, with 8 abstentions. A proposed limit based on an assess-ment of cultural needs of 12 whales struck or 8 landed put forward by the Seychelles and seconded by Sweden was lost by 5 votes for to 9 against, with 10 abstentions.
The USA pointed out that since 1977 its government and the IWC have attempted to balance the biological and aboriginal requirements. The Eskimo needs are not fully satisfied by the present quota, and although previously the USA had believed that a sustained harvest at the present level was justifiable, it is now changing its position and will recommend a reduction in the catch next year. Following further consultations a proposal from the Chair, seconded by Denmark, for a catch limit in the three years 1981-83 of 45 whales landed and 65 struck provided that in any one year the number of whales landed shall not exceed 17, was adopted by 16 votes to 3, with 5 abstentions.

6.3 Eastern Pacific Stock of Gray Whales
The Scientific Committee estimated that the current stock is increasing at an annual rate of 2.5%. The USSR aboriginal catch contains a large number of females and efforts will be made to reduce this proportion in future. The Technical Committee endorsed the Scientific Committee's recommendation that the Eastern stock remains classified as SMS with a catch limit of 179, and this was adopted by the Commission.

6.4 West Greenland Stock of Humpback Whales
The total removals from this stock by net entanglements and the Greenland fishery were estimated by the Scientific Committee to be at least 32 whales in 1979, or 2.5% of the lowest reasonable estimate of population size. This may be close to the net recruitment rate and unless more reliable population estimates and recruitment figures are available, it recommended once again that the exemption for a Greenland catch of 10 humpbacks be removed. Denmark stated that it is not ready to adopt the Scientific Committee's advice. Humpback whales have been caught off Greenland for at least 200 years from the evidence in written accounts, and probably for much longer. The catches form part of a complex pattern of marine mammal exploitation by the Greenlanders. They still play a major role in the country and are the only basis of subsistence in some areas. Humpback whales are easier to catch than fin whales, and hunters believe that their numbers are increasing. The authorities are also taking steps to improve the control situation, to prevent the catch limits being exceeded as they have been in the past two years.

By a majority vote the Technical Committee agreed to recommend that the Greenland exemption be removed but

this proposal failed to gain the three-quarters majority necessary in the Commission to become effective, receiving 8 votes in favour with 3 against and 13 abstentions.

6.5 Documentation of Aboriginal Needs
The USA commented on the problems of subsistence and cultural dependence on whale stocks requiring protection. These two elements are difficult to balance and it suggested that governments concerned should document the needs. The Technical Committee put forward an amended Resolution proposed by the USA requiring the relevant data to be submitted to the IWC each year, and this was adopted by the Commission and is shown in Appendix 3.

7. WORLD-WIDE BAN ON WHALING

The Commission received the report from a Technical Committee Working Group which discussed species managed by the IWC. The Working Group reviewed the economic and social importance of whaling to member countries and noted the statement by Japan that whales are a traditional food and whaling is a traditional way of life for the Japanese. Some local communities are heavily dependent on whaling for their entire economy and employment. There are three elements involved (1) limited alternative opportunities, (2) whale meat still plays an important role in nutrition and (3) whaling has a significant cultural role. These are also significant to varying degrees in other whaling countries.
The Working Group attempted to evaluate the social and economic effects of a ban on whaling and estimated that there would be a loss of employment for some people directly employed and perhaps also those indirectly employed in commercial whaling. Recent Japanese experience indicated that 57% of personnel displaced have, so far, remained wholly or partly unemployed. Non-commercial whaling has many characteristics in common with the above, but with a stronger emphasis on the cultural aspects and less on the national economy. The Working Group addressed the requirements of national legislation, international monitoring and enforcement as necessary procedures for implementation of a ban on whaling and the time period over which it could be instituted. The future activities of the IWC in the event of a ban were suggested in a paper by the Seychelles and the Working Group considered that some of these proposals were appropriate even in the absence of a ban, although not all countries participated in discussion of these last two items.

8. MORATORIUM ON ALL COMMERCIAL WHALING

After extensive discussions the Technical Committee, by a majority vote, recommended an amendment to the Schedule drafted by the USA on a proposal from France which was designed to implement a moratorium on all commercial whaling.
Statements supporting this proposal because of the past failures of the IWC to prevent over-exploitation of whale stocks, the uncertainties in the assessment of stocks and sustainable yields and the belief that the killing methods employed are far from satisfactory, together with the need to increase research effort, were made by France, the Seychelles and the UK.

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Japan stated its view that this proposal is in contravention of Article V(2) of the Convention, since it is not based on scientific findings nor takes into consideration the interests of the consumers of whale products, and would create serious unemployment problems in the whaling industry. The Commission cannot act in a manner which is contradictory to the Convention.
Iceland noted its claim to be a leader in conservation of marine resources. Its policy on whales is no exception and as Iceland is totally dependent on the resources of the sea, it believes that a stock by stock approach is the most appropriate policy to adopt. Canada and South Africa also spoke in favour of a policy which recognises whales as a harvestable resource subject to the needs of conservation, while New Zealand saw reason for a pause in whaling to develop management and research procedures.
The USSR commented on the division apparent between the countries supporting moves to end whaling in the name of conservation and those engaged in whaling and research.
Sweden, seconded by the Seychelles, put forward an amendment to the proposal which would delay its implementation for two years, so that the moratorium would become effective from the 1982/83 pelagic season in the Southern Hemisphere and the 1983 coastal seasons. This received 13 votes in favour with 9 against and 2 abstentions and thus failed to achieve the three-quarters majority necessary to become effective. The original proposal for an immediate moratorium then received the same number of votes for and against, and therefore also failed to become binding on members.
Brazil indicated that it is working towards a cessation of whaling but it needs sufficient time to alleviate the nutritional and economic problems which will be caused in one of the poorest regions of its country.

9. MORATORIUM ON THE TAKING OF SPERM WHALES

Following the failure of the proposal for a moratorium on all commercial whaling to receive sufficient support to be adopted by the Commission, the Technical Committee discussed a proposal for a moratorium on sperm whaling. After long discussion it recommended by a majority vote an amendment to the Schedule proposed by the Seychelles for zero quotas for sperm whales, to remain in force for three years from 1980/81 in the Southern Hemisphere and 1981 in the Northern Hemisphere.
The Scientific Committee believed that it had made some qualitative advances in the development and testing of assessment techniques this year, but the Seychelles stated that the new analyses had not added much confidence to the results in general. These confirmed that the Western North Pacific and Southern Hemisphere Division 9 stocks should be protected. In the North Atlantic there were insufficient data available to allow the stock to be classified, and there is a huge inequity in the way in which the Commission regulates the catches in the North Atlantic and North Pacific, where Japan has supplied sufficient data for an adequate assessment. The Seychelles proposed an amendment, seconded by the USA, which changed the date of introduction of the three year moratorium on sperm whaling to the 1981/82 season in the Southern Hemisphere and the 1982 season in the Northern Hemisphere.

Japan stated its opposition to the proposal. In the North Pacific sperm whales are only taken in the Japanese coastal fishery which extends over only 4% of the North Western part of the ocean. The new analytical model has been questioned by some scientists, but even that estimated the exploitable sperm whale population in the region to number over 190,000 whales. It therefore believes that the current catch limit which represents 0.7% of the exploitable population size is not unreasonable. In addition, member Governments must give serious throught to any proposed changes which have implications for coastal state jurisdiction.
Sweden and the Netherlands commented on the problems of global commons and coastal state jurisdiction which they believe must be considered together and within appropriate international bodies where the question of possible extinction of stocks is concerned.
The Republic of Korea stated that it does not believe that a moratorium is appropriate or based on an objective approach.
The amended proposal received 14 votes in favour and 6 against, with 4 abstentions. This was insufficient for the three-quarters majority necessary to change the Schedule. The original proposal for an immediate three year moratorium was then voted on, and received the same numbers of votes and thus was not adopted.

10. REVIEW OF PRESENT MANAGEMENT PROCEDURE

The Special Working Group set up last year suggested a revised management procedure based on the principle that the Commission should set a target level for each stock and that the level of catches, if any, should be that which would bring the stock to target level in a fixed term of years. The Scientific Committee believed that the proposals put forward represent an advance towards considerable improvement in management procedures.
Australia stated its belief that the review of the present management procedure is a very important subject to the Commission. The Technical Committee endorsed its proposal that a Working Group be established, made up of members of the Technical and Scientific Committees and the Special Working Group to prepare specific proposals for consideration at the 1981 Annual Meeting. Any proposals produced should be made sufficiently early for use by the Scientific Committee at its next meeting. This was agreed by the Commission, and the terms of reference of the Working Group are set out in Appendix 4.

11. CONSIDERATION OF THE IMPLICATIONS FOR WHALES OF MANAGEMENT REGIMES FOR OTHER MARINE RESOURCES

The Commission received the report of the Working Group it had set up last year, with terms of reference directed specifically to the consideration of matters relating to co-operation and co-ordination of IWC activities and those proposed under the newly negotiated Convention for the Conservation of Antarctic Marine Living Resources. As a result of the discussions arising from the reports received on a number of relevant meetings, the group proposed a series of recommendations which the Technical Committee agreed to endorse, with a small addition. These were then adopted by the Commission and are attached as Appendix 5.

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Professor J. D. Ovington as IWC Observer at the
Diplomatic Conference on the CCAMLR noted that the
organisation to be established under the Convention would
parallel in many ways that already developed by the IWC.
It can be seen as a significant advance in emphasising an
ecosystem approach to conservation in the Southern Ocean.

The Commission adopted his recommendation, endorsed by the Technical Committee, that:
At the earliest practicable time, the IWC enter into discussions with the CCAMLR with a view to establishing reciprocal consultative procedures at both Commission and Scientific Committee levels.
Argentina and Chile both reserved their positions on this
matter.

12. WHALE SANCTUARIES

The Scientific Committee endorsed the proposal to plan a programme of monitoring and research on marine mammals in the Indian Ocean, recommended by a meeting of Indian Ocean States. The Commission agreed to co-sponsor an international meeting of scientists to plan the programme, and the Seychelles welcomed this initiative and announced its intention to host the proposed meeting within the next twelve months.
Examination of the general concept and characteristics of whale sanctuaries was initiated by Australia in the belief that it is important to develop basic principles if other sanctuaries were to be established, particularly concerning management and research. There was some discussion on the distinction between sanctuaries encompassing all or most of the animals' range and those much smaller areas especially set aside to protect, for example, breeding stocks. The Scientific Committee agreed that in this context its discussion next year after the meeting in the Seychelles should be directed to the larger areas. Mexico emphasised the difference it perceives between large sanctuaries and smaller refuges, and indicated that the latter should also increase research activity. Argentina stressed its view that the Scientific Committee should exclude considerations beyond those of a strictly scientific nature and stated its reservation on coastal state jurisdiction in this context.

13. WHALE STOCKS AND CATCH LIMITS

13.1 Southern Hemisphere 1980/81 Pelagic Season and 1981 Coastal Season

Minke whales

The Scientific Committee had not been able to fully resolve the problems of stock identity and therefore used the traditional baleen whale Areas. Further analysis of available data on bio-chemical characteristics should be undertaken. Stocks apparently have been increasing so that they do not fit into the Commission's present classification scheme and the Scientific Committee therefore recommended that catch limits be based upon replacement yield. The Committee obtained estimates using a number of assessment methods and recommended two possible sets of catch limits for Areas III, IV and VI to make allowance for the imbalance between the catches of the sexes. However, it noted that while all stocks were in a robust state it could not agree on a procedure to be used for Areas I, II and V.

The Technical Committee agreed to recommend that stocks should be unclassified, and after lengthy discussion including clarification of the Scientific Committee's conclusions, it dealt with two groups of Areas separately. Following the defeat of amendments in each case, it recommended by majority votes the following catch limits:

Area III: 1,178
IV: 2,272
VI: 445

Area I: 270
II: 858
V: 745

It also recommended by a majority vote that there should be no 10% allowance between Areas.
Japan regretted the failure of the Scientific Committee to produce a single agreed recommendation. It was pleased to note that all stocks are in a healthy state and larger than previously estimated. This latter information was due in part to the co-operative research programme undertaken in two of the Areas. The uncertainties in three Areas were due to lack of adequate research data.
The USSR commented on the fact that despite increases in the population estimates this year, the recommended catch limits are lower. It sees a need to stabilise the catches and proposed an amendment, seconded by Japan, for the same catch limits as last year, including a 10% allowance between Areas.
This amendment for Areas III, IV and VI was defeated by 6 votes in favour to 16 against, with 2 abstentions. The original proposal for these three Areas then achieved the necessary three-quarters majority, receiving 17 votes for and 4 against, with 3 abstentions. The amendment for continuation of the present catch limits in Areas I, II and V was defeated by 6 votes in favour with 16 against and 2 abstentions. The original proposal recommended by the Technical Committee received 15 votes for and 8 against with 1 abstention, and so it did not obtain a three-quarters majority.
Ultimately the Commission achieved a consensus for these three Areas as follows:

Area I: 867 Area II: 1,120 Area V: 1,190

The total catch permitted is thus 7,072 minke whales and it was agreed that a 5% allowance between Areas would be permitted. The USSR stated that it understood that a mistake was made in setting the catch limits last year, which has now been corrected.
The Commission accepted the recommendation of the Scientific Committee, endorsed by the Technical Committee, for a special meeting on minke whale assessments prior to the next meeting in view of the many problems encountered.

Fin and set whales
The Commission adopted the Scientific Committee's recommendation, endorsed by the Technical Committee, that stocks in all Areas continue as PS.

Bryde's whales
The Scientific Committee recognised the following stocks:

South Atlantic
Indian Ocean

Solomon Islands

[undefined].
20°E to Australian coast including
the waters 40°S to north of the
equator.
150°-170°E. 20°S-10°S.

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Western South Pacific Australian Coast to 150°W excluding the Solomon Islands
area. 40°S to the equator.

The Commission adopted the recommendations of the Scientific Committee through the Technical Committee on the following classifications and catch limits:

South Atlantic IMS 0
Solomon Islands IMS 0
Indian Ocean IMS 197
Western South Pacific IMS 237
Eastern South Pacific IMS 188

Peruvian stock
The Scientific Committee recommended either the average of the last five years' catches (359) or a catch limit derived from the North Pacific Bryde's whale model (164). The Technical Committee endorsed the classification as SMS (provisional) and by a majority vote recommended a catch limit of 164.
Peru pointed out that there has been no evidence of a decrease in sightings or catches per unit of effort since 1975, and on being put to the vote the proposal failed to obtain the three-quarters majority required to become effective, receiving 16 votes in favour with 8 against. Subsequently the Commission reached a consensus to classify this stock as SMS with a catch limit of 264.

Right, blue and humpback whales
The Commission adopted the recommendation of the Scientific Committee through the Technical Committee that all these species should continue to be classified as PS.
Based on a further recommendation from the Scientific Committee endorsed by the Technical Committee, the Commission agreed that the Secretary should write to the government of the Argentine requesting the provision of an analysis of population trends for the Argentine stock of right whales, carried out under a US Marine Mammal Commission research grant.

Killer whales

The Scientific Committee believes that there are probably several stocks in the Antarctic, although there is considerable uncertainty over their identity and abundance. Therefore it recommended classification as IMS, with a zero catch limit. The USSR was asked to continue to provide adequate data for stock assessment. The USSR stated that its position is unchanged: killer whales belong to small cetaceans which are not regulated by the Commission within the framework of the existing Convention. Thus it believes that the inclusion of killer whales in the number of species regulated by the Commission is legally unjustified.
There followed an extensive debate in Technical Committee involving the factory ship catches during the last season, the ambiguity concerning killer whales in the Schedule provisions, the northern boundary to the Antarctic and implications of coastal state jurisdiction, on which the Argentine reserved its position. The Argentine also reserved its position on small cetaceans. Finally the Technical Committee agreed to recommend the addition of a new sentence to the Schedule paragraph 9(d) in order to include killer whales in the moratorium on

factory ship whaling. This was adopted by the Commission, so that the following wording will be added:

This moratorium applies to sperm whales, killer whales and baleen whales, excluding minke whales.'

Norway stated its view that this amendment does not cover its catch of killer whales in the North Atlantic carried out by small-type whaling as defined in the Schedule, Section I.

Sperm whales
The Scientific Committee has held a special workshop meeting on sperm whales at which considerable progress in some areas was achieved.
In Division 9 two assessment techniques were employed which both indicated that the male and female stocks are much reduced. The Scientific Committee therefore recommended that they are both classified as PS with zero catch limits.
Chile stated that it wished the IWC to respect the quotas set last year. It has a small industry which is committed to closure in 1982. Peru supported the Chilean position and, whilst recognising the Scientific results, does not believe the decline in stocks is so large as suggested. It too stated that it will stop taking sperm whales in 1982.
There was some discussion over the current Schedule provisions for this stock as given in Table 2 of the Schedule. A proposal that the wording referring to '25% of the 1978 catch' for 1981 should be deleted was defeated by a majority vote in Technical Committee, which therefore made no recommendations on Southern Hemisphere sperm whales.
The Commission however reached a consensus agreement that the reference to the 25% provision should be deleted, which has the effect of setting the catch limit for Division 9 in 1981 at 300.

13.2 North Pacific 1981 Season
The Commission adopted the recommendations of the Scientific Committee endorsed by the Technical Committee as follows:

Minke whales

Okhotsk Sea - West
Pacific SMS 1980-84 1,678
maximum 421
Sea of Japan - Yellow
Sea - East China Sea

(formerly Sea of Japan) SMS 1980-84 3,634 provisional maximum 940
Remainder IMS 0
Fin whales PS 0
Sei whales PS 0
Bryde's whales
Eastern IMS 0
East China Sea SMS 19
provisional
Western SMS 510

The Commisssion noted the large Taiwanese catches of between 500 and 1,000 animals and the USA indicated that this matter should be resolved since it is equivalent to, or more than, the recommended catch limit.
The Commission also supported the recommendation of the Scientific Committee that an expert should be sent to assist in the identification of large whales in Korean catches.

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Humpback, Blue, Right & Gray whales (western stock)—PS
It was agreed that the Secretary write to the People's
Republic of China for information on possible catches of
right whales.

Sperm whales
The Scientific Committee had carried out an assessment of the Western Division stock and its resulting recommendation was that the males should be classified as PS. Strictly under the current management procedure females would be classified as SMS with a catch limit of
405. Projections, even if no catch was taken, suggested that they would become PS in 1983 and remain there for a considerable period. Accordingly it recommended a zero catch limit for females.
There was considerable discussion of these recommendations in Technical Committee. Japan strongly objected to therp because of the theoretical nature of the analysis and the lack of corroboration from the observed catches per unit effort from its coastal fishery. It emphasised the estimate of more than 190,000 sperm whales aged over 10 or 11 years in this stock and questioned whether an historically established fishery conducted entirely within its EEZ should be halted on this evidence. It was not disregarding the advice of the IWC, but expected reasonable consideration for the local communities which would be affected.
Following the defeat of a proposal for a special meeting of the Scientific Committee and the Commission to discuss the North Pacific sperm whale problem, the Technical Committee agreed by a majority decision to recommend classification of both sexes as PS. This proposal failed to achieve the three-quarters majority necessary in the Commission, receiving 14 votes in favour and 7 against, with 3 abstentions.
The Seychelles, seconded by the Netherlands, then proposed that a provisional catch limit of zero be set on this stock for the 1981 season, subject to review at the next Annual Meeting. After some discussion of the implications of the proposal, the Chair ruled that this matter had been voted on already.
Further discussion and consultation then led to the Chair proposing, seconded by Spain and the Republic of Korea, a catch limit for males of 890 with provision for a by-catch of females not to exceed 11.5%, and a zero catch limit for females. Following an exchange of views concerning the need for the incorporation of size limits in this proposal, the UK proposed an amendment setting a minimum size limit for this stock of 35 ft. The combined proposal was then voted on, but failed to attain three-quarters majority with 13 votes in favour, 5 against and 6 abstentions.
At various times in the debate delegates expressed their views on the need for a special meeting and the likelihood that the Scientific Committee could carry out any new analyses within a short time, since the implications and validation of the new assessment model employed must be fully examined. The Scientific Committee itself had put a possible meeting low on its list of priorities.
Eventually, after more discussions, the Chair proposed the following amendment to the Schedule, seconded by Japan:

for the North Pacific stock of sperm whales in the Western Division for the 1981 season, the catch limit for males will be 890, with one footnote to read:

'Included within this figure there shall be a by-catch of females not to exceed 11.5% and all whaling operations for this species are to cease when the by-catch is reached.'

A second footnote would read:

'It is forbidden to take or kill any sperm whale from this stock over 45 feet in length in the 1981 season.'

This proposal was then adopted by 18 votes in favour, 4 against with 2 abstentions.

13.3 North Atlantic 1981 Season

Minke whales
The Scientific Committee reviewed stock identities but recommended no change other than the names of two stock Areas. The Technical Committee endorsed the following classifications and catch limits which were adopted by the Commission.

Northeast Atlantic

(formerly Svalbard -
Norway - British
Isles Stock) SMS 1,790

The -.„ Commission noted the slight reduction in the proportion of females achieved by delaying the start of the season and urges continuation of that action.

Central North Atlantic

(formerly East Green-
land - Iceland -Jan
Mayen Stock) SMS 320
provisional

West Greenland SMS 1981-85 1,778
maximum 444
Canadian East Coast unclassified 0*

* Pending submission of information leading to an adequate
assessment.

The Seychelles registered its objection to the process of setting catch limits without safety factors and recommended that the Scientific Committee considers this in its assessments next year.

Fin whales

The Commission adopted the recommendations of the Scientific Committee through the Technical Committee on the following stocks:

Nova Scotia
West Greenland

North Norway

PS
SMS

provisional
SMS

0
6

61

Norway pointed out that there has been no catch from this stock for 10 years.

West Norway - Faroe
Isles PS 0

The Commission noted the eleven animals caught from this stock in 1979 off the Faroe Isles.

Newfoundland -
Labrador IMS 90

Denmark indicated that research on the West Greenland stock has now begun. The local fishermen believe the numbers are increasing. A similar increase is also reported

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around the Faroes and a research programme is under consideration.
The Scientific Committee carried out new analyses on the East Greenland - Iceland stock which produced varying results implying classification and appropriate catch limits as either:

East Greenland -
Iceland

SMS 1977-82 1,524
maximum 304
or PS 0

After discussing the differences between these results, the extent of the data available and the validity of the assessment models used, the Technical Committee by a majority vote recommended classification as PS with a zero catch limit.
Iceland reiterated its view that the present block quota should be retained and questioned the output from the new assessment model used. Japan commented on the lack of supporting evidence for the new results, and the Seychelles spoke on the danger of setting block quotas in cases where there is uncertainty. The vote failed to obtain a three-quarters majority, receiving 11 in favour with 9 against and 3 abstentions.
Australia then proposed a compromise figure of 152 for 1981, which was seconded by the Seychelles and the USA. Iceland indicated that this figure was too low for it to accept, given that its fishery had been one of essentially unchanging catches and effort over the past 32 years. It offered an amendment for 254 fin whales in 1981 and 1982, which was seconded by Spain. This amendment was defeated, receiving 10 votes in favour and 12 against with 2 abstentions, but the original proposal also failed with 13 votes in favour and 9 against with 2 abstentions. The existing block quota in the Schedule therefore remains unchanged, but Iceland indicated that it will voluntarily limit its catches to 254 fin whales in 1981 and in 1982.

The Scientific Committee carried out two assessments on the Spain - Portugal - British Isles stock and recom-mended classification as SMS with a catch limit of 220 for 1980 and 1981. Some members considered the stock should be unclassified with a provisional catch limit of 143 for these two years.
The Technical Committee discussed the Spanish request for consideration of its position. Spain stated that it had lodged an objection to the catch limit last year because, in its view, irregular procedures had been followed. Its whaling industry is located in an economically depressed region, dependent on fishing. It has taken measures to prevent whaling activities within its area of jurisdiction by non-IWC members. It wishes to support the purposes of the Commission and had presented new data and will provide more and carry out further research. The Technical Committee then agreed to recommend by separate majority votes that for 1980 the stock should be classified SMS with a catch limit of 220, and in 1981 the stock should be unclassified with a catch limit of 143. The Commission agreed to the figure of 220 for 1980, but the proposal for 1981 received 12 votes in favour and 7 against with 5 abstentions, which was not a three-quarters majority.
Spain then, in an attempt to achieve a compromise, offered to refrain from taking any sperm whales in 1981, accepted the International Observer Scheme and re-affirmed it had withdrawn its objection to the 1980 catch limit set last year. It proposed classification of the fin

whale stock for 1981 as SMS with a catch limit of 240, and this was seconded by Japan. This proposal was defeated by 6 votes for to 15 against, with 3 abstentions.
There followed further discussion of the problem, covering the lack of adequate data for assessment and the desire of Spain to find a reasonable solution to its and the Commission's position. Eventually a consensus was reached and the Commission agreed to establish a catch limit of 440 for the two years 1980 and 1981, with the proviso that not more than 240 be taken in any one of these years.

Sei and Bryde's whales
The Commission accepted the Scientific Committee's advice through the Technical Committee as follows:

Sei whales
Nova Scotia PS 0
Iceland - Denmark
Strait SMS 1980-85 504 maximum 100
Eastern (new stock) unclassified 0

Bryde's whale IMS 0

Bottlenose, right, blue and humpback whales
All PS except as otherwise provided under paragraphs 6.2 and 6.4.

Sperm whales
The Scientific Committee treated the whole area as one stock. Although there were few data on stock identity and several uncertainties about the current status of the stock, it recommended that the stock should remain unclassified and the catch limit for 1981 should not exceed 230 males and 42 females. This represents the average Icelandic and Spanish catches by sex for 1967-78. The Seychelles commented that the Scientific Committee had found evidence of a decline in the numbers of both sexes. The Technical Committee decided by a majority decision to recommend compromise figures of 0 females and 130 males, with the stock unclassified. This was agreed by the Commission.

13.4 Arctic and Northern Indian Ocean 1981 Season

The Commission adopted the recommendation of the Scientific Committee, endorsed by the Technical Committee, that all stocks should remain PS, except the Northern Indian Ocean Bryde's whales now included as IMS in the new Indian Ocean stock (paragraph 13.1) and noting the discussion under paragraph 6.2 on bowhead whales.

14. MEASURES TO DISCOURAGE WHALING OPERATIONS OUTSIDE IWC REGULATIONS

The Commission received, without comment, material intended for use in the construction of a Register of Whaling Vessels which it had agreed at its 31st Annual Meeting.
New Zealand noted that while the Commission had taken some action in recent years its discussion of the problem of non-IWC whaling had been superficial. It proposed the inclusion in the Schedule of prohibitions on importation of whales and whale products, transfer of vessels, equipment, expertise and any kind of assistance to non-member nations and a requirement for Contracting

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Governments to institute enforcement measures and
punish infractions.
South Africa, Spain, the Netherlands, the UK, Japan
and the Republic of Korea presented reports of the
measures they had taken in the last year to combat the
problem of non-IWC whaling, including enforcement procedures, and expressed confidence that these steps would be an effective addition to those measures already in operation. In addition the UK and the Netherlands noted that the Council of Ministers of the European Community had agreed in principle a regulation to prohibit the importation of whale products in the EEC from January 1982. Japan drew attention to the difficulty of con-trolling the subsequent conversion of vessels sold originally as fishing boats but stressed that no licence is issued if any evidence exists that a vessel may be used for whaling. Despite support for the general principles of the proposed schedule amendments several members indicated that their Governments would face difficulties because of possible conflicts with other international treaty obligations or the need to enact national legislation which might be superfluous.
Subsequently the Technical Committee adopted a Resolution (Appendix 6) with the same intent as the original proposal, which was endorsed by the Commission. Japan reserved its position on the last clause because of its interpretation of Article V of the Convention.
New Zealand also put forward a proposal in the form of a draft Resolution to establish a Working Group of the Technical Committee to examine all aspects of the problem of non-IWC whaling and to submit recommendations for action by the IWC at its 33rd Annual Meeting. There was strong support for the establishment of such a Working Group. Denmark noted that half the Commission's members are also members of the CITES, and New Zealand added that that it expected that the Working Group would co-operate fully with that body.
The Commission agreed to adopt the Resolution shown in Appendix 7 as recommended by the Technical Committee, and also instructed the Secretary to communicate with the People's Republic of China, Bequia, Indonesia, Portugal and Tonga to provide information about the work of the Commission, procedures for adhering to the 1946 Convention and to request catch and biological data.

species. This opposition included policy, legal and practical concerns and also takes account of sovereign states' rights (viz the draft text constructed by Canada for a new International Cetacean Convention). It proposed that:

(a) no Schedule amendments be made upon the recommendations of the Scientific Committee;
(b) a Resolution be adopted which would establish a working process whereby the Scientific Committee would consider all cetaceans and be able to make scientific advice available to Contracting Parties, coastal states and other interested Governments and intergovernmental organisations.

Member countries stated their positions based upon legal and policy advice obtained from their national authorities in response to the Commission's decision to that effect at the 31st Annual Meeting. Some delegations noted that advice on what was legally permissible was not always consistent with what was practicable or desirable. The views expressed concerned the competence of the IWC to manage all cetaceans under the 1946 Convention, whether whales and smaller cetaceans can be distinguished on any biological or legal distinctions, the need for comprehensive management policies, and the possible conflict with coastal states' rights and the principles being developed in the UNCLOS.
In an attempt to reconcile some of the arguments and counter-arguments put forward the Technical Committee considered two Resolutions. After discussion of the differences between the two and the expression of inter-pretations and views from various members, a joint Canada/USA Resolution was adopted by a majority vote for recommendation to the Commission.
A lengthy procedural debate arising from some countries' view that discussion of the issue should be deferred because of drafting problems rather than moving to an immediate decision resulted in a motion to adjourn the debate proposed by Australia and seconded by Sweden. This was not carried, receiving 11 votes in favour and 11 against with 2 abstentions. A motion to close the debate on this item proposed by the USA and seconded by Canada, was approved by 17 votes in favour with 7 against.
The Resolution shown in Appendix 8 was then adopted by the Commission with 15 votes in favour, 6 against and 3 abstentions.

15. SMALL CETACEANS

The Scientific Committee made recommendations for action of some kind for:

the Northern bottlenose whale, striped dolphin, Dall's porpoise, harbour porpoise, killer whales, narwhals and white whales.

In addition, it also made specific recommendations for management and conservation for northern bottlenose, Antarctic killer whales, North Atlantic killer whales, white whales and narwhals, noting that the two latter species should be considered by the Commission in the same manner as is the bowhead fishery in the Bering Sea and Arctic Ocean.
There was an extensive discussion in Technical Committee on the Commission's responsibilities for small cetaceans after Canada gave a detailed account of its position with regard to narwhal and beluga and stated its opposition to amending the Schedule to include these

16. INTERNATIONAL DECADE OF CETACEAN RESEARCH

The Scientific Committee reviewed the results of the research proposals under this heading and noted that the criterion of co-operation between international groups and/or funding from more than one international source was met by four proposals for the coming year. It noted the progress and proposed continuation of the Southern Hemisphere minke whale marking and sightings programmes by Japan and the USSR, and the offer by France to make facilities available for age determination. The Commission endorsed the following three proposals recommended by the Scientific Committee through the Technical Committee:

(1) Icelandic whaling research facilities.
(2) UK Sea Mammal Research Unit, Azores sperm whale proposal.

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(3) Completion of report on 'Sperm whales of the Southeast Pacific', drawing the attention of Peru and Chile to their responsibilities in the matter.

The Commission also recognised the need to establish a procedure for assessing projects and allocating funds to them between meetings and empowered the Secretary to expend up to £10,000 per year, to provide travel and other expenses for attendance at meetings and workshops supported by the Commission.
Iceland put forward a Resolution for setting up a re-search centre in Iceland. After clarification that priorities for research identified by the Scientific Committee would be recognised and also that the scientific permit procedure would be followed, this Resolution (Appendix 9) was endorsed by the Technical Committee and adopted by the Commission.
New Zealand described the research programme on humpback whales around Tonga funded by New Zealand's contribution to the IDCR which was proceeding. The first part of the survey was completed and the second stage would commence in August 1980.
Australia introduced a proposal on whale habitats. This recognised the fragile nature, particularly of the Arctic and Antarctic ecosystems, and the need for careful monitoring programmes. There was some discussion of the proposal and it was adopted, after redrafting in the form shown in Appendix 10, by the Commission.
The Scientific Committee noted that ICES had some relevant information on this subject and the Commission accepted its recommendation through the Technical Committee that the IWC Observer at its next meeting should request that this information is sent to the IWC Secretariat.

17. COLLATION AND DISTRIBUTION OF ANNUAL SUMMARY OF NATIONAL RESEARCH PROPOSALS, PROJECTS AND REPORTS ON CETACEANS BY THE COMMISSION

Australia put forward a proposal for the consideration of measures to encourage the exchange of relevant information within the Commission. The Scientific Committee noted that much of this material was already contained in the Annual Progress Reports, but agreed that it could be expanded. It intended to discuss the issue further next year and the Technical Committee endorsed this suggestion.

18. CETACEAN BEHAVIOUR AND INTELLIGENCE AND THE ETHICS OF KILLING CETACEANS

The Commission received a report on the meeting it had co-sponsored held in Washington D.C. in April/May 1980. Unfortunately, few members of the Scientific Committee took part, but a wide range of topics was addressed and there were frank exchanges of views.
Whilst it was evident that there were widely differing views on the need and justification for whaling it did appear that significant progress had been made in clarifying issues and the Commission accepted a recommendation endorsed by the Technical Committee that a Workshop be established by the Scientific Committee for further detailed examination of those matters identified as being of greatest significance to the assessment and management of cetaceans. This is in accordance with the recommendation of the Scientific

Committee in 1979 and it was agreed that a meeting should be held in 1981/82.
There was some discussion of the Washington meeting recommendation to develop a dialogue with philosophers with respect to the ethics of whaling, but the Technical Committee agreed to make no recommendation on this
matter.

19. HUMANE KILLING

The Scientific Committee had reviewed new information with respect to minke whale operations and the Secretary reported arrangements for the Workshop agreed by the Commission last year, which will be held in the coming Autumn. The Commission agreed that the arrangements should proceed.

Prohibition on the use of cold grenades for killing
cetaceans

Australia stated its view that whales are now, because of the change of emphasis in the industry, taking longer to die and in great pain. This results from the desire to improve the quality of product and it believes that the position of the IWC in this respect is morally indefensible.
The UK stated that it found the death times in the Norwegian minke fishery unacceptably long. Japan emphasised that it is in the process of developing new methods, and Norway and Iceland indicated that they too are working on improvements. Spain spoke of the serious economic consideration in the loss of meat in fin whales taken with explosive harpoons, although it also agreed with the need to find the most humane methods. The Technical Committee decided by separate majority votes to recommend adoption of two sentences forming a new paragraph in the section on Capture in the Schedule. The first sentence was for an immediate ban on the use of cold grenade harpoons for all whales except minke:

The killing for commercial purposes of whales, except minke whales, using the cold grenade harpoon shall be forbidden from the beginning of the 1980/81 pelagic and 1981 coastal seasons.'

The second sentence extended this prohibition to minke whales in the following seasons.
The Commission accepted the first proposal by 17 votes in favour to 3 against, with 4 abstentions, but the second failed to obtain a three-quarters majority, receiving 14 votes in favour and 6 against, with 4 abstentions.
After further comment from Japan on the need to allow sufficient time to carry out trials on the new devices being developed, the Commission adopted the Resolution shown in Appendix 11 put forward by Australia, seconded by the USA, South Africa, Sweden and the UK. This resolves to consider a Schedule amendment to include minke whales next year.

20. COLLECTION OF DATA IN LOG BOOK FORMAT

The Scientific Committee re-iterated its proposal of last year that Schedule Appendix A be revised so as to facilitate the collection of data on schooling, and to improve the form currently shown on page 19 of the Schedule. This was agreed by the Commission on the recommendation of the Technical Committee. The new format is shown in Appendix 18.

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21. PROHIBITION OF WHALING BY OPERATIONS
FAILING TO SUPPLY ALL DATA STIPULATED

The Netherlands introduced a proposed new paragraph to
be added to the Schedule, noting that similar proposals
concerning prohibitions on whaling operations failing to
supply data had been discussed at the two previous Annual Meetings of the Commission and that legal advice had been obtained on behalf of the Commission which indicated that such a provision could be contained in the Schedule. Japan reiterated its comments of previous years that, while it supplies and will continue to supply all information required, it had to raise an objection of principle since there would be difficulty in introducing the necessary national legislation. Spain shared Japan's concern.
By a majority vote the Technical Committee agreed to recommend the proposed addition to the Schedule. Subsequently the Netherlands indicated that because of the major legal problems this would pose for some Governments, it would put forward a Resolution urging Governments to implement measures to ensure that the scientific data required are made available and to take measures to prohibit whaling by operations failing to supply these data. This Resolution, shown in Appendix 12, was seconded by New Zealand and adopted by the Commission, the USSR expressing its reservation on the
matter.

22. REVISION OF THE SCHEDULE BY LAWYERS

The Technical Committee Legal Working Group which reported to the 31st Annual Meeting recommended a redrafting of the Schedule to improve its presentation without altering the substance. These proposals were circulated for consideration by the Contracting Governments during the year and were adopted by the Commission upon the recommendation of the Technical Committee with three revisions:
The Government of Japan suggested the addition of a sentence to paragraph 12(b):

The number of gray whales taken in accordance with this sub-paragraph in 1980 shall not exceed the limit shown in Table 1.'

The Secretary suggested that it would be appropriate to clarify paragraph 5 by amending the last sentence to read:

'This prohibition will apply for 10 years from 24 October 1979 with the provision for a general review after 5 years, unless the Commission decides otherwise.'

A proposed definition of 'local consumption' was commented on by various delegations, and it was agreed that this be omitted for the moment. The Working Group on Aboriginal/Subsistence Whaling was asked to take up this matter and bring forward a recommendation next year.

23. INFRACTIONS AND REPORTS FROM INTERNATIONAL OBSERVERS, 1979 AND 1979/80 SEASONS

The Technical Committee set up an Infractions sub-committee comprising representatives from Australia, Iceland, Japan, the Republic of Korea, Seychelles, the USA and the USSR. This reviewed all of the national

infractions reports received by the Secretariat. It also had available reports from the International Observers and reviewed matters arising from the 31st Annual Meeting. After careful study of all the relevant material, the Infractions sub-committee made a series of recom-mendations which were endorsed by the Technical Committee. With one modification arising from the decision on the Division 9 sperm whale catch limit, the Commission agreed that the Secretary should carry out all the necessary actions. These are itemised in Appendix 13.

24. INTERNATIONAL OBSERVER SCHEME

The Infractions sub-committee noted that the Observers' reports received corresponded with infractions reports from Contracting Governments, thus validating these records, and the Commission was also pleased to note that all the Observers commented on the full co-operation and assistance received from the hosting member Government. Such co-operation is essential for the success of the Observer Scheme and the Commission hopes that it will continue.
After extensive discussion of the various Observer Schemes already in existence, and the requirements for new arrangements for operations not yet receiving International Observers, the Infractions sub-committee prepared a series of recommendations which were endorsed by the Technical Committee and adopted by the Commission and are also given in Appendix 13.

25. REPORT OF THE SCIENTIFIC COMMITTEE

In adopting the report of the Scientific Committee the Technical Committee endorsed a number of additional matters raised. These were accepted by the Commission and are included as Appendix 14.

26. FINANCE AND ADMINISTRATION

The Commission adopted the report of the Finance and Administration Committee and approved, subject to audit, the provisional financial statement for the 1979/80 financial year, ending 31 August 1980.

26.1 Budget Estimate 1980/81 and Forecast 1981/82

The Finance and Administration Committee had reviewed the estimated budget for 1980/81, comprising basic expenditure and supplementary items recommended by the Scientific Committee. Because the Commission now had adequate reserves it was agreed to delete the provision for contingencies and doubtful debts. The Commission approved the revised budget of £300,972 noting that the resulting contributions from members (£235,822) would be about 15% lower than in the previous year. It also took note of the forecast estimate for 1981/82 which amounted to £415,041 (contributions £364,981).

26.2 Proposals for Making Economies and Increasing Efficiency
The Finance and Administration Committee commented that the measures adopted over the last few years and an improvement in timely payment of national contributions had greatly strengthened the Commission's financial position but it considered that there were still some areas

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which should be examined with a view to minimising expenditure. With this aim the Commission accordingly endorsed recommendations that:
(a) only two copies of Commission communications be sent to member governments, one to the Commissioner of member countries at the address stipulated by the designated Commissioner and another to the London Embassy or High Commission of the member;
(b) the Scientific Committee include in its review of publications policy consideration of methods of reducing costs;
(c) the Scientific Committee Report including Annexes be available at Commission Meetings in a central place for observers to read and that only a few complete copies be distributed for delegations. All other delegates should be provided with a copy of the Report without Annexes. (d) the Scientific Committee consider methods of reducing its work load, including, for example, a critical examination of only one-third of the whale stocks each year with an overview of all stocks to ensure detection of unexpected changes in population estimates:
(e) the Secretariat investigate alternative arrangements for printing and distributing the Annual Report and provide information for possible future action by the Finance and Administration Committee;
(f) attention be given to the recommendation adopted by the Commission at its 30th Meeting that routine items should be handled by a full Technical Committee to meet one week prior to the Annual Meeting, thus allowing more important items to be handled more efficiently in the Annual Meeting.
The Finance and Administration Committee had discussed the need for an independent audit of the Secretariat workload and procedures and the UK Ministry of Agricultural, Fisheries and Food had suggested that it could do such a study for approximately £1,000. The Commission endorsed the proposal although no provision was made in the budget for the expenditure involved.

26.3 Alternative Methods of Calculating Contributions from Member Governments
In response to concern expressed at previous meetings about inequities in the present system of calculating national contributions the Secretariat had developed an alternative proposal based on the concept of shares for membership, past and present whaling interests and attendance at Annual Meetings. The Finance and Administration Committee considered that this and an amended proposal contained potential advantages but that further study was required. The Commission agreed that Commissioners should examine the proposals with the intension of taking a decision at next year's meeting.

26.4 IWC Research Fund
A number of Commissioners expressed support in principle for the Finance and Administration Committee's suggestion that some element could be incorporating into the formula for annual contributions to provide funding for the IWC Research Fund. There was similar support for a proposal by the USSR for each member country to contribute the equivalent of £100,000 annually to the Research Fund although there were reservations about the actual level of funding. The Commission agreed to give careful consideration to these ideas and to discuss them at

the next Annual Meeting in association with any proposal to introduce a new formula for national contributions. The Scientific Committee had requested that funds be made available from which support could be given to invited experts who are not on the staff of Contracting Governments to enable them to attend meetings organised or supported by the Commission. With the support of the Technical and Finance and Administration Committees the Commission empowered the Secretary to expend up to £10,000 per year for this purpose. It noted, however, that the Convention requires that member governments bear the cost of supporting their own experts.
On the recommendation of the Finance and Administration Committee the Commission also approved a procedure for the expenditure of unallocated monies in the Research Fund between meetings whereby any proposed expenditure will be referred first to the Chairman of the Scientific Committee and then the Chairmen of the Commission and of the Technical Committee for approval.

26.5 Amendments to Commission's Financial Regulations The Commission amended its Financial Regulations to provide for the imposition of sanctions on a member nation which falls into arrears of more than 2 years on payment of its financial contributions. These sanctions take the form of withholding of services by the Commission and charging interest on the amount of the arrears. A number of other amendments were also adopted in order to conform with the changed financial year. The amendments are detailed in Appendix 15.

26.6 Notification of Adherence to the 1946 Convention The Secretariat reported that in recent years it had found some difficulty in making appropriate arrangements for meetings when the number of delegations is liable to change without its knowledge, although the Government of the United States of America, as Depository, had notified the Secretariat of some adherences and withdrawals. On the recommendations of the Finance and Administration Committee the Commission passed a Resolution formally requesting the USA to inform the Secretariat of all adherences and withdrawals at the same time as Contracting Governments are notified (Appendix 16).

27. DATE AND PLACE OF ANNUAL MEETINGS IN 1981 AND 1982

The Commission noted that holding the Annual Meeting in Brighton had resulted in savings of approximately 34% compared with costs in London and endorsed the provisional arrangements made by the Secretary for meetings to be held in Cambridge and Brighton as follows:

(a) Cambridge
22 June-26 June 1981

27 June-9 July 1981

Scientific Committee Workshops
on killer whales and minke
whales
Scientific Committee Annual
Meeting

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(b) Metropole Hotel, Brighton
13 July-17 July 1981 Technical Committee Working
Groups, Infractions sub-
committee, Finance and
Administration Committee
20 July-25 July 1981 33rd Annual Commission Meeting

Because of the difficulty of booking accommodation for these sorts of meetings at less than 2 years notice provisional bookings have also been made for the equivalent dates in 1982.

28. ADMISSION OF OBSERVERS AND THE PRESS TO COMMISSION MEETINGS

The Commission endorsed the recommendation of the Finance and Administration Committee that the present arrangements should be continued. The Scientific Committee proposed minor amendments to clarify its Rules of Procedure in relation to the admission of observers and these were approved by the Commission (Appendix 17).

29. REVISION OF THE INTERNATIONAL CONVENTION FOR THE REGULATION OF WHALING, 1946

The Drafting Group which met in Estoril, Portugal in November 1979 agreed on a text for only the Preamble, the first and part of the second Articles. After discussion of possible ways to proceed with the work, the Chairman of the IWC convened a meeting of interested parties immediately before the 32nd Annual Meeting.

He reported that views were expressed supporting the writing of a completely new Convention, while others favoured a more limited amendment of the present Convention. After further comments on the need for a revision of the Convention, the Commission agreed to instruct the Secretary to urge a Contracting Government to convene another preparatory meeting to improve and update the present Convention.

30 CO-OPERATION WITH OTHER ORGANISATIONS

The Commission received reports from its observers who had attended meetings of the International Council for the Exploration of the Sea, the International Commission for the Conservation of Atlantic Tunas, and the International Commission for Southeast Atlantic Fisheries.
It also agreed that the Secretary and Chairman should decide on IWC observers to attend such meetings and inform the Commission of their decisions.

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The Commission adopted the draft text of the 31st Annual Report which had been distributed in advance of the meeting.

32. AMENDMENTS TO THE SCHEDULE

The amendments to the Schedule and the revised layout approved by the Commission are given in Appendix 18.

T. Asgeirsson
Chairman

Appendix 1

INTERNATIONAL NON-GOVERNMENTAL ORGANISATIONS REPRESENTED BY OBSERVERS

African Wildlife Leadership Foundation
American Cetacean Society
American Friends Service Committee American Protection Institute
Antarctic and Southern Ocean Coalition Assembly of Rabbis
Center for Action on Endangered Species Center for Environmental Education European Environment Bureau
Fauna Preservation Society
Friends of the Earth
Fund for Animals
Greenpeace
International Environmental Advisers Inc.
International Federation of Institutes for Advanced Studies
International Fund for Animal Welfare
International Institute for Environment and Develop-
ment

International League for Animal Rights
International Ocean Institute
International Society for the Protection of Animals

International Transport Workers' Federation International Youth Federation for Environmental Studies and Conservation
Leviathan International
Marine Action Centre
Monitor
National Wildlife Federation
People's Trust for Endangered Species
Prevention of Cruelty to Animals and Plants International
Project Jonah
Royal Society for the Prevention of Cruelty to Animals Sierra Club
Threshold Foundation
Whale Centers International
Whale Coalition
World Association of World Federalists
World Council of Churches
World Council of Indigenous Peoples
World Federation for the Protection of Animals World Wildlife Fund

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Appendix 2

Ad hoc WORKING GROUP ON SUBSISTENCE WHALING

The International Whaling Commission agrees that an ad
hoc Working Group be established to develop management principles, and in particular for the setting of allowable catches for the whale stocks involved. The ad hoc Working Group would include representatives of the

Technical Committee, the Scientific Committee and of indigenous people who take subsistence catches; should
carry out its work as soon as possible and would report its findings to the meeting of the Technical Committee in
1981.

Appendix 3

RESOLUTION ON THE DOCUMENTATION OF ABORIGINAL NEED

THE INTERNATIONAL WHALING COMMISSION HEREBY RESOLVES that all Contracting Governments under whose jurisdictions aboriginal/subsistence whaling operations conducted under paragraph 12 of the Schedule

occur shall document annually for the information of the Commission:
the utilisation of the meat and products of any whales taken for aboriginal/subsistence purposes.

Appendix 4

TECHNICAL COMMITTEE WORKING GROUP ON REVISED MANAGEMENT PROCEDURES

The International Whaling Commission agrees that a Working Group be established by the Technical Committee, including representatives of the Scientific Committee, the Special Scientific Working Group on Mangement Procedures and the group concerned with the Legal Revision of the Schedule to examine the recommendations of the Special Scientific Working Group

and prepare detailed proposals, including draft Schedule amendments, for consideration by the Commission in
1981. The group should complete its recommendations
early enough for the Scientific Committee, at its next regular meeting, to develop recommendations for stock classification and catch limits on this basis.

Appendix 5

RECOMMENDATIONS FROM THE WORKING GROUP ON THE IMPLICATIONS MANAGEMENT REGIMES FOR OTHER MARINE RESOURCES

FOR WHALES OF

1. A request that Governments which are Contracting
Governments to the International Convention for the
Regulation of Whaling 1946 which are also considering
becoming Parties to the Convention for the Conservation of Antarctic Marine Living Resources, seek to ensure that full account is taken of the responsibilities of the International Whaling Commission for the conservation and management of whale stocks in the Southern Ocean;
2. To transmit the Resolution given below to the Depository Government of the Convention for the Conservation of Antarctic Marine Living Resources, which requests that the IWC be given appropriate status in order that it can contribute to activities of the proposed Commission for the Conservation of Antarctic Marine Living Resources.
The Resolution further proposes that the IWC offer a corresponding contributory role in its activities to representatives of the proposed Commission for the Conservation of Antarctic Marine Living Resources.
3. Once the Convention on Antarctic Marine Living Resources is signed and its Scientific Committee has been established, to consider the exchange of Scientific Committee representatives, together with the establish-ment of joint Scientific Committee Working Groups.
4. In the interim, recognising the IWC's experience in data handling and long-term interest in whale population dynamics, to investigate the possibility of holding a

workshop, of possibly 20 participants, sponsored jointly by IWC, IUCN, CCAMLR host country, SCAR, SCOR, ACMRR, IOC and IABO. Such a meeting would best be held late in 1981 (to allow time for FIBEX results to be available), and should address the following among others:
—data and analyses from FIBEX which is being conducted under the BIOMASS program; —planning for SIBEX, to maximise input and results of interest to all parties and relevant to Antarctic ecosystem management;
Investigations should be made of the possibility of placing qualified whale spotters on oceanographic vessels involved in the forthcoming FIBEX and SIBEX projects. Problems noted by the working group which may require further consideration by the Technical Committee include the funding and availability of appropriate personnel.
Consideration should also be given to the co-ordination of IDCR cruises to operate in the same area at the same time as BIOMASS projects and to offering IWC collaboration in the establishment of data bases from the results of these expeditions.
The Working Group noted that the IWC Scientific Committee representative on the BIOMASS Technical Group considered that it would be appropriate for the IWC to recommend that its members provide support for programs such as BIOMASS.

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RESOLUTION ON COOPERATION AND COORDINATION BETWEEN THE INTERNATIONAL WHALING COMMISSION AND THE PROPOSED COMMISSION FOR THE CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES

WHEREAS it is the purpose of the International Whaling
Commission to provide for the effective world wide
conservation and management of whale stocks;

WHEREAS the stocks of whales utilising the Southern
Ocean constitute an important part of the responsibilities of the International Whaling Commission;

WHEREAS specific provision has been made in the recently agreed Convention for the Conservation of Antarctic Marine Living Resources for the establishment of a Commission and a Scientific Committee;

WHEREAS the function of the proposed Commission will be to give effect to the objectives and principles embodied in Article II of the Convention for the Conservation of Antarctic Marine Living Resources, including the conduct of harvesting and associated activities in accordance with principles which seek in part:

to prevent any decrease in the size of any harvested population to levels below those which ensure its stable recruitment;

to maintain the ecological relationships between harvested, dependent and related populations of Anatarctic marine living resources and to restore depleted populations;

to prevent changes or minimise risks of changes in the marine ecosystem which are not potentially reversible over two or three decades;

with the aim of making possible the sustained conservation of Antarctic marine living resources.

WHEREAS Article VI of the Convention for the Conservation of Antarctic Marine Living Resources includes provisions that nothing in that Convention shall derogate from the rights and obligations of Contracting Parties under the International Convention for the Regulation of Whaling;

WHEREAS Article IX of the Convention for the Conservation of Antarctic Marine Living Resources provides that the proposed Commission under that Convention should take account of relevant measures or regulations by existing fisheries commissions responsible for species which may enter the area to which that Convention applies, in order that there should be no inconsistency between obligations of Contracting Parties

under such regulations or measures and conservation measures which may be adopted by the Commission;

WHEREAS Article XXIII of the Convention for the Conservation of Antarctic Marine Living Resources provides that the proposed Commission and Scientific Committee to be developed under that Convention shall seek to develop cooperative working relationships as appropriate; such as those with intergovernmental organisations which could contribute to their work, including the International Whaling Commission;

WHEREAS Article XXIII of the Convention for the Conservation of Antarctic Marine Living Resources further provides that the Commission to be established under that Convention may enter into agreements with organisations such as the International Whaling Commission;

The International Whaling Commission
NOTING the recent Conference on the Conservation of Antarctic Marine Living Resources and its agreement of the text of a Convention for the Conservation of Antarctic Marine Living Resources;

BELIEVING that parties to the Convention for the Conservation of Antarctic Marine Living Resources in the development of the administrative and procedural mechanisms of the Convention, will give consideration to the role of the International Whaling Commission in the management and conservation of whales in the Southern Ocean and

FURTHER BELIEVING that parties to the Convention for the Conservation of Antarctic Marine Living Resources recognise that the development of cooperation and liaison between the International Whaling Commission and the proposed Commission for the Conservation of Antarctic Marine Living Resources will facilitate the conservation of Antarctic marine resources;

REQUESTS that the International Whaling Commission be given appropriate status in order that it can contribute to activities of the proposed Commission for the Conservation of Antarctic Marine Living Resources.

SIMILARLY the International Whaling Commission
offers a corresponding contributory role in its activities to
the representatives of the proposed Commission for the
Conservation of Antarctic Marine Living Resources.

Appendix 6

RESOLUTION AIMED AT DISCOURAGING WHALING OPERATIONS OUTSIDE IWC REGULATIONS

The International Whaling Commission

RECALLING the resolution adopted by member nations
at the 31st Annual Meeting to prohibit the importation of
whale meat and products from non-member countries and
operations, and

TAKING NOTE of the reports submitted to the present session by some Contracting Governments of measures they have taken in accordance with that resolution

DECIDES

TO URGE Contracting Governments which have yet to take measures in accordance with the resolution of the 31st Annual Meeting to do so immediately.

THAT MEMBER states shall prevent the transfer of whaling vessels and equipment and, as far as possible, the dissemination of whaling information and expertise, or the provision of any other type of assistance specifically

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designed for and likely to be used for whaling to any nation or entity under the jurisdiction of such a nation which is not a member of the IWC,

THAT MEMBER states shall take all practicable steps within their competence to prohibit their nationals from offering services or expertise directly relevant to whaling to any vessel belonging to any nation, or entity under the jurisdiction of such a nation, which is not a member of the IWC,

THAT MEMBER states shall consider taking the necessary appropriate steps to enforce the above
measures,

THAT NOTHING herein shall be construed as preventing the Scientific Committee from providing advice to nations
not yet party to the IWC in respect of the conservation of
whale stocks,

THAT THE question of adopting amendments to the Schedule to give effect to the above measures be placed on
the agenda of the 33rd Annual Meeting.

Appendix 7

RESOLUTION ESTABLISHING A WORKING GROUP ON NON-IWC WHALING

The International Whaling Commission
TAKING NOTE of the existence of whaling operations outside the International Whaling Convention,

CONCERNED that such operations have adverse effects
on the objects of the International Whaling Convention, and

CONSIDERING that it is essential that urgent attention be given to further measures to restrict such operations

DECIDES

to establish a Working Group to examine all questions relating to whaling operations outside the International Whaling Convention,
that the Working Group shall report to the 33rd Annual
Meeting of the IWC on measures it considers appropriate
and desirable to restrict activities outside the present
Convention.

Appendix 8

RESOLUTION CONCERNING EXTENSION OF THE COMMISSION'S RESPONSIBILITY FOR SMALL CETACEANS

WHEREAS, the International Convention for the
Regulation of Whaling, 1946, specifies a decision by parties
to 'conclude a convention to provide for the proper
conservation of whale stocks and thus make possible the
orderly development of the whaling industry';

WHEREAS, the Convention itself does not define the species covered by the term whale and Contracting Governments are not of one view on such a definition as regards the Convention,

WHEREAS, the Final Act of the International Whaling Conference, 1946, recommended that governments accept a chart of nomenclature of whales which included, in toto, the baleen, sperm and bottlenose whales;

WHEREAS, this year the Scientific Committee has examined the condition of various beluga and narwhal stocks and has recommended on biological grounds that one stock be classified as a Protection Stock;

WHEREAS, the rights and responsibilities of Con-tracting Governments with respect to the conservation, management and study of cetaceans are matters under the consideration of the U.N. Conference on the Law of the Sea;

WHEREAS, the Contracting Governments and other interested parties have been and continue to consider the

question of possible amendments to or renegotiation of the present Convention reflecting consideration of, inter alia, the developments in the Law of the Sea.

WHEREAS, the Scientific Committee of the International Whaling Commission has a standing subcommittee on Small Cetaceans and biological expertise in this field;

NOW, THEREFORE, the Commission, without prejudice to positions of Contracting Governments with respect to nature and extent of coastal state jurisdiction;

RECOMMENDS that the Scientific Committee, in part through the subcommittee on Small Cetaceans, continue to consider the status of cetaceans and provide such scientific advice as may be warranted to Contracting Governments, coastal states and other interested governments and interested inter-governmental organisations as appropriate.

REQUESTS all Contracting Governments to consider such advice, and to provide appropriate information to the Scientific Committee,

REQUESTS Governments to continue submitting reports to the Scientific Committee concerning the status of, inter alia beluga and narwhal stocks and any management measures taken with respect thereto.

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Appendix 9

RESOLUTION ON AN INTERNATIONAL WHALE RESEARCH CENTRE

WHEREAS it is the purpose of the International Whaling
Commission to provide for the effective conservation and
management of whale stocks,

WHEREAS the Commission recognizes that research and continuous collection and analysis of biological data is necessary to accumulate knowledge of the ecology and population dynamics of whale stocks,

WHEREAS Iceland harvests in accordance with regulations of the Commission four major species of whales, i.e. fin, sei, sperm and minke whales,

WHEREAS the Scientific Committee of the Commission has repeatedly recommended that scientific research on the whale stocks harvested by Iceland and other whale stocks in the North Atlantic should be increased and organized through both individual and joint efforts by member nations of the Commission,

WHEREAS the Commisison believes that scientific research programmes would greatly benefit from a suitably located international research centre,

WHEREAS Iceland can provide suitable conditions for such a research centre, and

WHEREAS the Government of Iceland has offered to make available suitable facilities,

BE IT HEREBY RESOLVED by the International Whaling Commission to accept the Government of Iceland's offer to establish an International Whale Research Centre in Iceland on the following basis:

I

(a) Room and board for up to six scientists at a time will be provided for in Iceland at or near the whaling station in Hvalfjordur during the period from 25 May
to 25 September each year for 10 years beginning in 1981.

(b) The scientists will be provided working facilities at the station and on board the catcher boats for the taking
of samples, measuring and observing, etc., it being the duty of the employers of the station and the crews of the vessels to co-operate and render every assistance practicable.
(c) The scientists will have access to all known material about Icelandic whaling, including log books of the catcher boats. A computer in Reykjavik will also be
at their disposal, as well as other facilities at relevant government research institutes.

II

The Government of Iceland will decide in accordance with Article VIII of the International Convention for the Regulation of Whaling 1946 the number of whales of each stock which may be killed each year for scientific research, taking into account any recommendations which the International Whaling Commission or its Scientific Committee may wish to make in this respect.

III

The Government of Iceland will not be responsible for
expenses incurred in the purchase or rental of equipment,
in whale marking or in the processing of information, or for
expenses of the scientists other than room and board as
provided under l(a) above.

Appendix 10

RESOLUTION ON PRESERVATION OF THE HABITAT OF WHALES AND THE MARINE ENVIRONMENT

1. Recalling earlier resolutions of the International
Whaling Commission urging that all necessary
measures be taken to preserve the habitat of whales.

2. And further noting that the survival and health of whale
populations is dependent upon maintenance of a
healthy marine and coastal environment,

3. WHEREAS the marine environment is fragile and subject to irreversible ecological damage, and

4. WHEREAS great concern has been expressed that current and projected development may result in such damage

5. WHEREAS the welfare and cultural continuity of many aboriginal and coastal peoples depends on

maintenance of a healthy environment capable of sustaining adequate populations of whales and
6. WHEREAS certain stocks of whales are endangered or declining, and critically vulnerable to environmental degradation,
7. BE IT THEREFORE RESOLVED that responsible member governments of the IWC should take every possible measure to ensure that degradation of the marine environment, resulting in damage to whale populations and subsequent harm to affected peoples, does not occur, and
8. FURTHER resolved that responsible governments
submit reports to the IWC on activities which might
adversely affect whale populations, and describe
appropriate measures to prevent such damage.

Appendix 11

RESOLUTION TO BAN THE USE OF THE COLD GRENADE HARPOON FOR KILLING MINKE WHALES FROM THE 1981/82 AND 1982 WHALING SEASON

The Commission resolves that the use of the cold grenade
harpoon for killing minke whales for commercial purposes
should cease as from the beginning of the 1981/82 pelagic

and 1982 coastal seasons. An amendment to the Schedule
to this effect should be considered at the 1981 meeting.

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Appendix 12

RESOLUTION TO ENCOURAGE THE PROVISION OF ALL REQUIRED DATA BY WHALING OPERATIONS

The International Whaling Commission

CONVINCED that to enable full and proper scientific
analysis of whale stocks it is essential to obtain all the data
required pursuant to section VI of the Schedule to the
International Whaling Convention,

TAKING NOTE of the actions taken by some Contracting Governments to ensure that whaling operations under their jurisdiction comply with their obligations pursuant to section VI,

TAKING NOTE however of the concern expressed by the Scientific Committee, the Infractions sub-committee and at the present Annual Meeting about the failure, or delay, on the part of some operations, to provide all the data required,

DECIDES

TO URGE Contracting Governments which have yet to do so, to implement measures to ensure compliance by whaling operations under their jurisdiction with section VI of the Schedule to the present Convention.

TO FURTHER URGE Contracting Governments to consider taking measures to prohibit the use of any factory ship, whale catcher or land station under their jurisdiction, for any whaling operations in each year following the year
in which any such factory ship, whale catcher or land station, fails to provide substantially all of the information required pursuant to section VI to the present Convention.

Appendix 13

RECOMMENDATIONS FROM THE INFRACTIONS SUB-COMMITTEE

1. All Contracting Governments under whose jurisdiction whaling activities are carried out should
submit reports annually and reports should be submitted even in years when no infractions or
penalties had been assessed.
2. Those countries which have not yet submitted infractions reports for 1979 should ensure that a report is presented to the Commission before its next meeting for consideration with 1980 infractions reports.
3. The USSR and USA to be requested to inform the Commission as soon as possible of their agreement on numbers of gray whales within the catch limit set up by the Commission, to be taken during 1981 by the whaling operations under their respective jurisdictions.
4. The USSR to be requested to provide information on the 1979 catch of gray whales, including information on struck-but-lost animals, to the Secretariat for consideration at the next Commission meeting.
5. It is requested that Peru submit an infractions report concerning its catches after joining the IWC in June 1979.

6. The coastal whaling season for any specific year should be considered to mean the coastal whaling season commencing any time within a specific year. For example, a coastal whaling season that extends from January until June 1979 and a coastal whaling season that extends from September 1979 until April 1980 would both be considered to be 1979 coastal seasons.
7. The Secretary should advise Peru and Chile that the total quotas for Division 9 sperm whales are as follows:
1980 coastal season—435
1981 coastal season—300
1982 coastal season— 0
8. The Secretary to advise Peru of the provisions of paragraph 3(c) of the Schedule, under which it can be assumed that Peru's continuous sperm whale season for 1980 extends for the specified period of eight months from January through August, at the latest,

and that whaling activities conducted from September through December 1980 would be an infraction of the Schedule.

9. The Commission should include in Reports of Commission Meetings brief summaries of the effects of major Schedule amendments adopted at such meetings.
10. The Government of the Republic of Korea is encouraged to assign additional national inspectors to monitor whaling activity, to monitor log books and observance of the provisions of the Schedule for both large whales and minke whaling operations; and is encouraged especially in the provision of biological information.

11. It is suggested that the Secretary contact any recently joined members with information on the International Observer Scheme.

12. It is recommended that the countries potentially involved in the Inuit Observer Scheme for minke and humpback operations by Denmark prepare a report on this proposed extension, and together with the USA, Canada, Denmark and other countries in which observer programmes for aboriginal or sub-sistence whaling is conducted, should prepare reports to be considered by the group to be formed to develop management principles and guidelines for aboriginal/subsistence whaling.
13. Other member nations to take note of the agreement of Brazil, Chile and Peru to the acceptance of observers under the International Observer Scheme and examine ways in which they could be of assistance in extending the scheme to these operations.
14. The Secretary should consider whether the present authority and Rules of Procedure are adequate to accomplish placement and support of short-term scientific observers on an ad hoc basis or whether additional authorisation or arrangements are necessary, and if they are, to advise Commissioners well in advance of the 33rd Annual Meeting.

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15. The Secretary should request from each Contracting
Government under whose jurisdiction whaling
operations are carried out and collate for examination
at the next meeting of the Commission, information
on the national catches by member nations during
1979-80, the percentages under direct inspection by national programmes and under observation under the International Observer Scheme. The sub-committee considered that such a compilation, if possible, could be of direct benefit in assessing the monitoring of current whaling operations, under both national and international programmes.

16. Governments yet to submit Laws and Regulations are to be reminded of their obligations under paragraph 31 of the Schedule.

17. An amount of meat equal to that estimated to come from the small sized whales as set out in the Infractions

sub-committee report should be determined to meet the provisions of paragraph 14(c) of the Schedule and the Government of Iceland should be informed that this is acceptable.
18. Details of the operations under this proposal including yields of meat and meal from whales taken for human consumption should be prepared for review by the Infractions sub-committee at the 33rd Annual Meeting.
19. It would be appropriate for the Secretary to develop a check list of information required under the terms of Section VI of the Schedule. National progress reports and infractions reports received by the Secretariat could then be assessed against the list. The Infractions sub-committee would then be able to assess the degree to which information required under Schedule provisions is made available to the Commission and Scientific Committee.

Appendix 14

ADDITIONAL MATTERS RAISED IN THE REPORT OF THE SCIENTIFIC COMMITTEE

(1) Member nations which seine for Tuna in the Eastern Tropical Pacific or plan to do so, are recommended to participate in the international observer programme.
(2) Member nations are urged to foster and support expanding research on perceived competitive inter-actions between marine mammals and fishermen, and ensure that such competition be assessed in direct and quantitative terms.
(3) Limitations on use of whale marks with respect to the size of target animal as set out in the report of the Scientific Committee.
(4) The Secretariat should investigate the possibility of participating in the world wide Aquatic Sciences and Fisheries Information System.

(5) That FAO should include certain defined items in a questionnaire concerning statistics on catches of small
cetaceans.

(6) That the Commission formally requests FAO to provide any biological data it may have from the 1960s so that they may be incorporated into the Commission's data base.
(7) That the Secretary should attend a workshop planned by the IUCN on interactions between fisheries and marine mammals on behalf of the Scientific Committee.
(8) That any requests from CITES for advice on scientific
data should be answered by referring to the views of the Scientific Committee as expressed in its report.

Appendix 15

AMENDMENTS TO FINANCIAL REGULATIONS

(new wording in bold type)

C. Yearly Statements

1. At each Annual Meeting, there shall be laid before the Commission two financial statements:

(a) a provisional statement dealing with the actual and estimated expenditure and income in respect of the current financial year;
(b) the budget estimate of expenditure and income for the ensuing year including the estimated amount of the individual annual payment to be requested of each Contracting Government.

Expenditure and income shall be shown under appropriate sub-heads accompanied by such explanations as the Commission may determine.
2. The two financial statements identified in Regulation Cl shall be despatched by airmail to each Contracting Government and each Commissioner not less than 60 days in advance of the Annual Commission Meeting. They shall require the Commission's approval after having been referred to the Finance and Administration Committee for consideration and recommendations. A copy of the final

accounts shall be sent to all Contracting Governments after they have been audited.
3. [Unchanged].

D. Contributions

1. As soon as the Commission has approved the budget for any year, the Secretary shall send a copy thereof to each Contracting Government (in compliance with Rules of Procedure, Rule H2), and shall request it to remit its annual payment forthwith.
2. Payments shall be in pounds sterling, drafts being made payable to the International Whaling Commission and shall be deemed to be payable in full within 60 days of the receipt of the said request from the Secretary, but it shall be open to any Contracting Government to postpone the payment of any increased portion of the amount until the following 1st March. The Secretary shall not make available any Commission documentation, excluding individual correspondence, to a Contracting Government whose annual payments have fallen into arrears for more than

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two years* from the date of receipt of the request referred to under Rule Dl, such documentation to be reserved for provision at such time as the amount in arrears is settled in full. The Secretary shall report at each Annual Meeting the position as regards the collection of annual payments.
3. If annual payments have fallen into arrears more than two years* from the date of receipt of the request referred to under Rule Dl, interests (10%) are also calculated on the

amount of arrears from the day following the first 60 days notice and are paid for the benefit of the IWC Research
Fund.

4. [Old paragraph 3—unchanged].

* [The words 'more than two years' are subject to final review by the
Commission's legal advisers.]

Appendix 16

RESOLUTION OF THE INTERNATIONAL WHALING COMMISSION TO THE DEPOSITORY GOVERNMENT FOR THE INTERNATIONAL CONVENTION FOR THE REGULATION OF WHALING, 1946

The International Whaling Commission requests the
Government of the United States of America as depository
Government for the International Convention for the
Regulation of Whaling, 1946, to notify the Secretary to the
International Whaling Commission of all adherences and

withdrawals received at the same time as it informs all other signatory Governments and all adhering Governments under the terms of Article X, paragraph 3 and Article XI of the Convention.

Appendix 17

AMENDMENTS TO THE RULES OF PROCEDURE OF THE SCIENTIFIC COMMITTEE

Insert a new rule in
Observers:

section A Membership and

4. Non-member governments may be represented by observers at meetings of the Scientific Committee,
subject to the arrangements given in Rule B2(a) of the Commission's Rules of Procedure.

Re-number old rules 4 and 5 as 5 and 6.

Insert a new rule 7:

7. Meetings of the Scientific Committee as used in the
paragraphs above include all meetings of subgroups
of the Committee, e.g. subcommittees, workshops,
etc.

Appendix 18

AMENDMENTS TO THE SCHEDULE ADOPTED AT THE 32ND ANNUAL MEETING OF THE COMMISSION

A. Substantive amendments [changes and new wording
in bold type]
1. New paragraph to precede the present paragraph 5 in
Chapter III Capture, all succeeding paragraphs to be
renumbered:

'The killing for commercial purposes of whales, except minke whales, using the cold grenade harpoon shall be forbidden from the beginning of the 1980/81 pelagic and 1981 coastal seasons.'

2. New sub-paragraph (e) to be added to [old] paragraph 8:

'(e) Geographical boundaries for Bryde's whale stocks in the Southern Hemisphere and Northern Indian Ocean.
Indian Ocean
20°C to the Australian coast

40°S to the coast north of the Equator
Solomon Islands

150°E to 170°E
20°S to 10°S

Western South Pacific

Australian coast to 150°W
40°S to the Equator
(excluding the Solomon Islands stock area) Peruvian

110°W to the South American coast
10°S to 10°N

Eastern South Pacific

150°W to the South American coast
40°S to the Equator
(excluding the Peruvian stock area)'

New sentence to be added to [old] sub-paragraph 9(d):

'This moratorium applies to sperm whales, killer whales and baleen whales, excluding minke whales.'

Amend Schedule Tables 1 and 2 and reorganise into three tables as shown in Appendix 1 of this document.

Replace [old] sub-paragraph 12(a) with the following:

'For the years 1981 through 1982, inclusive, the total number of whales landed shall not exceed 45 and the

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total number of whales struck shall not exceed 65,
provided, however, that in any one year the number of
whales landed shall not exceed 17.'

6. Revise Schedule Appendix A as shown in Appendix
2 of this document by amending Table 1 and adding
Table 2.

B. Legal Revision of the Schedule
The revision and re-organisation of the Schedule proposed by the Technical Committee Working Group as circulated by the Secretary in a Communication dated 26 October 1979 (ref: RG/CAB/2752) was adopted with two changes. Together with the insertion of a date in [old] paragraph 5, the addition of a sentence to [old] paragraph 12, and certain consequential changes resulting from the decisions detailed in section A above, the revisions adopted are as follows:

CHAPTER I. INTERPRETATION (paragraph 1) Divide the listing into three parts: baleen whales, toothed whales, and general. Under the first two parts, the various whale species are listed alphabetically. Under the third part the following terms are included, in this order: 'strike' means to penetrate with a weapon used for whaling.

'take' means to flag, buoy or make fast to a whale catcher.

'land' means to retrieve to a factory ship, land station, or other place where a whale can be treated.
'lose' means to either strike or take but not land.

'dauhval' [definition unchanged],

'lactating whale' [definition unchanged],

'small-type whaling' [definition unchanged].
The terms 'lost whale' and 'whales taken' are deleted from the list of definitions.

CHAPTER II. SEASONS

Re-arrange in following order:

'Factory Ship Operations
2. (a)
(b) with consequential change "... in accordance with sub-paragraphs (c) and (d) of this paragraph, and paragraph 5."
(c)
(d)
4. to be renumbered as "3" and to read "... as provided in paragraphs 12 and 17 . . .'
Land Station Operations
3. (a) (to be renumbered as "4. (a)")
(b)
(c)
(d)
(e) (with consequential change from deletion of [old] Paragraph 7)

Other Operations
2. (e) (to be renumbered as "5")'

CHAPTER III. CAPTURE

Insert a date in the last sentence of [old] paragraph 5: 'This prohibition will apply for 10 years from 24 October 1979 with the provision for a general review after 5 years, unless the Commission decides otherwise.'

Delete paragraph 7 and revise [old] paragraph 8 as follows:

'9. (a) Classification of Areas
Area relating to Southern Hemisphere baleen whales are those waters between the ice-edge and
the equator and between the meridians of longitude listed in Table 1.

(b) Classification of Divisions
Divisions relating to Southern Hemisphere sperm 1 whales are those waters between the ice-edge and the equator and between the meridians of longitude listed in Table 3.

(c) Geographical Boundaries in the North Atlantic
The geographical boundaries for the fin, minke and
sei whale stocks in the North Atlantic are: . . .'

Delete the numbering of the individual stocks and divisions in [old] paragraphs 8(c) and (d), and amend [old] paragraph 8(d) Sperm Whales Stocks, Eastern Division to read:

'East of the line described above.'

Amend the fourth paragraph in [old] paragraph 9(a) to read:

'10. (a) ...
For stock at or above the MSY stock level, the permitted catch shall not exceed 90 per cent of the MSY. For stocks between the MSY stock level and
10 per cent below that level, the permitted catch
shall not exceed . . . falls short of the MSY stock level.'

Amend [old] paragraph 9(c) to read:

'10. (c) A Protection Stock . . . below MSY stock level.
There shall be no commercial whaling on Protection Stocks.
Stocks so classified are listed in Tables 1, 2 and 3 of
this Schedule.'

Amend [old] paragraph 10 to read:
'11. The number of baleen whales taken in the Southern Hemisphere in the 1980/81 pelagic season and the
1981 coastal season shall not exceed the limits shown in Tables 1 and 2. However, in no circumstances shall the sum of the Area catches exceed the total catch limit for each species.'

Revise [old] paragraph 12 to read:

'13. (a) Notwithstanding the provisions of paragraph 10

(i) the taking of 10 humpback whales . . . less
than 50 gross register tonnage are used for
this purpose;
(ii) the taking of bowhead whales from the Bering Sea stock by aborigines is permitted,
but only when the meat and products . . . consumption by the aborigines, and further provided that:
(1) [as set out in section A5 of this document]
(2) it is forbidden to strike, take or kill calves or any bowhead whale accompanied by a calf.
(b) The taking of gray whales from the Eastern stock in the North Pacific is permitted, but only

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by aborigines or a Contracting Government on behalf of aborigines, and then only when the meat and products of such whales are to be used exclusively for local consumption by the aborigines. The number of gray whales taken in accordance with this sub-paragraph in 1981
shall not exceed the limit shown in Table 1.'

Amend footnote 5 in Table 1 to read:

'5 Available to be taken by aborigines or a Contracting Government on behalf of aborigines pursuant to paragraph 13(b).'

Amend [old] paragraph 14(b) to read:
'15(b) It is forbidden . . . Northern Hemisphere; except that fin whales of not less than 55 feet
(16.8 metres) may be taken in the Southern Hemisphere for delivery to land stations and fin whales of not less than 50 feet (15.2 metres) may
be taken in the Northern Hemisphere for delivery
to land stations . . .'

Amend [old] paragraph 15 to read:

'16. The number of sperm whales taken in the Southern Hemisphere in the 1980/81 pelagic season and the
1981 coastal season shall not exceed the limits shown in Table 3.'

CHAPTER IV. TREATMENT

Revise [old] paragraph 19(a) to read:

'20. (a) It is forbidden to use a factory ship or a land station for the purpose of treating any whales
which are classified as Protection Stocks in paragraph 10 or are taken in contravention of paragraphs 2, 3, 4, 5, 6, 7, 8, 11, 12, 16 and 17
of this Schedule, whether or not taken by whale
catchers under the jurisdiction of a Contracting Government.'

Revise the beginning of [old] paragraph 19(b) to read: '20. (b)AH other whales taken, except minke whales, shall

CHAPTER VI. INFORMATION REQUIRED
Amend [old] paragraphs 25, 26, 28 and 29 as follows:

26. (a) All Contracting Governments shall report to the Commission for all whale catchers operating in conjunction with factory ships and land stations,
the following information:
(i) Methods used to kill each whale, other than
a harpoon, and in particular compressed
air.
(ii) Number of whales struck but lost,
(b) A record similar . . . shall be entered therein as soon as available, and forwarded by Contracting Governments to the Commission.
27. (a) Notification shall be given ... of data on the number of baleen whales by species taken in any
waters . . .

(b) If it appears . . . permitted by paragraph 10 . . .'

29. (a) Notification shall be given in accordance with the provisions of Article VII of the Convention
with regard to all factory ships and catcher ships
of the following statistical information:
(1) The name and gross tonnage of each factory
ship.

(2) For each catcher ship attached to a factory ship or land station:
(i) the dates on which each is com-missioned and ceases whaling for the
season,

(ii) the number of days on which each is
at sea on the whaling grounds each
season,

(iii) the gross tonnage, horsepower, length and other characteristics of each; vessels used only as tow boats should
be specified.
(3) A list of the land stations which were in operation during the period concerned, and the number of miles searched per day by aircraft, if any.
(b) The information required under paragraph (a) (2) (iii) should also be recorded together with the following information, in the log book format in Appendix A, and forwarded to the Commission:
(1) Where possible the time spent each day on different components of the catching operation,
(2) Any modifications of the measures in paragraphs (a)(2)(i)-(iii) or (b)(l) or
data from other suitable indicators of
fishing effort for 'small-type' whaling
operations.'
'30. (d) Contracting Governments shall . . . and report to the Commission on the results of such analyses.'

C. Other Consequential Amendments
1. Amend [new] paragraph 9(b) to read:
'. . . listed in Table 3.'

2. Amend [new] paragraph 9(c) to reflect the changes in North Atlantic minke whale stock names:

for 'East Greenland - Iceland - Jan Mayen' read Central

for 'Svalbard - Norway - British Isles' read Northeastern

3. The recognition of the Eastern North Atlantic Stock of sei whales in Table 1 should be reflected by designation of its geographical boundaries in [new] paragraph 9(c) sei whale stocks:
'Eastern
East of a line through:
20°N 18°W, 60°N 18°W, 68°N 3°E, 74°N 3°E,
and North of a line through:
74°N 3°E, 74°N 22°W.'

4. Amend the last lines of [new] paragraph 10(a) third paragraph and 10(b) second paragraph to read:
'. . . listed in Tables 1, 2 and 3 of this Schedule.'

5. Amend [new] paragraph 10(d) to read:

'Notwithstanding the other provisions of paragraph 10 . . .'

6. Amend [new] paragraph 12 to read:
The number of baleen whales taken in the North Pacific Ocean and dependent waters in 1981 and in the North Atlantic Ocean in 1981 shall not exceed the limits shown in Tables 1 and 2.'

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7. Amend [new] paragraph 17 to read:

'The number of sperm whales taken in the North
Pacific Ocean and dependent waters in 1981 and in the
North Atlantic Ocean in 1981 shall not exceed the
limits shown in Table 3.'

8. Amend [new] paragraph 25(a)(iii) to read:

'. . . pursuant to sub-paragraph 21(b).'

9. Amend [new] paragraph 25(b)(ii) to read:

'. . . pursuant to paragraph 24.'

Table 1

Baleen whale stock classification and catch limits (excluding Bryde's whales)

SOUTHERN HEMISPHERE—1980/81 pelagic season and 1981 coastal season

Sei Minke

Area

I
II
III
IV
V
VI

Classi-

Longitudes fication

120°W-60°W PS
60°W-0°W PS
0°-70°E PS
70°E-130°E PS
130°E-170°E PS
170°W-120°W PS

Total catch not to. exceed:

Catch
limit

0
0
0
0
0
0

0

Classi- Catch
fication limit

— 910
— 1,176
— 1,237
— 2,386
— 1,250
— 467

7,072

NORTHERN HEMISPHERE—1981 season
ARCTIC — — —

NORTH PACIFIC

Whole region PS 0 —
Okhotsk Sea - West
Pacific Stock — — SMS
Sea of Japan -Yellow
Sea - East China
Sea Stock — — SMS2
Remainder — — IMS
Eastern Stock — — —
Western Stock — — —

NORTH ATLANTIC

Whole region — — —
West Greenland Stock — — SMS
Newfoundland -
Labrador Stock — — —
Canadian East Coast
Stock — — —
Nova Scotia Stock PS 0 —
Central Stock — — SMS
East Greenland -
Iceland Stock — — —
Iceland - Denmark
Strait Stock SMS 100" —
Spain - Portugal -
British Isles Stock — — —
Northeastern Stock — — SMS
West Norway - Faroe
Islands Stock — — —
North Norway Stock — — —
Eastern Stock — 0 —

NORTHERN INDIAN
OCEAN — — —

421'

9403
O4

4446

O7

320

1,790

Fin Blue

Right,
Bowhead
Hump- Pygmy
back Right Gray

Classi- Catch
fication limit

PS
PS
PS
PS
PS
PS

PS

PS

SMS

PS
SMS

Classi- Classi- Classi- Classi- Catch fication fication fication fication limit

SMS2 6

IMS 90

0

SMS 3048

240"

0
61

PS
PS
PS
PS
PS
PS

PS

PS

PS

PS
PS
PS
PS
PS
PS

PS

PS

PS

PS
PS
PS
PS
PS
PS

0

PS —

PS

SMS
PS

1795

0

PS

PS —

The total catch of minke whales shall not exceed 1,678 in the five years 1980 to 1984 inclusive.
Provisionally listed as SMS for 1981.
The total catch of minke whales shall not exceed 3,634 in the five years 1980 to 1984 inclusive.
Pending a satisfactory estimate of stock size.
Available to be taken by aborigines or a Contracting Government on behalf of aborigines pursuant to paragraph 13b. The total catch of minke whales shall not exceed 1,778 in the five years 1981 to 1985 inclusive.
Pending submission of data leading to an adequate assessment.
The total catch of fin whales shall not exceed 1,524 in the six years 1977 to 1982 inclusive.
The total catch of sei whales shall not exceed 504 in the six years 1980 to 1985 inclusive.
°The total catch of fin whales shall not exceed 440 in the two years 1980 and 1981.

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Table 2

Bryde's whale stock classification and catch limits

SOUTHERN HEMISPHERE AND NORTHERN INDIAN OCEAN

1980/81 pelagic season and 1981 coastal season

Classifi- Catch
cation limit

South Atlantic Stock IMS 0
Indian Ocean Stock IMS 197
Solomon Islands Stock IMS 0
Western South Pacific Stock IMS 237
Peruvian Stock SMS 264
Eastern South Pacific Stock IMS 188

NORTH PACIFIC—1981 season
Eastern Stock IMS O 1
Western Stock SMS 510
East China Sea Stock SMS2 19

NORTH ATLANTIC—1981 season IMS O 1

1 Pending a satisfactory estimate of stock size.
2 Provisionally listed as SMS for 1981.

Table 3

Toothed whale stock classification and catch limits

Sperm Bottlenose

Divisions Longitudes

Classi-
fication

Catch
Limit

Classi-
fication

SOUTHERN HEMISPHERE 1980/81 pelagic season and 1981
coastal season

1 60°W-30°W — — —
2 30°W-20°E — — —
3 20"E-60°E — — —
4 60°E-90°E — — —
5 90°E-130°E — — —
6 130°E-160°E — — —
7 160°E-170°W — — —
8 170°W-100°W — — —
9 100°W-60°W — 3001 —

NORTHERN HEMISPHERE—1981 season

NORTH PACIFIC

,,, Western „. Division . males

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2- 3 —
females — 0 —

Eastern Division male* ~ „ ~~ females — 0 —

NORTH ATLANTIC fal" ~ 13° PS4 females — —

NORTHERN INDIAN OCEAN — 0 —

1 The catch in 1982 shall be zero.
2 Included within this figure there may be a by-catch of females not to exceed 11.5% and all whaling operations for this species are to cease when the by-catch is reached.
3 It is forbidden to take or kill any sperm whale from this stock over 45 feet (13.7 metres) in length in the 1981 season.
4 Provisionally listed as PS for 1981 pending the accumulation of sufficient information for classification.

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