

International Commission on Whaling

(Constituted under the International Whaling Convention
signed at Washington on 2nd December, 1946)

FIFTH REPORT OF THE COMMISSION

(covering the fifth fiscal year 1st June, 1953 to
31st May, 1954)

*(As approved by the Commission at its sixth meeting, in Tokyo, July, 1954,
and authorised to be printed)*

LONDON

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1954

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LIST OF MEMBERS OF THE COMMISSION

<i>Australia</i>	Mr. F. F. ANDERSON.
<i>Brazil</i>	(Not yet appointed).
<i>Canada</i>	...	...	...	...	Mr. G. R. CLARK.
<i>Denmark</i>	...	...	...	...	Mr. P. F. ERICHSEN.
<i>France</i>	...	...	...	...	Mr. G. PETER.
<i>Iceland</i>	...	...	...	...	His Excellency, A. KL. JONSSON.
<i>Japan</i>	...	...	...	...	Dr. AKIRA KODAKI.
<i>Mexico</i>	...	...	...	...	(Not yet appointed).
<i>Netherlands</i>	...	...	...	...	Dr. G. J. LIENESCH (Vice-Chairman).
<i>New Zealand</i>	...	...	...	...	Mr. W. C. SMITH.
<i>Norway</i>	...	...	...	...	His Excellency, B. BERGERSEN.
<i>Panama</i>	...	...	...	...	Mr. R. R. ALEMAN.
<i>South Africa</i>	...	...	...	...	Dr. J. M. MARCHAND.
<i>Sweden</i>	...	...	...	...	Mr. M. DE WACHENFELT.
<i>U.S.S.R.</i>	...	...	...	...	Capt. A. N. SOLYANIK.
<i>United Kingdom</i>	...	...	...	...	Mr. R. G. R. WALL.
<i>U.S.A.</i>	...	...	...	...	Dr. REMINGTON KELLOGG (Chairman).

A. T. A. DOBSON,
Secretary.

Office of the Commission,
The Fisheries Department,
3, Whitehall Place,
London, S.W.1.

International Whaling Commission

(1) The International Whaling Commission presents this, its fifth Annual Report, covering the fiscal year 1st June, 1953, to 31st May, 1954.

(2) In the course of the year, no new Governments notified the State Department at Washington (the Depository Government for the International Whaling Convention, 1946) of their ratification of or adherence to the said Convention. The number of countries that now have the right to appoint members of the Commission remains therefore at 17, and the names of their Commissioners are shown on page 2 of this Report.

(3) The Commission again expresses the earnest hope that the non-participating countries, especially those whose representatives signed the 1946 Convention, may see their way to ratify or adhere to the Convention without further delay, so that they may be in a position to co-operate in the vital task of conserving the whale stocks of the world.

(4) All the participating countries mentioned on page 2 were represented at the fifth meeting held in London in June, 1953, with the exception of Mexico. In addition, representatives were also present, by invitation of the Commission, as observers, from Argentina, Italy, and Peru, and from the Food and Agriculture Organisation of the United Nations, the International Council for the Exploration of the Sea, and the Association of Whaling Companies.

(5) A full list of all those who attended the fifth meeting will be found in Appendix I to this Report, while the agenda for that meeting constitutes Appendix II. Following the decision taken last year, the Chairman's Report of the Fifth Meeting has again been printed and will be found in Appendix III. The numerous amendments to the Schedule of the 1946 Convention which were made at this meeting and subsequently came into force on 8th October, 1953, are not printed as a separate Appendix as they will be found set out in paragraphs 12 and 14 of that Report. These amendments were of two kinds, drafting or clarifying amendments (12 (d) and (f)) and substantive amendments (paragraph 14). Among the latter, attention may be called to the embargo on the taking of blue whales before 16th January in any year, the permission to take humpbacks on 1st, 2nd, 3rd and 4th February in any pelagic whaling season, and the reduction of the blue whale unit limit from 16,000 to 15,500.

(6) At the first plenary session the Commission received an address of welcome by Mr. G. R. H. Nugent, M.P., Joint Parliamentary Secretary to the Ministry of Agriculture and Fisheries, who again emphasised the importance of the Commission's responsibilities in the matter of whale conservation.

(7) In the course of his remarks, Mr. Nugent said he felt the International Whaling Commission was one of the minor, if not one of the major, miracles of human achievement. Many nations had united for the common purpose of conserving the whale stocks of the world. The representatives present recognised that if, together they did not exercise a restraint in the catching power which modern methods and science had increased so formidably, in two or three seasons the whale would be extinct. This calamity had been

forestalled, and this was entirely to the credit of the member countries of the Commission. Moreover, without the efforts of the Commission, there would not have been the oil supply for the hundreds of millions of people who depended upon it.

The collection of necessary information about the lives of whales was a formidable task, and studying the whale's behaviour in the oceans of the world was like looking for a needle in a haystack. Nevertheless, in spite of the collective knowledge and wisdom already acquired, until more was known of the habits, movements and breeding of the whale, the present restrictions might prove inadequate for conservation of present stocks.

(8) The Commission approved its agenda to which reference has already been made.

(9) In accordance with the Rules of Procedure, as amended at the third meeting at Cape Town, the Commission were polled as to whether any additional country desired representation on either of the two Committees, with the result that the Scientific Committee consisted of the following representatives:—

Australia (Mr. Cummins), Brazil (an observer), Canada (Mr. Clark), Denmark (Mr. Erichsen), France (Dr. Budker), Japan (Dr. Omura), Netherlands (Dr. Slijper), Norway (Prof. Bergersen), South Africa (Dr. Marchand), U.S.S.R. (Mr. Tverianovich), U.K. (Dr. Mackintosh) U.S.A. (Dr. Kellogg) with experts in addition. Dr. Mackintosh (U.K.) was elected Chairman.

The Technical Committee was composed as follows:—

Australia (Mr. Patterson), Canada (Mr. Clark), France (Mr. Martin), Japan (Mr. Hori), Netherlands (Mr. Drost), Norway (Mr. Knudtson), South Africa (Col. Goulding), U.S.S.R. (Capt. Solyanik), U.K. (Mr. Wall). Mr. Clark (Canada) was elected Chairman.

(10) In exercise of his powers under the Rules of Procedure, the Chairman, after considering the constitution of the Finance and Administration Committee during the previous four years appointed the following to serve during the year 1953-54:—

Mr. Wall (U.K.), Dr. Budker (France), Dr. Marchand (South Africa). When the Committee met, Mr. Wall (U.K.) was elected Chairman.

(11) All financial matters, including the Commission's expenditure during 1952-53 and budget for 1953-54, were referred to the last mentioned Committee, upon whose recommendation the following decisions were subsequently taken by the Commission.

(12) The Commission accepted the financial statement relating to the income and expenditure for 1952-53 subject to final certification by the Ministry of Agriculture and Fisheries, it having been impossible for certain items of expenditure for that year to be finally settled by the time the Commission met, only a few days after the close of the financial year, 31st May, 1953.

This statement has already appeared as Appendix IV to the Fourth Report of the Commission.

(13) The Commission took note of the fact that the £100 due from Panama in respect of the year 1949-50 was still outstanding, but after hearing the circumstances in which Panama had ratified the 1946 Convention, accepted the contention that Panama were not strictly liable and decided that this

amount should be deleted from the accounts. The consequent adjustments resulted in the net expenditure for the year 1952-53 being £2,635 as shown in Appendix IV to the Fourth Report already referred to.

(14) As regards the year 1953-54, the Commission decided that the contribution from each Contracting Government should remain at £150. The actual income and expenditure for this year as settled by the Ministry of Agriculture and Fisheries and approved by the Commission at its Sixth Meeting in Tokyo is shown in Appendix V to this Report.

(15) On the recommendation of the Finance and Administration Committee, the Commission decided that the Annual Meeting should be held a little later in the year having regard to the obligations falling on the Bureau of International Whaling Statistics, and agreed to meet in Tokyo on 19th July, 1954. The Japanese Commissioner generously undertook that his Government would provide the accommodation for the meeting and the necessary staff for the conduct of the meeting and verbatim recording of the proceedings.

(16) Apart from the amendments to the Schedule to which reference has already been made, the most important decision which the Commission took at its Fifth Meeting was in connection with the rearrangement of the Schedule.

(17) As recorded in the Fourth Report of the Commission (Paragraph 18 (j)) the task of preparing a **rearranged Schedule** was entrusted to a special Drafting Sub-Committee consisting of the Vice-Chairman of the Commission (Dr. Lienesch) (Netherlands), Mr. Knudtson (Norway), Mr. C. S. Davis (Legal Department, Ministry of Agriculture and Fisheries) with the Secretary. Dr. Lienesch acted as Chairman.

(18) The Sub-Committee presented its report to the Commission and recommended the adoption of a rearranged Schedule in the form of that which is printed in Appendix IV to this Report.

(19) After considering this report, the Commission resolved as follows:—

(i) "That the Schedule to the International Convention for the Regulation of Whaling, 1946, as rearranged by the special Drafting Committee, with a Table of Contents and cross headings, with such amended cross references as have been rendered necessary by the re-numbering of the paragraphs; and with such amendments as may have come in force as the result of the Commission's decisions at its Fifth Meeting be adopted and with such further consequential amendments as the Drafting Committee may think desirable to secure absolute uniformity".

(ii) "That, in order to give effect to the above resolution, it is important that the special Drafting Committee should meet again to deal with the further consequential amendments".

(20) It was recognised by the Commission that action under this Resolution would fall to be taken under Article VI of the Convention. It would be necessary for each and every Contracting Government to indicate its assent in writing, before the rearranged Schedule could come into operation.

(21) In view of the fact that the Commission made further amendments to the Schedule at its Fifth Meeting, it was not possible to circulate the re-arranged Schedule for the necessary assents before 23rd October, 1953, and by the close of the financial year to which this Report relates there were still three Contracting Governments from whom no assents had been received, but assents were subsequently received from two of them.

(22) Among the decisions taken by the Commission at its Fifth Meeting was the constitution of a special Scientific Sub-Committee, to be convened by Professor B. Bergersen (Norway) and to consist of representatives of Australia, France, Japan, Netherlands, U.S.S.R. and the U.K. with the following terms of reference:—

(i) to examine and report upon the progress of research on the stocks of humpback whales, to study the catches of pelagic factories and land stations, and to make recommendations as they consider desirable to the Scientific Committee;

(ii) to examine the catch figures of blue and fin whales in the Antarctic in relation to the measures for conservation which have been recommended, and similarly to report to the Scientific Committee;

(iii) to consider the increased catches of sperm whales in certain areas in recent years and to report thereon; and

(iv) to deal with any other matters which may be referred to it.

This Sub-Committee met in Oslo on 16th March, 1954, and their report will be dealt with in the next Annual Report.

(23) The Commission had before it the figures supplied by the Bureau of International Whaling Statistics in respect of the year 1953-54 covered by this Report and a few figures are given in the next paragraph, although these figures were not available until the sixth meeting, held after the close of the year to which this report relates.

(24) The Antarctic season in 1953-54 extended from 2nd January to 7th April, but it was again found necessary to stop operations before the concluding date, as the 15,500 blue whale unit limit was likely to be exceeded. Catching was stopped by the Bureau of International Whaling Statistics as from midnight on 18th March, 1954. By that date 15,439 blue whale units had been taken, 61 short of the permitted total of 15,500.

(25) The killing of humpback whales was permitted on the 1st, 2nd, 3rd and 4th February, and during that period 594 humpback whales were captured.

(26) The factory ships engaged in the Antarctic season 1953-54 numbered 17 as follows:—

Pelagos, Kosmos III, Kosmos IV, Thorshovdi, Norhval, Sir James Clark Ross, Suderoy, Thorshammer, Thorshavet (Norway), Southern Harvester, Southern Venturer, Balaena (U.K.), Abraham Larsen (South Africa), Willem Barendsz (Netherlands), Slava (U.S.S.R.), Tonan Maru, Nisshin Maru (Japan).

The total number of catchers attached to factory ships was 206.

(27) The total oil output from the Antarctic season's catch amounted to 2,100,879 barrels. If the catch of land stations in the Antarctic is included, namely 184,647 barrels, the total Antarctic catch of whale oil is increased to 2,285,526 barrels, inclusive of 144,518 of sperm oil.

This output represented an increase of 167,429 barrels on the previous year, and at 6 barrels to the ton amounted to 27,905 tons.

(28) Outside the Antarctic in the year 1953 the output was 397,836 barrels, as compared with 429,670 barrels in 1952, and at 6 barrels to the ton represented 71,612 tons.

LIST OF APPENDICES

Appendix I--List of those attending the Fifth Meeting of the Commission in London, 1953.

Appendix II--Agenda for the Fifth Meeting.

Appendix III--Chairman's Report of the Fifth Meeting.

Appendix IV-- Copy of the Rearranged Schedule to the 1946 Convention as adopted by the Commission at its Fifth Meeting.

Appendix V --Statement of Income and Expenditure for the year ended 31st May, 1954, as approved by the Commission at its sixth meeting.

Appendix VI -- List of Reports received by the Commission during the year ended 31st May, 1954.

APPENDIX I

LIST OF THOSE ATTENDING THE FIFTH MEETING, 1953

AUSTRALIA	...	G. R. B. PATTERSON (deputizing),	with J. E. CUMMINS, <i>expert</i>	
BRAZIL	...	E. DE MELLO	with M. A. DE PIMENTEL BRANDAO,	<i>expert</i>
CANADA	...	G. R. CLARK	with J. F. GRANDY, <i>expert</i>	
DENMARK	...	P. F. ERICHSEN,	with O. SKARDHAMAR	} <i>experts</i>
			(Faroes)	
			J. C. BOGSTAD	} <i>experts</i>
FRANCE	...	Dr. P. BUDKER,	with A. MARTIN	
			M. COCHOIS	
			LAFONTAINE	
ICELAND	...	E. BENEDIKZ (deputizing).		
JAPAN	...	A. KODAKI,	with H. OMURA	} <i>experts</i>
			S. HORI	
MEXICO	...	(Not represented).		
NETHERLANDS	...	G. J. LIENESCH,	with E. J. SLIJPER	} <i>experts</i>
			H. S. DROST	
			L. DE WAAL	
			P. VAN ZUYLEN	
			E. VINKE	
NEW ZEALAND	...	F. H. CORNER (deputizing).		
NORWAY	...	His Excellency Prof. B. BERGERSEN	with J. T. RUUD	} <i>experts</i>
			H. TH. KNUDTZON	
			E. MOE	
			H. SUNDT	
			G. KVAERNE	
			E. VANGSTEIN	
			SVEND FOYN BRUUN	
			E. HAUGEN	
PANAMA	...	R. R. ALEMAN.		
SOUTH AFRICA	...	J. M. MARCHAND,	with Col. R. L.	} <i>experts</i>
			GOULDING	
			W. A. HORROCKS	
SWEDEN	...	Commodore B. F. TIERMAENIUS (deputizing),	with G. LONAEUS, <i>expert</i>	
U.S.S.R.	...	Capt. A. N. SOLYANIK, with V. TVERIANOVICH,	L. KOLESNIKOV	} <i>experts</i>
U.K.	...	R. G. R. WALL,	with N. A. MACKINTOSH	
			A. J. AGLEN	} <i>experts</i>
			W. K. ROSE	
			C. S. DAVIS	
			T. S. LEACH	
			C. LUCAS	
			J. C. GLOVER	
			R. H. CLARKE	
			H. K. SALVESEN	
			G. H. ELLIOT	
			S. JAMES	
			D. S. TENNANT	
U.S.A.	...	REMINGTON KELLOGG, with J. L. KASK, <i>deputy</i>		

Attending as Observers

ARGENTINA	...	...	...	W. BRUNET
ITALY	...	...	...	Rear Admiral A. MARIANO
PERU	...	...	...	SEÑOR DON ANIBAL PONCE
I.C.E.S.	...	...	...	G. J. LIENFESCH
F.A.O.	...	...	...	D. B. FINN
A.W.C.	...	...	...	N. R. BUGGE
Secretary	...	...	...	A. T. A. DOBSON
Assisted by	...	...	...	A. S. ARMSTRONG
				G. E. MYERS
				T. E. JARVIS

APPENDIX II

AGENDA for the FIFTH MEETING of the Commission to be held in the Conference Room, Ministry of Agriculture and Fisheries, 3, *Whitehall Place, London, S.W.1, on 22nd June, 1953, at 10 a.m.*

1. Welcome by Mr. G. R. H. Nugent, Joint Parliamentary Secretary to the Ministry of Agriculture and Fisheries.

2. Opening remarks by the Chairman, and outline of arrangements for the meeting.

3. Formal approval of the Agenda, as set out below.

4. Appointments to Committees. The Commission will be polled in pursuance of Rule XVIII of the Rules of Procedure as to whether any additional countries desire representation. (NOTE:—The present membership of the Scientific and Technical Committees is set out in paragraph 5 of the Chairman's Report of the Fourth Meeting.)

5. Finance. Provisional statement showing the cost of the Commission during the year *1st June, 1952, to the 31st May, 1953*, and statement of the estimated cost for the year *1st June, 1953, to the 31st May, 1954*. Fifth Meeting Documents I (a) and (b). (NOTE:—The Committee will no doubt wish to refer these statements to the Finance and Administration Committee, for consideration, and for recommendations as to the contribution to be requested from Contracting Governments for the year 1953-54.)

6.—(i) Report by the two special Scientific Subcommittees (Convener, His Excellency B. Bergerson) appointed to consider the Humpback Problem, the question of sanctuaries and the question of the 16,000 blue whale unit limit. (*Fifth Meeting, Document II.*)

This report visualises four amendments to the Schedule as follows:—

(a) Paragraph 6, delete the proviso and insert the following:—provided that in any pelagic whaling season for baleen whales the taking of humpback whales shall be permitted on the 1st, 2nd and 3rd February.

(b) Paragraph 5 becomes 5 (1) and a new paragraph follows:—5 (2) It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill blue whales in the waters south of 40° South Latitude between the meridian of Greenwich and 70° West Longitude.

(c) Paragraph 7 (a), at end add:—Provided that no blue whales shall be taken before 15th January in any year.

(d) and possibly Paragraph 8 (a), line 4 for "sixteen" read.....

(ii) Two further amendments to the Schedule have been submitted by the Norwegian Commissioner as follows:—

Paragraph 8 (c) to be amended to read as follows, the new words being in bold type.

Notification shall be given in accordance with the provisions of Article VII of the Convention, within two days after the end of each calendar week, of data on the number of blue-whale units taken in any waters south of 40° South Latitude by all whale catchers attached to factory ships under the jurisdiction of each Contracting Government; **provided that when the number of blue whale units reaches 14,500, notification shall be given as aforesaid, at the end of each day, of data on the number of blue-whale units taken on that day.** In addition, notification of data on the number of humpback whales taken in pursuance of paragraph 6, including nil returns on days when no humpback whales are taken, shall be given at the end of each day on which the taking of humpback whales is permitted.

Paragraph 8 (d) to be amended to read as follows, the new words being in bold type.

If it should appear that the maximum catch of whales permitted by sub-paragraph (a) of this paragraph may be reached before 7th April of **any** year, the Commission, or such other body as the Commission may designate, shall determine, on the basis of the data provided, the date on which the maximum catch of whales shall have been deemed to have been reached, and shall notify **each factory ship** and each Contracting Government of that date four days in advance thereof. The taking of baleen whales by whale catchers attached to factory ships shall be illegal in any waters south of 40° South Latitude after midnight of the date so determined.

7. General Scientific Report by Dr. N. A. Mackintosh. (*Fifth Meeting, Document III.*) (NOTE:—The Commission will no doubt wish that the above two reports should be referred to the Scientific Committee for report and recommendations.)

8. Review of the 1952–53 season's catch. (It is hoped that some preliminary figures will be available at the meeting from the Bureau of International Whaling Statistics.)

9. Policy with regard to furnishing of vessels, equipment, or supplies, intended for whaling operations, to non-contracting Governments or their nationals.

10. Report by Finance and Administration Committee.

11. Report by Scientific Committee.

12. Report by Technical Committee.

13. Draft Fourth Annual Report for approval (*Fifth Meeting, Document IV*).

14. Drafting amendments to and re-arrangement of the Schedule. Report of Drafting Committee. Appendix I contains the actual amendments, and Appendix II the proposed Schedule as re-arranged. (*Fifth Meeting, Document V*).

15. Is an Annual Meeting necessary? (*Fifth Meeting, Document VI*).

16. Any other Business.

17. Date and Place of Next Meeting.

(NOTE:— The Commission may wish this matter to be referred to the Finance and Administration Committee for recommendations.)

APPENDIX III

CHAIRMAN'S REPORT OF THE FIFTH ANNUAL MEETING

1. The Commission held its fifth meeting in London at the offices of the Ministry of Agriculture and Fisheries, 3, Whitehall Place. The first Plenary Session was held on Monday, June 22nd, 1953, at 10 a.m. when the Commissioners with their Experts and Advisers, and various observers were welcomed by Mr. G. R. H. Nugent, M.P., Joint Parliamentary Secretary to the Ministry of Agriculture and Fisheries. He expressed his gratification at again having an opportunity of meeting the Commission and wished all assembled success in their great task to conserve the whale stocks.

The final Plenary Session was held on 26th June, 1953.

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

Representatives were also present, all as observers, from Argentine, Italy, and Peru and from the Food and Agriculture Organisation of the United Nations, from the International Council for the Exploration of the Sea, and from the Association of Whaling Companies, all of whom were welcomed by the Chairman at the opening session.

3. At the outset of the First Plenary Session, the Commission approved the Agenda, and the Commission was then polled as to whether any Contracting Government desired to have representation on either of the two Standing Committees, where they had not before had representation, or whether they wished to vary their existing representation.

4. As a result the Scientific Committee was constituted as follows:—

Australia (Mr. Cummins), Brazil (an observer), Canada (Mr. Clark), Denmark (Mr. Erichsen), France (Dr. Budker), Japan (Dr. Omura), Netherlands (Dr. Slijper), Norway (Prof. Bergersen), S. Africa (Dr. Marchand), U.K. (Dr. Mackintosh), U.S.A. (Dr. Kellogg), U.S.S.R. (Mr. Tverianovich), with the addition of Experts. At the first meeting of this Committee held after the first Plenary Session Dr. Mackintosh (U.K.) was elected Chairman.

5. The Technical Committee was constituted as follows:—

Australia (Mr. Patterson), Canada (Mr. Clark), France (Mr. Martin), Japan (Mr. Hori), Netherlands (Mr. Drost), Norway (Mr. Knudtson), S. Africa (Col. Goulding), U.K. (Mr. Wall), U.S.A. (Mr. Kask), U.S.S.R. (Capt. Solyanik), with the addition of Experts. At the first meeting of the Committee held after the First Plenary Session, Mr. Clark (Canada) was elected Chairman.

6. With regard to the Finance and Administration Committee, the Chairman after considering the constitution of the Committee during the past four years, nominated the following to serve for the year 1953-54. Mr. Wall (U.K.), Dr. Budker (France), Dr. Marchand (S. Africa). At the first meeting of this Committee held after the First Plenary Session, Mr. Wall (U.K.) was elected Chairman.

7. A large number of items on the Commission's main agenda were referred for study to the three standing Committees and the reports of these Committees (after a joint meeting of the Scientific and Technical Committees had been held) came up in due course at subsequent Plenary Sessions.

8. As regards the Finance and Administration Committee's recommendations, the following decisions were taken by the Commission.

(a) The Commission's expenditure, etc., for the past year 1952-53 as set out and approved by the Finance Division of the Ministry of Agriculture and Fisheries in *Document I* was approved subject to one amendment. The Commission, having heard the circumstances in which Panama ratified the 1946 Convention, were content with the contention that they were not liable for the 1949-50 contribution which has hitherto been recorded as outstanding, and approved its cancellation. This decision involved a consequential modification of the figures for expenditure and this is incorporated in a revised edition of *Document I (A)*. The net expenditure for 1952-53 was £2,635, but the Commission took note of the fact that two contributions were still outstanding, which it was hoped would be speedily paid.

(b) With regard to the question of the holding of meetings annually, the Commission endorsed the view of the Committee that in the present position of whale stock conservation, it would be unwise to alter for the present the practice of holding a Commission meeting annually.

(c) As regards the budget for 1953-54 (*Document I (B)*) which includes the cost of the Fifth Meeting (1953), the Commission accepted the figures set out in the *Document* named, which were calculated mainly on the basis of the figures (already approved) in *Document I*. The decision regarding Panama (referred to at (a) above) again involves consequential amendments which have been incorporated in a revised *Document I (B)*. The net cost of the Commission for 1953-54 is estimated at £2,890.

(d) The Commission decided on the Committee's recommendation that the sum to be requested from each Contracting Government in respect of the years 1953-54 should be £150, the same as in the previous year.

(e) As regards the date of the Annual Meeting, the Commission, after considering the views of the Committee, agreed that, having regard *inter alia* to the obligations resting on the Bureau of International Whaling Statistics, the meeting should in future be held a little later in the year, say the latter half of July. The Commission decided that the 1954 meeting should open on Monday, 19th July, 1954.

(f) As regards the place of the Annual Meeting the Commission on being polled were in favour of Tokyo, nine voting in favour, and four abstaining. Four countries were not represented.

9. The Commission approved the draft of the Fourth Annual Report (covering the year 1952-53) as submitted by the Secretary, subject to the insertion of certain figures which were not available prior to the fifth meeting. The Commission took note that the Report would be accompanied by the normal Appendices including the Chairman's Report as resolved at previous meetings of the Commission.

10. The Commission had before them, in the usual form, the detailed figures supplied by the Bureau of International Whaling Statistics, relating to the Whaling season of 1952 (Land Stations) and 1952-53 (Pelagic Season). The Commission expressed their appreciation of the elucidating commentary which Mr. Vangstein (Norway) made in this connection.

11. As regards the pelagic season, there were 16 expeditions with 232 whale catchers, and the total production of oil amounted to 1,994,760 barrels. The land stations produced another 119,865 barrels, making a grand total of 2,114,625 barrels, inclusive of 120,457 barrels of sperm oil. This output represented a decrease of 362,773 barrels on the previous year.

Outside the Antarctic in the year 1952, the output was 427,715 as compared with 656,462 barrels in 1951 and at six barrels to the ton represented 109,404 tons.

The Commission noted that pelagic whaling in the Antarctic was stopped at midnight on 16th March, 1953, by which time 14,855 blue whale units had been taken, or 1,145 less than the authorised limit of 16,000. The catching of humpbacks was permitted on the first three days in February, 1953, (the Bureau of International Whaling Statistics having power in their discretion to allocate three further days later in the season if the 1,250 limit was not reached). The Bureau actually allocated three extra days, namely 16th, 17th and 18th February, as only 440 humpbacks had been taken in the first three days. Another 509 humpbacks were taken in those three extra days making a total of 949 in all.

12. The report of the Technical Committee who held a joint meeting with the Scientific Committee, was received and considered by the Commission.

Arising out of the Technical Committee's report, the Commission decided as follows:—

(a) The Commission having considered item 9 on the Agenda (Supply of equipment etc.), are of opinion that the provision of the Agreement and protocols referred to in the preamble to the International Whaling Convention of 1946 are superseded by the said Convention of 1946 and the Schedule attached thereto, and that the obligations under the said Agreement and Protocols are no longer binding. Nine voted in favour 2 against and 3 abstained.

(b) The Commission received the views of the Committee (who had set up a sub-committee consisting of Mr. Kask (U.S.A.) Chairman, Mr. Drost (Netherlands), Mr. Moe (Norway) and Mr. Leach (U.K.) to advise them on the subject of Infractions. The Committee reported that, although some of the percentages of infractions seemed rather high, particularly in the case of blue whales, there was a distinct improvement in 1952-53 as compared with the previous year.

(c) Arising out of this, the Commission instructed the Secretary to amend the infraction form by the inclusion of a space to show the percentage of undersized whales to the total catch of baleen whales.

(d) The Commission by a unanimous vote, resolved on the acceptance of the following drafting amendments to the Schedule:—

(i) Paragraph 4 shall read as follows, the words in bold type being new:—

4. It is forbidden to use a **whale catcher attached to a factory ship for the purpose of killing or attempting to kill** baleen whales in any of the following areas:—

(ii) Paragraph 5 shall read as follows, the words in bold type being new:—

5. It is forbidden to use a **whale catcher attached to a factory ship** for the purpose of **killing or attempting to kill** baleen whales in the waters south of 40° South Latitude from 70° West Longitude westward as far as 160° West Longitude.

(iii) Paragraph 6. The first two and a half lines of this paragraph shall read as follows, the words in bold type being new:—

6. It is forbidden to use a **whale catcher attached to a factory ship** for the purpose of **killing or attempting to kill** humpback whales in any waters south of 40° South Latitude:

(iv) Paragraph 7 (a) shall read as follows, the words in bold type being new:—

7 (a) It is forbidden to use a **whale catcher attached to a factory ship** for the purpose of **killing or attempting to kill** baleen whales (**excluding minke whales**) in any waters south of 40° South Latitude, except during the period from 2nd January, to 7th April, following, both days inclusive.

(v) Paragraph 7 (b) shall read as follows, the words in bold type being new:—

7 (b) Each Contracting Government shall declare for all factory ships and whale catchers attached thereto under its jurisdiction, one continuous open season not to exceed eight months out of any period of twelve months during which the taking or **killing** of sperm whales by **whale catchers** may be permitted: provided that a separate open season may be declared for each factory ship and the **whale catchers attached thereto**.

(vi) Paragraph 7 (c) shall be deleted and the following new sub-paragraph shall be inserted in lieu:—

7 (c) Each Contracting Government shall declare for all factory ships and whale catchers attached thereto under its jurisdiction one continuous open season not to exceed six months out of any period of twelve months during which the taking or killing of minke whales by the whale catchers may be permitted.

Provided that:—

(i) a separate open season may be declared for each factory ship and the whale catchers attached thereto:

(ii) the open season need not necessarily include the whole or any part of the period declared for other baleen whales pursuant to sub-paragraph (a) of this paragraph.

(vii) Paragraph 7 (d). The following new sub-paragraph shall be inserted, as sub-paragraph 7 (d).

7 (d) Each Contracting Government shall declare for all whale catchers under its jurisdiction not operating in conjunction with a factory ship or land station one continuous open season not to exceed six months out of any period of twelve months during which the taking or killing of minke whales by such whale catchers may be permitted.

(viii) paragraph 10 (a) shall read as follows, the words in bold type being new:—

10 (a) It is forbidden to use a **whale catcher attached to a land station** for the purpose of **killing or attempting to kill** baleen and sperm whales except as permitted by the Contracting Government in accordance with sub-paragraph (b) (c) and (d) of this paragraph.

(ix) Paragraph 10 (b). The first six lines of this sub-paragraph shall read as follows, the words in bold type being new:—

10 (b) Each Contracting Government shall declare for all land stations under its jurisdiction, and whale catchers attached to such land stations, one open season during which the taking or **killing** of baleen (excluding minke) whales **by the whale catchers** shall be permitted. Such open season shall be for a period of not more than six consecutive months in any period of twelve months and shall apply to all land stations under the jurisdiction of the Contracting Government;

(x) Paragraph 10 (c). The first six lines of this sub-paragraph shall read as follows, with the words in bold type being new:—

10 (c) Each Contracting Government shall declare for all land stations under its jurisdiction and for whale catchers attached to such land stations, one open season not to exceed eight consecutive months in any one period of twelve months, during which the taking or **killing** of sperm whales **by the whale catchers** shall be permitted, such period of eight months to include the whole of the period of six months declared for baleen whales (excluding minke whales) as provided for in sub-paragraph (b) of this paragraph.

(xi) Paragraph 10 (d). The first five and a half lines shall read as follows, the words in bold type being new:—

10 (d) Each Contracting Government shall declare for all land stations under its jurisdiction, and for **whale catchers attached to such land stations** one open season not to exceed six consecutive months in any period of twelve months during which the taking or **killing** of minke whales **by the whale catchers** shall be permitted (such period not being necessarily concurrent with the period declared for other baleen whales, as provided for in sub-paragraph (b) of this paragraph);

(xii) Paragraph 10 (e) shall be deleted and sub-paragraph 10 (f) shall be renumbered 10 (e);

(xiii) Paragraph 12. A new sub-paragraph 12 (a) shall be inserted as follows, existing sub-paragraphs 12 (a) and 12 (b) being renumbered 12 (b) and 12 (c) respectively:—

12 (a) It is forbidden to use a **factory ship or a land station** for the purpose of **treating any whales (whether or not killed by whale catchers under the jurisdiction of a Contracting Government) the killing of which by whale catchers under the jurisdiction of a Contracting Government is prohibited by the provisions of paragraphs 2, 4, 5, 6, 7, 8, or 10 of this Schedule.**

(xiv) In Paragraph 12 (b) as renumbered insert the word "other" after the opening word "All".

(xv) Paragraph 18 at end the following new sentence shall be added : -

(2) "**Whales taken**" means whales that have been killed and either flagged or made fast to catchers.

This involves a consequential amendment, the figure (1) being inserted after 18.

(e) After considering the report of the Committee on the subject of the Special Drafting Committee's report on the re-arrangement of the Schedule the Commission unanimously resolved as follows:—

(i) "That the Schedule to the International Convention for the Regulation of Whaling, 1946, as re-arranged by the Special Drafting Committee, with a Table of Contents and cross headings, with such amended cross references as have been rendered necessary by the re-numbering of the paragraphs; and with such amendments as may have come into force as the result of the Commission's decisions at its Fifth Meeting be adopted and with such further consequential amendments as the Drafting Committee may think desirable to secure absolute uniformity".

(ii) "That, in order to give effect to the above resolution, it is important that the Special Drafting Committee should meet again to deal with the further consequential amendments".

In this connection, it was made clear to the Commissioners that action under this Resolution would fall to be taken under Article VI of that Convention. Each Contracting Government would be requested to indicate its assent, otherwise the rearranged Schedule could not come into operation.

(f) With regard to the amendments proposed in item 6 (ii) of the agenda, the Commission resolved that

Paragraph 8 (c) of the Schedule should be amended to read as follows, the new words being in bold type:—

Notification shall be given in accordance with the provisions of Article VII of the Convention, within two days after the end of each calendar week, of data on the number of blue whale units taken in any waters south of 40° South Latitude by all whale catchers attached to factory ships under the jurisdiction of each Contracting Government. **Provided that when the number of blue whale units is deemed by the Bureau of International Whaling Statistics to have reached 14,000, notification shall be given as aforesaid at the end of each day of data on the number of blue whale units taken.**

The Committee understands that the Commission will write to the Bureau of International Whaling Statistics requesting them to notify daily (a) the Master of each factory ship, (b) the whaling companies and (c) the Contracting Governments of the total catch reported in accordance with the words in bold type.

Paragraph 8 (d) of the Schedule, be amended to read as follows, the new words being in bold type:—

If it appears that the maximum catch of whales permitted by subparagraph (a) of this paragraph may be reached before 7th April of any year, the **Bureau of International Whaling Statistics** shall determine on the basis of the data provided, the date on which the maximum catch of whales shall have been deemed to have been reached and shall notify the master of each Factory Ship and each Contracting Government of that date not less than four days in advance thereof. The killing or attempting to kill baleen whales by whale catchers attached to factory ships shall be illegal in any waters south of 40° South Latitude after midnight of the date so determined.

13. Certain other matters dealt with by both the Technical and the Scientific Committees will be dealt with in the succeeding paragraphs.

14. The Commission received the Report of the Scientific Committee and took the following decisions:--

(a) The Commission agreed that it was most important that research be energetically pursued on the biology of the stocks of Humpback whales. They would like especially to commend that valuable research in progress by Australian, French and Japanese organisations, and hope that such researches will be continued by these and any other countries concerned with this species.

(b) The Commission decided by 9 votes to 2 (with two abstentions) to accept the following paragraph from the Scientific Committee's Report:--

"They endorse the recommendation of the Special Subcommittee as to the voluntary limitation of catches of Humpbacks at land stations, and suggest that limitation might apply not only to particular areas but also to particular periods. They attach much importance to the voluntary limitation of these catches, and understand that the suspending of whaling in French West Africa is contemplated, just as whaling in the waters of Madagascar was recently suspended".

(c) As regards Item 6 (i) (a) of the Agenda the Commission (as recommended by the Scientific and Technical Committees) resolved as follows:--

Paragraph 6 of the Schedule, delete the proviso and insert the following:--

"Provided that in any pelagic whaling season for baleen whales the killing of humpback whales shall be permitted on the 1st, 2nd, 3rd and 4th February."

(d) As regards item 6 (i) (b) on the agenda the proposed new paragraph 5 (2) of the Schedule, the Commission resolved (by 10 votes, 4 abstentions) that this amendment should not be accepted.

(e) As regards item 6 (i) (c) on the agenda (as recommended by the Scientific Committee and the Technical Committee), the Commission resolved as follows:--

Paragraph 7 (a) of the Schedule, at end add: --Provided that no blue whales shall be taken before 16th January in any year.

(f) As regards item 6 (i) (d) of the Agenda (as recommended by the Scientific Committee and the Technical Committee), the Commission resolved as follows:--

In Paragraph 8 (a) of the Schedule, line 4, for "sixteen thousand" read "fifteen thousand five hundred".

Both resolutions (d) and (e) were unanimous and there were no abstentions.

(g) The Commission noted that no change was recommended in the minimum length of humpbacks.

(h) The Commission unanimously approved the setting up of a Subcommittee of the Scientific Committee consisting of representatives of Australia, France, the Netherlands, Japan, Norway, U.S.S.R., and U.K., for the following purposes the Subcommittee to be convened at Stockholm in 1954 by Prof. Bergersen.

(i) To examine and report upon the progress of research on the stocks of Humpback whales, to study the catches of pelagic factories and land

stations, and to make such recommendations as they consider desirable to the Scientific Committee ;

(ii) To examine the catch figures of Blue and Fin whales in the Antarctic in relation to the measures for conservation which have been recommended, and similarly to report to the Scientific Committee ;

(iii) To consider the increased catches of Sperm Whales in certain areas in recent years and to report thereon ; and

(iv) To deal with any other matters which may be referred to it.

(i) The Commission took note of the Committee's comments on whale marking and noted the various directions in which the all important task of whale marking was being conducted in various areas by various countries namely Australia, New Zealand, Norway, U.K. (National Institute of Oceanography), France, U.S.S.R., Canada, and Japan.

The Commission also took note of plans for the supply of a powerful whale catcher on a co-operative basis to carry out whale marking in the Antarctic in the season of 1953-54, in which Norway was prepared to participate. Pending settlement of the basis on which such a catcher could be supplied, the Commission expressed no view on the memorandum circulated by the U.K. Delegation.

The Commission noted the Committee's observations on the possibilities of using radio-active isotopes in whale marking, and a magnetised cobalt alloy. They also noted that Professor Ruud has a new experimental design for a mark.

(j) The Commission took note of the various progress reports submitted by Netherlands, Norway and Japan, and the report from Canada on the taking of whales for scientific purposes. They also noted the following : --

(i) The statistical information supplied by Canada relating to whales taken off the west coast of North America.

In this connection Canada (Mr. Clark) addressed the Commission at length and warned them that Canada might have to bring up again the advisability of prohibiting the use of factory ships in this area.

(ii) A paper headed Australian Humpback Whales 1952.

(iii) A note from Australia entitled "Aerial Observations on Humpback Wales", and

(iv) Excerpts from reports of the Canadian Research Board of Canada.

(v) It was also understood that U.S.S.R. was submitting a report.

(k) Finally the Commission noted that research in the U.K. was continuing as before and that special observations on the Californian Whale are being undertaken in the United States.

The Japanese Commissioner reported that a number of Japanese reports were on the way, and the Secretary promised to circulate these as soon as they arrived.

15. The Commission unanimously resolved that a further appeal should be addressed to the non participating countries to ratify or adhere to the 1946 Convention, especially in view of the fact that as long as those countries remain outside the Convention, the objects of the Convention, as regards conservation are prejudiced". It was of course understood that the procedure in this matter would be through the State Department.

16. Under "other business" on the agenda the U.K. Commissioner brought forward the question of using Helicopters and other aircraft in searching for whales. He suggested that this matter should be explored before the next meeting, in case such craft were employed in the killing of whales.

17. The final Plenary Session was held on Friday June 26th when the Commission expressed its appreciation.

(i) of the work done in particular by Professor Bergersen and Scientific Members of the Commission and Mr. Vangstein.

(ii) also of the Ministry of Agriculture and Fisheries and all the members of its staff who had so signally assisted the Secretary in expediting the work of the fifth meeting.

Signed on behalf of the Commission :

REMINGTON KELLÜGG,
Chairman.

29th June, 1953.

APPENDIX IV

Schedule to the International Whaling Convention 1946 as rearranged and approved by the Commission at its Fifth Meeting, London, 1953

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I. INTERPRETATION

(1) The following expressions have the meaning respectively assigned to them, (18) that is to say:—

"baleen whale" means any whale which has baleen or whale bone in the mouth, i.e. any whale other than a toothed whale,

"blue whale" (*Balaenoptera* or *Sibbaldus musculus*) means any whale known by the name of blue whale, Sibbald's rorqual, or sulphur bottom,

"dauhvai" means any unclaimed dead whale found floating.

"fin whale" (*Balaenoptera physalus*) means any whale known by the name of common finback, common rorqual, finback, finner, fin whale, herring whale, razor-back or true fin whale,

"gray whale" (*Rhachianectes glaucus*) means any whale known by the name of gray whale, California gray, devil fish, hard head, mussel digger, gray back or rip sack.

Note.—The marginal figures relate to the Schedule at present in force.

"humpback whale" (*Megaptera nodosa* or *Novaeangliae*) means any whale known by the name of hump, humpback, humpback whale, humpbacked whale, hump whale or hunchbacked whale,

"minke whale" (*Balaenoptera acutorostrata*, *B. davidsoni*, *B. huttoni*) means any whale known by the name of lesser rorqual, little piked whale, minke whale, pike-headed whale or sharp headed finner,

"right whale" (*Balaena mysticetus*; *Eubalaena glacialis*, *E. Australis*, etc.; *Neobalaena marginata*) means any whale known by the name of Atlantic right whale, Arctic right whale, Biscayan right whale, bowhead, great polar whale, Greenland right whale, Greenland whale, Nordkaper, North Atlantic right whale, North Cape whale, Pacific right whale, pigmy right whale, Southern pigmy right whale or Southern right whale,

"sei whale" (*Balaenoptera borealis*) means any whale known by the name of sei whale, Rudolphi's rorqual, pollack whale, or coalfish whale and shall be taken to include Bryde's whale (*B. brydoi*).

"sperm whale" (*Physeter catodon*) means any whale known by the name of sperm whale, spermacet whale, cachalot, or pot whale,

"toothed whale" means any whale which has teeth in the jaws,

(2) "whales taken" means whales that have been killed and either flagged or made fast to catchers.

- (8b) (3) Blue-whale units shall be calculated on the basis that one blue whale equals
- (i) two fin whales or
 - (ii) two and a half humpback whales or
 - (iii) six sei whales.

II. SEASONS

- (7a) (1) (a) It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill baleen whales (excluding minke whales) in any waters south of 40° South Latitude, except during the period from 2nd January to 7th April following, both days inclusive; provided that no blue whales shall be taken before the 16th January in any year.
- (7b) (b) Each Contracting Government shall declare for all factory ships and whale catchers attached thereto under its jurisdiction, one continuous season not to exceed eight months out of any period of twelve months during which the killing of sperm whales by whale catchers may be permitted; provided that a separate open season may be declared for each factory ship and the whale catchers attached thereto.
- (7c) (c) Each Contracting Government shall declare for all factory ships and whale catchers attached thereto under its jurisdiction one continuous open season not to exceed six months out of any period of twelve months during which the killing of minke whales by the whale catchers may be permitted.

Provided that:

- (i) a separate open season may be declared for each factory ship and the whale catchers attached thereto;
 - (ii) the open season need not necessarily include the whole or any part of the period declared for other baleen whales pursuant to sub-paragraph (a) of this paragraph.
- (7d) (d) Each Contracting Government shall declare for all whale catchers under its jurisdiction not operating in conjunction with a factory ship or land station one continuous open season not to exceed six months out of any period of twelve months during which the killing of minke whales by such whale catchers may be permitted.

(2) (a) It is forbidden to use a whale catcher attached to a land station for the purpose of killing or attempting to kill baleen and sperm whales except as permitted by the Contracting Government in accordance with sub-paragraphs (b), (c) and (d) of this paragraph. (10a)

(b) Each Contracting Government shall declare for all land stations under its jurisdiction, and for whale catchers attached to such land stations, one open season during which the killing of baleen (excluding minke) whales by the whale catchers shall be permitted. Such open season shall be for a period of not more than six consecutive months in any period of twelve months and shall apply to all land stations under the jurisdiction of the Contracting Government; provided that a separate open season may be declared for any land station used for the treating of baleen (excluding minke) whales which is more than 1,000 miles from the nearest land station used for the treating of baleen (excluding minke) whales under the jurisdiction of the same Contracting Government. (10b)

(c) Each Contracting Government shall declare for all land stations under its jurisdiction and for whale catchers attached to such land stations, one open season not to exceed eight consecutive months in any one period of twelve months, during which the killing of sperm whales by the whale catchers shall be permitted, such period of eight months to include the whole of the period of six months declared for baleen whales (excluding minke whales) as provided for in sub-paragraph (b) of this paragraph; provided that a separate open season may be declared for any land station used for the treating of sperm whales which is more than 1,000 miles from the nearest land station used for the treating of sperm whales under the jurisdiction of the same Contracting Government.* (10c)

(d) Each Contracting Government shall declare for all land stations under its jurisdiction and for whale catchers attached to such land stations one open season not to exceed six consecutive months in any period of twelve months during which the killing of minke whales by the whale catchers shall be permitted (such period not being necessarily concurrent with the period declared for other baleen whales, as provided for in sub-paragraph (b) of this paragraph); provided that a separate open season may be declared for any land station used for the treating of minke whales which is more than 1,000 miles from the nearest land station used for the treating of minke whales under the jurisdiction of the same Contracting Government. (10d)

(e) The prohibitions contained in this paragraph shall apply to all land stations as defined in Article II of the Whaling Convention of 1946 and to all factory ships which are subject to the regulations governing the operation of land stations under the provisions of paragraph (4) of Chapter III of this Schedule. (10f)

(3) It is forbidden to use a factory ship which has been used during a season in any waters south of 40° South Latitude for the purpose of treating baleen whales, in any other area for the same purpose within a period of one year from the termination of that season. (11)

III. AREAS

(1) It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill baleen whales in any of the following areas:—

(a) in the waters north of 66° North Latitude except that from 150° East Longitude eastwards as far as 140° West Longitude the killing of baleen whales by a whale catcher attached to a factory ship shall be permitted between 66° North Latitude and 72° North Latitude; (4a)

(b) in the Atlantic Ocean and its dependent waters north of 40° South Latitude; (4b)

* Note.—This sub-paragraph 2 (c) came into force as from 21st February, 1952 in respect of all Contracting Governments, except the Commonwealth of Australia, who lodged an objection to it within the prescribed period and this objection was not withdrawn. The provisions of this sub-paragraph are not therefore binding on the Commonwealth of Australia.

- (4c) (c) in the Pacific Ocean and its dependent waters east of 150° West Longitude between 40° South Latitude and 35° North Latitude ;
- (4d) (d) in the Pacific Ocean and its dependent waters west of 150° West Longitude between 40° South Latitude and 20° North Latitude ;
- (4e) (e) in the Indian Ocean and its dependent waters north of 40° South Latitude.
- (5) (2) It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill baleen whales in the waters south of 40° South Latitude from 70° West Longitude westward as far as 160° West Longitude.
- (6) (3) It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill humpback whales in any waters south of 40° South Latitude ; provided that in any pelagic whaling season for baleen whales the killing of humpback whales shall be permitted on the 1st, 2nd, 3rd and 4th February.
- (17a) (4) (a) A factory ship which operates solely within territorial waters in one of the areas specified in sub-paragraph (c) of this paragraph, by permission of the Government having jurisdiction over those waters, and which flies the flag of that Government shall, while so operating, be subject to the regulations governing the operation of land stations and not to the regulations governing the operation of factory ships.
- (17b) (b) Such factory ship shall not, within the period of one year from the termination of the season in which she so operated, be used for the purpose of treating baleen whales in any of the other areas specified in sub-paragraph (c) of this paragraph or south of 40° South Latitude.
- (17c) (c) The areas referred to in sub-paragraphs (a) and (b) are :—
 - (i) On the coast of Madagascar and its dependencies ;
 - (ii) On the west coasts of French Africa ;
 - (iii) On the coasts of Australia, namely on the whole east coast and on the west coast in the area known as Shark Bay and Northward to Northwest Cape and including Exmouth Gulf and King George's Sound, including the Port of Albany.*

IV. CAPTURE

- (2) (1) It is forbidden to kill or attempt to kill gray whales or right whales, except when the meat and products of such whales are to be used exclusively for local consumption by the aborigines.
- (3) (2) It is forbidden to kill or attempt to kill calves or suckling whales or female whales which are accompanied by calves or suckling whales.

* *Note.*—This paragraph 4 was inserted by the Commission at its first meeting in 1949, and came into force on 11th January, 1950 as regards all Contracting Governments except FRANCE, who therefore remain bound by the provisions of the original paragraph 17 which reads as follows:—

17. Notwithstanding the definition of land station contained in Article II of the Convention, a factory ship operating under the jurisdiction of a Contracting Government, and the movements of which are confined solely to the territorial waters of that Government shall be subject to the regulations governing the operation of land stations within the following areas:—

- (a) on the coast of Madagascar and its dependencies, and on the west coasts of French Africa ;
- (b) on the west coast of Australia in the area known as Shark Bay and northward to Northwest Cape and including Exmouth Gulf and King George's Sound, including the port of Albany ; and on the east coast of Australia, in Twofold Bay and Jervis Bay.

(3) (a) It is forbidden to kill or attempt to kill any blue, sei or humpback whales below the following lengths :—

Blue whales 70 feet (21·3 metres),

Sei whales 40 feet (12·2 metres),

Humpback whales 35 feet (10·7 metres).

(9a)

except that blue whales of not less than 65 feet (19·8 metres) and sei whales of not less than 35 feet (10·7 metres) in length may be taken for delivery to land stations, provided that the meat of such whales is to be used for local consumption as human or animal food.

(b) It is forbidden to kill or attempt to kill any fin whales below 60 feet (18·3 metres) in length for delivery to factory ships or land stations in the Southern Hemisphere, and it is forbidden to kill or attempt to kill fin whales below 55 feet (16·8 metres) for delivery to factory ships or land stations in the Northern Hemisphere; except that fin whales of not less than 55 feet (16·8 metres) may be taken for delivery to land stations in the Southern Hemisphere and fin whales of not less than 50 feet (15·2 metres) may be taken for delivery to land stations in the Northern Hemisphere provided in each case that the meat of such whales is to be used for local consumption as human or animal food.

(c) It is forbidden to kill or attempt to kill any sperm whales below 38 feet (11·6 metres) in length, except that sperm whales of not less than 35 feet (10·7 metres) in length may be taken for delivery to land stations.

(4) (a) The number of baleen whales taken during the open season caught in any waters south of 40° South Latitude by whale catchers attached to factory ships under the jurisdiction of the Contracting Governments shall not exceed fifteen thousand five hundred blue-whale units.

(b) If it appears that the maximum catch of whales permitted by sub-paragraph (a) of this paragraph may be reached before 7th April, of any year, the Bureau of International Whaling Statistics shall determine, on the basis of the data provided, the date on which the maximum catch of whales shall be deemed to have been reached and shall notify the master of each factory ship and each Contracting Government of that date not less than four days in advance thereof. The killing of baleen whales by whale catchers attached to factory ships shall be illegal in any waters south of 40° South Latitude after midnight of the date so determined.

V. TREATMENT

(1) (a) It is forbidden to use a factory ship or a land station for the purpose of treating any whales (whether or not killed by whale catchers under the jurisdiction of a Contracting Government) the killing of which by whale catchers under the jurisdiction of a Contracting Government is prohibited by the provisions of paragraphs (1) or (2) of Chapter II, paragraphs (1), (2) or (3) of Chapter III, or paragraphs (1) or (4) of Chapter IV of this Schedule

(b) All other whales (except minke whales) taken shall be delivered to the factory ship or land station and all parts of such whales shall be processed by boiling or otherwise, except the internal organs, whale bone and flippers of all whales, the meat of sperm whales and of parts of whales intended for human food or feeding animals.

(c) Complete treatment of the carcasses of "Dauhvai" and of whales used as fenders will not be required in cases where the meat or bone of such whales is in bad condition.

(2) (a) The killing of whales for delivery to a factory ship shall be so regulated or restricted by the master or person in charge of the factory ship that no whale carcass (except of a whale used as a fender, which shall be processed as soon as

is reasonably practicable) shall remain in the sea for a longer period than thirty-three hours from the time of killing to the time when it is hauled up for treatment.

- (13b) (b) Whales taken by all whale catchers, whether for factory ships or land stations, shall be clearly marked so as to identify the catcher and to indicate the order of catching.

VI. SUPERVISION AND CONTROL

Whaling Inspectors

- (1a) (1) (a) There shall be maintained on each factory ship at least two inspectors of whaling for the purpose of maintaining twenty-four hour inspection. These inspectors shall be appointed and paid by the Government having jurisdiction over the factory ship.
- (1b) (b) Adequate inspection shall be maintained at each land station. The inspectors serving at each land station shall be appointed and paid by the Government having jurisdiction over the land station.

Remuneration of Gunners

- (14) (2) Gunners and crews of factory ships, land stations, and whale catchers, shall be engaged on such terms that their remuneration shall depend to a considerable extent upon such factors as the species, size and yield of whales taken and not merely upon the number of the whales taken. No bonus or other remuneration shall be paid to the gunners or crews of whale catchers in respect of the taking of milk-filled or lactating whales.

Measurement of Whales

- (9d) (3) Whales must be measured when at rest on deck or platform, as accurately as possible by means of a steel tape measure fitted at the zero end with a spiked handle which can be stuck into the deck or platform planking abreast of one end of the whale. The tape measure shall be stretched in a straight line parallel with the whale's body and read abreast the other end of the whale. The ends of the whale, for measurement purposes, shall be the point of the upper jaw and the notch between the tail flukes. Measurements after being accurately read on the tape measure shall be logged to the nearest foot, that is to say, any whale between 75 feet 6 inches and 76 feet 6 inches shall be logged as 76 feet, and any whale between 76 feet 6 inches and 77 feet 6 inches shall be logged as 77 feet. The measurement of any whale which falls on an exact half foot shall be logged at the next half foot, e.g. 76 feet 6 inches precisely, shall be logged as 77 feet.

VII. INFORMATION REQUIRED

- (13c) (1) (a) All whale catchers operating in conjunction with a factory ship shall report by radio to the factory ship:
- (i) The time when each whale is taken,
 - (ii) its species, and
 - (iii) its marking effected pursuant to sub-paragraph (b) of paragraph (2) of Chapter V.
- (13d) (b) The information reported by radio pursuant to sub-paragraph (a) of this paragraph shall be entered immediately in a permanent record which shall be available at all times for examination by the whaling inspectors; and in addition there shall be entered in such permanent record the following information as soon as it becomes available:
- (i) time of hauling up for treatment,
 - (ii) length, measured pursuant to paragraph (3) of Chapter VI,

(iii) sex,

(iv) if female, whether milk-filled or lactating,

(v) length and sex of foetus, if present, and

(vi) a full explanation of each infraction.

(c) A record similar to that described in sub-paragraph (b) of this paragraph shall be maintained by land stations, and all of the information mentioned in the said sub-paragraph shall be entered therein as soon as available. (13e)

(d) Notification shall be given in accordance with the provisions of Article VII of the Convention, within two days after the end of each calendar week, of data on the number of blue whale units taken in any waters south of 40° South Latitude by all whale catchers attached to factory ships under the jurisdiction of each Contracting Government; provided that when the number of blue whale units is deemed by the Bureau of International Whaling Statistics to have reached 14,000 notification shall be given as aforesaid at the end of each day of data on the number of blue whale units taken. (8c)

(e) Notification shall be given in accordance with the provisions of Article VII of the Convention of each factory ship intending to engage in whaling operations in any waters south of 40° South Latitude. (8e)

(2) Copies of all official laws and regulations relating to whales and whaling and changes in such laws and regulations shall be transmitted to the Commission. (15)

(3) Notification shall be given in accordance with the provisions of Article VII of the Convention with regard to all factory ships and land stations of statistical information (a) concerning the number of whales of each species taken, the number thereof lost, and the number treated at each factory ship or land station, and (b) as to the aggregate amounts of oil of each grade and quantities of meal, fertilizer (guano), and other products derived from them, together with (c) particulars with respect to each whale treated in the factory ship or land station as to the date and approximate latitude and longitude of taking, the species and sex of the whale, its length and, if it contains a foetus, the length and sex, if ascertainable, of the foetus. The data referred to in (a) and (c) above shall be verified at the time of the tally and there shall also be notification to the Commission of any information which may be collected or obtained concerning the calving grounds and migration routes of whales. (16)

In communicating this information there shall be specified --

(i) the name and gross tonnage of each factory ship;

(ii) the number and aggregate gross tonnage of the whale catchers;

(iii) a list of the land stations which were in operation during the period concerned.

APPENDIX V
INTERNATIONAL WHALING COMMISSION
STATEMENT OF INCOME AND EXPENDITURE—YEAR ENDED 31ST MAY, 1954
(as approved by the Ministry of Agriculture and Fisheries)

	£	s.	d.		£	s.	d.
1. Secretary's fees ...	264	—	—	Balance brought forward ...	...	...	762 9 9
2. Administrative, Clerical and Typing Staff provided by Ministry of Agriculture and Fisheries ...	...	...	...	Contributions from Contracting Governments:—	£		
3. Overhead expenses of the Ministry of Agriculture and Fisheries (including rent, rates, furniture, fuel, light, postage, stationery, telephones, etc.) ...	618	12	1	Australia ...	...	...	150
4. Travelling and subsistence (Secretary) ...	87	3	11	Brazil ...	...	...	150
5. Special Accommodation facilities ...	150	—	—	Canada ...	...	...	150
6. Special stationery facilities including cost of Annual Report, Convention and foreign postage ...	134	17	1	Denmark ...	...	...	150
7. Cost of Annual Meeting ...	415	8	6	France ...	...	...	150
	1,854	16	2	Iceland ...	...	...	150
Balance carried forward ...	1,457	13	7	Japan ...	...	...	150
	£3,312	9	9	*Mexico ...	...	...	150
				Netherlands ...	...	...	150
				New Zealand ...	...	...	150
				Norway ...	...	...	150
				*Panama ...	...	...	150
				South Africa ...	...	...	150
				Sweden ...	...	...	150
				U.S.S.R. ...	...	...	150
				United Kingdom ...	...	...	150
				U.S.A. ...	...	...	150
					2,550	—	—
					£3,312	9	9

June, 1954

* Not yet paid.

APPENDIX VI

List of Reports received by the Commission during the year ending 31st May, 1954 (arranged under Countries or Organisations alphabetically) with the date of receipt in brackets

Australia

Aerial observations on the Humpback Whale, *Megaptera Nodosa* (Bonnaterre), with notes on other species by R. G. Chittleborough. (March, 1954.)

A possible distinction between Corpora Lutea of ovulation only and corpora lutea of pregnancy in the ovaries of the humpback whale (*Megaptera Nodosa*) by J. P. Robins. (March, 1954.)

France

Mamalia (Extrat) Les Campagnes Balcanières (1949-52) -Au Gabon (Note préliminaire) par Paul Budker. La Campagne 1952. (5th October, 1953.)

Food and Agriculture Organisation

Fisheries Bulletin as before.

Japan

Biological Study on Humpback Whales in the Antarctic Whaling Areas IV and V by Hideo Omura (Reprinted from the Scientific Reports of the Whales Research Institute, No. 8, 1953). (3rd July, 1953.)

Report on Whale Marking in Japan, No. IV Bonin Islands, Sanikru-Hokkaido and South Kurile Islands Areas, 1952. Japanese Fisheries Agency, Tokyo, Japan, 1953. (23rd July, 1953.)

Study on Maturity and Blubber Thickness of the Whales caught in the adjacent waters of Japan by H. Sakiura, Y. Nozawa, K. Ozaki. Fisheries Agency of Japanese Government, Tokyo. May, 1953. (23rd July, 1953.)

Biological Investigation of the Northern Pacific Baleen Whales, caught by the Japanese Whaling Fleet in 1952. H. Sakiura, K. Ozaki and K. Fujino. Fisheries Agency of Japanese Government, Tokyo. (Issued by the Japanese Whaling Association, May, 1953). (23rd July, 1953.)

The Scientific Reports of the Whales Research Institute (Tokyo) No. 8 (June, 1953). (29th August, 1953.)

Netherlands

Hepatic Cirrhosis in the Blue Whale (*Balaenoptera Musculus*) by A. Stolk. Some Inflammations in Whales by A. Stolk.

(Both reprinted from the Proceedings of the Royal Netherlands Academy of Science, 1953.) (Received early 1954.)

Preliminary Report on the Study of Mammary Glands of Whales by E. W. van Lennep and W. L. van Utrecht. (Reprinted from the Norwegian Whaling Gazette, 1953, No. 5.) (Received early in 1954.)

Norway

The Voyage of the Enern to the Antarctic 1953 by Robert Clark and Johan T. Ruud (Reprinted from the Norwegian Whaling Gazette, 1945, No. 3). (Received February, 1954.)

United Kingdom

National Institute of Oceanography. Annual Report, 1952-53. (28th January, 1954.)

National Institute of Oceanography. Collected Reprints. Vol. I, December, 1953. Contains one or two papers relating to Whales and Whaling. (Received early in 1954.)

Whaling. Article in the Sperry Review (Journal of the Sperry Gyroscope Co. Ltd.). Vol. 3, No. 6. Autumn, 1953. (End of 1953.)

Whale Oil and Sperm Oil. Main Catch Reports, 1952-53 and 1953-54, and World Production. Published by David Geddes and Son Ltd. (18th December, 1953.)