

International Commission on Whaling

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

FOURTH REPORT OF THE COMMISSION

(covering the fourth fiscal year 1st June, 1952 to
31st May, 1953)

*(As approved by the Commission at its fifth meeting, in London, June, 1953,
and authorised to be printed)*

LONDON

Issued from the Office of the Commission

1953

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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. C. VON BONDE, succeeded in the course of the year by 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. H. J. JOHNS, succeeded on retirement by 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 fourth Annual Report, covering the fourth fiscal year (1st June, 1952 to 31st May, 1953).

(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. It will be observed that in the course of the year Dr. Von Bonde (South Africa) and Mr. Johns (United Kingdom) retired as Commissioners, and were succeeded by Dr. J. M. Marchand and Mr. R. G. R. Wall respectively.

(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 fourth meeting held in London in June, 1952, with the exception of Mexico. In addition, representatives were also present, by invitation of the Commission, as observers from Argentina, Italy, Portugal and Peru, and from the Food and Agricultural 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 fourth 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 Fourth Meeting has again been printed and will be found in Appendix III. The few amendments to the Schedule of the 1946 Convention, which were made at this meeting and subsequently came into force, are not printed as a separate Appendix as they will be found set out in paragraph 20 of this Report and in paragraphs 18 and 19 of the Chairman's Report. Attached to that Report is a circular, subsequently sent to all concerned, in which certain points in connection with the Chairman's Report are clarified.

(6) Acting on the Chairman's direction, two of the Committees of the Commission, namely the Scientific Committee and the Technical Committee, met prior to the first plenary meeting of the Commission on 3rd June. The Commission came to the conclusion, at its fourth meeting, that this practice was open to objection and decided that in future these two Committees should not meet until after the first plenary meeting, so that the Commission might have an opportunity at its first session of deciding precisely what matters should be referred to those Committees.

(7) 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 took occasion to emphasize the importance of the Commission's responsibilities in the matter of whale conservation.

(8) The Commission, after approving its agenda, to which reference has already been made, proceeded to the election of a new Chairman and Vice-Chairman, in place of those whose terms of office (3 years) had expired.

On the proposal of His Excellency Prof. B. Bergersen of Norway (the retiring Chairman), Dr. Remington Kellogg (U.S.A.) was elected Chairman for 3 years, and on the proposal of Mr. G. Clark (Canada), seconded by Dr. C. Von Bonde (South Africa), Dr. G. J. Lienesch (Netherlands) was elected Vice-Chairman, also for 3 years. On Dr. Kellogg assuming the Chair, the Commission expressed their warm appreciation of the great services rendered by Prof. Bergersen during his term of office.

(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 was composed of the following representatives:—

Australia (Mr. Cummins), Brazil (not yet nominated), Canada (Mr. Clark), Denmark (Mr. Erichsen), France (Dr. Budker), Japan (Dr. Omura), Netherlands (Dr. Slijper), Norway (Prof. Bergersen), South Africa (Mr. Larsen), U.S.S.R. (Mr. Tverianovich), U.K. (Dr. Mackintosh), U.S.A. (Dr. Kellogg) with experts in addition.

The Technical Committee was composed as follows:—

Australia (Mr. Anderson), Canada (Mr. Clark), France (Mr. Martin), Japan (Mr. Maeda), Netherlands (Mr. Drost), Norway (Mr. Knudtzon), Panama (Mr. Aleman), South Africa (Dr. Von Bonde), U.S.S.R. (Capt. Solyanik), U.K. (Mr. Johns with Mr. Leach as alternative), U.S.A. (Dr. Kask) with experts in addition.

(10) The Commission decided that, at the first meeting of each Committee held after the first plenary meeting, the election of a chairman for the ensuing year should automatically take place, and Dr. Mackintosh and Dr. Von Bonde were elected Chairmen of the Scientific and Technical Committees respectively.

(11) In exercise of his powers under the Rules of Procedure, the Chairman re-appointed the existing Finance and Administration Committee consisting of Prof. Bergersen (Norway), Dr. Lienesch (Netherlands) and Mr. Clark (Canada), Mr. Clark being subsequently elected by the Committee as its Chairman.

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

(13) The Commission accepted the financial statement relating to the income and expenditure for 1951-52 subject to final certification by the Ministry of Agriculture and Fisheries, it having been impossible for certain items of expenditure for this year to be finally settled by the time the Commission met, only a few days after the close of the financial year, 31st May, 1952.

This statement has already appeared as Appendix V to the Third Report of the Commission.

(14) As regards the financial year 1952-53, the Commission contemplated certain increases in the expenditure, viz. cost of Annual Meeting and certain Ministerial charges, as compared with previous years and decided that the contribution requested from each Contracting Government should be raised from £125 to £150.

(15) The final statement of income and expenditure for 1952-53 (the fourth fiscal year) as passed by the Ministry of Agriculture and Fisheries and approved by the Commission at its Fifth Meeting is printed as Appendix IV to this Report.

The Commission decided that Panama were not liable for the £100 hitherto debited against them in respect of 1949-50, and that it should accordingly be deleted.

(16) The Commission also considered certain recommendations from the Finance Committee as to the date and place of the next meeting in 1953. An attractive invitation had been received from Japan to hold the fifth meeting in Tokyo. The Commission resolved that a warm vote of thanks be accorded to the Japanese Government for their courtesy, but came to the conclusion that in view of a number of overriding considerations, it would be best to hold the fifth meeting in London, the date fixed being Monday, 22nd June, 1953. It was contemplated that the meeting would last a week.

(17) The Commission approved the payment of travelling and subsistence expenses at the normal rates to the Secretary whenever an Annual Meeting was held in London.

(18) Arising out of the Report of the Technical Committee, the Commission resolved as follows :—

(a) that the questionnaire on Laws and Regulations should be printed as an Appendix to the Third Report, and this has been done (Third Report, Appendix VII), outstanding replies being included as supplements to later Reports ;

(b) that a copy of the Laws and Regulations received from Contracting Governments should be retained in the Commission's office for consultation ;

(c) that the model Log Book sheets attached to the Report of the special sub-committee set up at Cape Town be adopted and circulated to all Contracting Governments, with a suggestion for their adoption ;

(d) that the Secretary be instructed to communicate with the Bureau of Whaling Statistics whenever their assistance was necessary to complete information required in the matter of infractions or otherwise ;

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

(f) that a sub-committee consisting of the Vice Chairman of the Commission, Dr. Lienesch (Netherlands), Mr. Knudtzon (Norway) reinforced by one of the legal staff of the Ministry of Agriculture and Fisheries, with the Secretary, be set up to consider what further drafting or clarifying amendments were required to the Schedule to the 1946 Convention, and to prepare a rearranged Schedule for consideration at the next meeting of the Commission.

(19) Arising out of the Report of the Scientific Committee, the Commission resolved as follows :—

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

(ii) that the present limit on the catch of 1,250 humpbacks should be continued, but in a different form, as will be seen under amendments to the Schedule (paragraph 20);

(iii) that a sub-committee be appointed to consider the whole humpback problem to consist of Mr. Cummins (Australia), Dr. Budker (France), Professor Bergersen (Norway) and Dr. Mackintosh (U.K.); with Professor Bergersen as convener;

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

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

(vi) that a sub-committee should be set up consisting of Dr. Mackintosh (U.K.), Professor B. Bergersen (Norway), Dr. Omura (Japan) together with representatives nominated by Netherlands and U.S.S.R. (with Professor Bergersen as convener) to consider the question of the 16,000 blue whale unit limit and that of sanctuaries.

(20) The only amendments to the Schedule adopted by the Commission were in respect of *Article 6* and *Article 8* of the Schedule.

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

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

6. It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating humpback whales in any waters south of 40° South Latitude: **provided that in the pelagic whaling season for baleen whales 1953 the taking of humpback whales shall be permitted on the 1st, 2nd and 3rd February and if the number of humpback whales taken on those three days is less than 1,250, the International Bureau of Whaling Statistics shall in their discretion specify one or more days later in the season on which further humpback whales may be taken, so as to bring the total up to a maximum of 1,250.**

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

(b) The second amendment to the Schedule that was adopted by the Commission without objection was in respect of Article 8 (c) of the Schedule and proposed by the United Kingdom Commissioner. The Commission RESOLVED to add the words "on which the taking of humpback whales

is permitted" at the end of Article 8 (c) of the Schedule, which will therefore read as follows, the words in bold type being new :—

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

(21) These amendments were duly notified to all Contracting Governments in a circular letter dated 12th June, 1952, and no objections having been received during the ensuing 90 days, automatically came into operation as from 12th September, 1952.

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

(23) The Commission also had before it a request from the U.S.S.R. Commissioner for the supply in future to all Contracting Governments of the following additional statistical data :—

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

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

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

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

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

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

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

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

(26) The Commission had before it the figures supplied by the Bureau of International Whaling Statistics in respect of the year 1952-53 covered by this Report and a few figures are given in the next paragraph, although these figures were not available until the fifth meeting, held after the close of the year to which this report relates.

(27) The pelagic season in 1952-53 extended from 2nd January to 7th April, but it was again found necessary to stop operations before the concluding date, as the 16,000 blue whale unit was likely to be exceeded. Catching was stopped by the Bureau of International Whaling Statistics as from 12 midnight on 16th March, 1953. By that date 14,855 blue whale units had been taken.

(28) The catching of humpbacks was only permitted on the 1st, 2nd and 3rd February, 1953, and 440 humpbacks were taken on those dates. In accordance with the decision of the Commission as already recorded in paragraph 20 above, three further days were allocated by the International Bureau for the taking of humpbacks, namely the 16th, 17th and 18th of February, when another 509 humpbacks were captured, making a total of 949.

(29) The factory ships engaged in the pelagic season 1952-53 numbered 16 as follows :—

Pelagos, Kosmos IV, 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.), Hashidate Maru, Nisshin Maru No. 1 (Japan), Olympic Challenger (Panama).

The total number of catchers attached to Factory Ships was 232.

(30) The whale oil output from the pelagic season's catch amounted to 1,994,760 barrels. If the catch of land stations in the Antarctic is included, namely 119,865 barrels, the total Antarctic catch of whale oil is increased to 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, and at 6 barrels to the ton amounted to 352,437 tons.

(31) Outside the Antarctic in the year 1952 the output was 427,715 as compared with 656,426 barrels in 1951, and at 6 barrels to the ton represented 71,286 tons.

(32) The Commission cannot bring this report to a conclusion without a reference to the great loss which was sustained by the Bureau of International Whaling Statistics and by the Commission by the death of its Director Mr. E. M. Paulsen, who had in that capacity rendered such invaluable assistance to the Commission, especially at the beginning of its operations. The Commission's sincere sympathy is extended to his widow.

LIST OF APPENDICES

Appendix I--List of those attending the Fourth Meeting of the Commission in London, 1952.

Appendix II--Agenda for the Fourth Meeting.

Appendix III--Chairman's Report of the Fourth Meeting. (With subsequent circular appended.)

Appendix IV--Income and Expenditure Account for the fourth fiscal year ended 31st May, 1953.

Appendix V--List of Reports received by the Commission during the year ended 31st May, 1953.

Appendix VI--Laws and Regulations Questionnaire. Supplement--France, Iceland, U.S.S.R.

APPENDIX I

LIST OF THOSE ATTENDING THE FOURTH MEETING, 1952

AUSTRALIA	...	F. F. ANDERSON,	with J. E. CUMMINS, <i>expert</i>	
BRAZIL	...	M. A. DE PIMENTEL BRANDAO		
CANADA	...	G. R. CLARK,	with J. F. GRANDY, <i>expert</i>	
DENMARK	...	P. F. ERICHSEN,	with J. C. BOGSTAD O. SKARDHAMER	} <i>experts</i>
FRANCE	...	A. ANZIANI,	with P. BUDKER A. P. MARTIN J. J. LE GALL	
ICELAND	...	His Excellency A. KL. JONSSON		
JAPAN	...	A. KODAKI,	with H. OMURA K. MAEDA S. TAKEDA N. NISHIKAWA Y. NARA	} <i>experts</i>
MEXICO	...	Not represented.		
NETHERLANDS	...	G. J. LIENESCH,	with E. J. SLIJPER H. S. DROST L. DE WAAL P. DE VRIES	} <i>experts</i>
NEW ZEALAND	...	F. H. CORNER (<i>acting</i>)		
NORWAY	...	His Excellency Prof. B. BERGERSEN,	with H. TH. KNUDTZON E. MOE F. MADSEN E. VANGSTEIN P. G. MELSOM I. HAUGEN	} <i>experts</i>
PANAMA	...	R. R. ALEMAN		
SOUTH AFRICA	...	C. VON BONDE,	with E. LARSEN R. TROUTON	} <i>experts</i>
SWEDEN	...	M. DE WACHENFELT,	with Commodore B. F. THERMAENIUS, <i>expert</i>	
U.S.S.R.	...	A. N. SOLYANIK,	with V. A. TVERIANOVICH, <i>expert</i> Mrs. A. K. MODIN } <i>inter-</i> I. A. OGORODNEV } <i>preters</i>	
U.K.	...	H. J. JOINS,	with N. A. MACKINTOSH H. K. SALVESEN W. RUSSELL J. C. GLOVER T. S. LEACH G. H. ELLIOT S. JAMES	} <i>experts</i>
U.S.A.	...	REMINGTON KELLOGG,	with J. L. KASK, <i>deputy</i> W. KLING, <i>expert</i>	

Attending as Observers

F.A.O.	...	...	...	E. HUSS
I.C.E.S.	...	...	...	G. J. LIENESCH
A.W.C.	...	...	...	N. R. BUGGE
ARGENTINA	...	...	...	W. BRUNET
ITALY	...	...	...	Rear Admiral A. MARIANO
PORTUGAL	...	...	...	Comdr. J. N. MILHEIRICO
PERU	...	...	...	A. ARAMBURA
Secretary	...	...	...	A. T. A. DOBSON
Assisted by	...	...	...	A. S. ARMSTRONG
				H. W. DURRANT
				Mrs. A. J. TAIT

APPENDIX II

AGENDA FOR THE FOURTH MEETING, HELD IN LONDON, ON 3RD JUNE, 1952

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. Election of the Chairman and Vice Chairman for the three years beginning 1st June, 1952.

5. Appointments to Committees. The Commission will be polled in pursuance of Rules of Procedure (Rule XVIII) as to whether any additional countries desire representation.

6. Statements showing estimated cost of the Commission during the year 1st June, 1951 to 31st May, 1952, and the estimated cost during the year 1st June, 1952 to 31st May, 1953. (*Fourth Meeting, Document I*)

(NOTE. --The Commission 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 1952-53.)

7. Third Annual (draft) Report. For approval (*Fourth Meeting, Document II*).

8. Scientific Report by Dr. N. A. Mackintosh (*Fourth Meeting, Document III*).

(NOTE. --The Commission will no doubt wish this to be referred to the Scientific Committee for consideration and recommendation.)

9. Adoption of model log book sheets as recommended at Second Meeting (Oslo) and Third Meeting (Cape Town). Report by Special Subcommittee (*Fourth Meeting, Document IV*).

(NOTE. --The Commission will no doubt wish to refer this, as contemplated at Cape Town, to the Technical Committee for recommendations.)

10. Review of the 1951-52 Season's catch.

(It is hoped that some preliminary figures will be available at the meeting from the Bureau of International Statistics.)

11. Amendments to the Schedule.

(A) Submitted from various sources.

(1) Paragraph 4 shall be amended to read as follows (the words in bold type being new) :—

4. It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating baleen whales in any of the following areas :—

(a) In the waters north of 66° North Latitude, except those between 66° North Latitude and 72° North Latitude and between 168° 58' 22.59" West Longitude and 150° East Longitude, where the taking or killing of baleen whales by a factory ship or whale catcher shall be permitted.

(b) In the waters of the Pacific Ocean and its dependent waters between 20° North Latitude and 66° North Latitude eastward of a line running south from 66° North Latitude along the meridian 168° 58' 22.59" West Longitude to 65° 15' North Latitude ; thence south-westward along a great circle course to the intersection of 51° North Latitude and 167° East Longitude ; thence south-eastward along a great circle course to the intersection of 48° North Latitude and 180° Longitude ; thence south along the meridian 180° Longitude to 20° North Latitude.

(c) In the Atlantic Ocean and its dependent waters south of 40° South Latitude.

(d) In the Pacific Ocean and its dependent waters east of 150° West Longitude between 40° South Latitude and 35° North Latitude.

(e) In the Pacific Ocean and its dependent waters west of 150° West Longitude between 40° South Latitude and 20° North Latitude.

(f) In the Indian Ocean and its dependent waters north of 40° South Latitude.

(2) Paragraph 6 shall be amended to read as follows (the words in bold type being new) :—

6. (a) It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating humpback whales in any waters south of 40° South Latitude ; provided that in the pelagic whaling season for baleen whales **1953** a maximum of 1,250 humpback whales may be taken in these waters commencing on 1st February.

(b) It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating sperm whales in the waters of the Pacific and Arctic Oceans and their dependent waters lying between 20° North Latitude and 72° North Latitude and eastward of a line running south from 72° North Latitude along the meridian 168° 58' 22.59" West Longitude to 65° 15' North Latitude ; thence south-westward along a great circle course to the intersection of 51° North Latitude and 167° East Longitude ; thence south-eastward along a great circle course to the intersection of 48° North Latitude and 180° Longitude ; thence south along the meridian 180° Longitude to 20° North Latitude.

(3) Omit subparagraphs (a) and (b) of paragraph 9, as amended at the third meeting of the Commission, and substitute the following (the words in bold type being new) :—

“ 9. (a) It is forbidden to take or 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).

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 **all the meat of such whales is used as food for human consumption within the country where the land station is located.**

(b) It is forbidden to take or 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 take or kill fin whales below 55 feet (16·8 metres) for delivery to factory ships and 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 **all the meat of such whales is used as food for human consumption within the country where the land station is located.**

(4) Paragraph 18, at end add the following words :—

“ Whales taken ” means “ whales that have been killed and either flagged or made fast to catchers ”.

(B) Amendments proposed by the U.K. Commissioner (the words in bold type being new). See explanatory note attached as Appendix :—

PARAGRAPH 4.

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

* * * * *

PARAGRAPH 5.

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

PARAGRAPH 6.

It is forbidden to use a **whale catcher attached** to a factory ship for the purpose of taking or **killing** humpback whales in any waters south of 40° South Latitude ; provided that in the pelagic whaling season for baleen whales **1953** a maximum of humpback whales may be taken in these waters commencing on

PARAGRAPH 7.

(a) It is forbidden to use a **whale catcher attached** to a factory ship for the purpose of taking or **killing** baleen whales (excluding minke whales) in any waters south of 70° South Latitude except during the period from to 7th April following, both days inclusive.

(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.**

Delete the existing sub-paragraph (c) and substitute:

(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 Paragraph 7 (a) of the Schedule.

PARAGRAPH 8.

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

PARAGRAPH 10.

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

(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 taking or **killing of baleen whales (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 taking or treating of baleen whales (excluding minke whales) which is more than 1,000 miles from the nearest land station used for the taking or treating of baleen whales (excluding minke whales) under the jurisdiction of the same Contracting Government.

(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 continuous 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) above; provided that

a separate open season may be declared for any land station used for the taking or treating of sperm whales which is more than 1,000 miles from the nearest land station used for the taking or treating of sperm whales under the jurisdiction of the same Contracting Government.

(d) Each Contracting Government shall declare for all land stations under its jurisdiction and for all whale catchers **other than those attached to factory ships**, one open season not to exceed six continuous 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) above); provided that a separate open season may be declared for any land station used for the taking or treating of minke whales which is more than 1,000 miles from the nearest land station used for taking or treating of minke whales under the jurisdiction of the same Contracting Government.

Delete sub-paragraph (e), sub-paragraph (f) becoming (e).

PARAGRAPH 12.

(a) **All whales taken shall be delivered to a factory ship or land station except minke whales taken by catchers not operating in conjunction with a land station or factory ship but processing such whales on board.**

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

Present sub-paragraph (b) becomes (c).

(C) The Commission may also wish to discuss the following amendments :

(1) Possible alteration of the pelagic whaling season which now extends from 2nd January to 7th April both days inclusive. (Paragraph 7.)

(2) Possible amendment of paragraph 8 (a) of the Schedule to reduce the number of 16,000 blue whale units.

12. Report and recommendations by:

(1) Scientific Committee.

(2) Technical Committee.

13. Whale Marking. (*Fourth Meeting, Document V*).

14. Rearrangement of existing Schedule in a more convenient form. (*Fourth Meeting, Document VI*).

15. Any other business.

16. Date and place of next meeting.

APPENDIX TO THE AGENDA (FOURTH MEETING)

Note on Amendments to the Schedule proposed by the U.K. Commissioner

1. The Schedule seems to need amending for reasons which are explained below. The paragraphs concerned are set out in the Agenda and proposed amendments are shown by bold type.

2. Paragraphs 4, 5, 6, 7 and 10 all prohibit the **treatment**, as well as the taking, of whales unless they are taken in open areas and open seasons,

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

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

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

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

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

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

APPENDIX III

CHAIRMAN'S REPORT OF THE FOURTH ANNUAL MEETING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signed on behalf of the Commission :

REMINGTON KELLOGG,

Chairman.

8th June, 1952.

Certified to be a true copy of the original :

A. J. TATE,

for Secretary,

International Whaling Commission.

12th June, 1952.

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

Ref. C.R.IV.

DEAR SIR,

CIRCULAR TO ALL COMMISSIONERS
PROCEEDINGS AT FOURTH MEETING

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

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

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

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

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

Yours faithfully,

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

APPENDIX IV

INTERNATIONAL WHALING COMMISSION

STATEMENT OF INCOME AND EXPENDITURE—YEAR ENDED 31ST MAY, 1953

(as approved by the English Ministry of Agriculture and Fisheries)

	£ s. d.				£ s. d.		
(1) Secretary's fees	Balance brought forward	...	...	847 16 6
(2) Administrative, Clerical and Typing Staff provided by the 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.)	Australia	...	150	
	Brazil	...	150	
	Canada	...	150	
	Denmark	...	150	
	France	...	150	
	Iceland	...	150	
	Japan	...	150	
(4) Travelling and Subsistence	*Mexico	...	150	
(5) Special Accommodation facilities	Netherlands	...	150	
(6) Special stationery facilities including cost of Annual Report, Convention and foreign postage	New Zealand	...	150	
	Norway	...	150	
	*Panama	...	150	
(7) Cost of Annual Meeting	South Africa	...	150	
	Sweden	...	150	
(8) Amount written off Panama contribution 1949-50	U.K.	...	150	
	U.S.S.R.	...	150	
	U.S.A.	...	150	
			2,550	
Balance carried forward			2,550	
			2,550	
			847 16 6	
			£3,397 16 6	
			£3,397 16 6	

June, 1953

* Not yet paid.

APPENDIX V

List of Reports received by the Commission during the year ending 31st May, 1953 (arranged under Countries or Organisations) with the date of receipt in brackets.

Argentina

Lobos Marinos, pingüinos y guaneras de la costas del litoral marítimo e Islas adyacentes de la república Argentina by Dr. I. S. Carrara. Argentine 1952 (24th June, 1952).

Canada

Statistics of the Fisheries of Canada 1930-50 (27th October, 1952).

Extracts from the 1952 Annual Report of the Fisheries Research Board of Canada (23rd June, 1953).

Fisheries Statistics of Canada 1949-50 (2nd April, 1953).

France

L'Industrie Baleinière au Gabon by P. Budker (5th May, 1953).

Mammalia. Morphologie. Systématique des Mammifères by P. Budker (5th May, 1953).

Trois Campagnes Baleinières au Gabon (1949, 1950, 1951) by P. Budker and J. Collignon (5th May, 1953).

Japan

The Scientific Reports of the Whales Research Institute No. 7 Japan (July, 1952).

Netherlands

Some Tumours in Whales by A. Stolk 1952. Reprinted from the proceedings of the Royal Netherlands Academy of Science. Amsterdam (27th October, 1952).

Norway

Norsk Hvalfangst-tidende (The Norwegian Whaling Gazette). From the September, 1952, number (containing account of the Fourth Meeting of the Commission) onwards.

On the growth of the Fin Whale in different waters by Age Jonsgard (June, 1952).

Recovery of oil or solids from Whale carcasses. Summary Report of Experiments 1951-52 (June, 1952).

Do sword fish attack the larger baleen whales by J. T. Ruud (June, 1952).

United Kingdom

Electric Whaling by Dr. Robert Clarke. Reprinted from Vol. 169 of Nature, 24th May, 1952 (16th October, 1952).

Whale Oil and Sperm Oil. Main Catch Reports 1951-52 and 1952-53 and World Production. Published by David Geddes and Son Ltd. (17th December, 1952).

National Institute of Oceanography. Annual Report 1951-52 (14th February, 1953).

"Progress" Spring number 1953. Article on Whaling by G. Marshall (12th May, 1953).

Food and Agriculture Organisation

Activities of F.A.O. 1950-52 (June, 1952).

Fisheries Bulletin as before. September/October numbers 1952 contains articles on modern whaling and its prospects, and whale meat (November, 1952).

APPENDIX VI

QUESTIONNAIRE SENT TO ALL CONTRACTING GOVERNMENTS WITH REGARD TO WHALING ADMINISTRATION, REGULATIONS, &C.

I. Organization What agency or agencies of Government are responsible for:

- (a) the receipt of and reply to communications and recommendations received from the Commission pursuant to Articles V and VI?
- (b) the compilation and transmission of statistics and notifications to the International Bureau of Whaling Statistics pursuant to Article VII and paragraph 4 of Article VIII?
- (c) the licensing of whaling activities?
- (d) the enforcement of whaling laws and regulations?
- (e) the prosecution for infractions of the whaling regulations?
- (f) the conduct of biological research on whales as outlined in paragraph 1 of Article IV?
- (g) the issuance of special permits under the authority of Article VIII?

II. Enforcement Officers

- (a) What is the status of whaling inspectors, that is, are they commissioned officers or civil employees of a government agency?
- (b) Do whaling inspectors have authority to make arrests and bring offenders before the courts, do they issue citations for subsequent legal action, or is their authority limited to the submission of reports of findings as a basis for action by the enforcement agency?
- (c) How many inspectors are maintained on board each factory ship (a minimum of two is required)?
- (d) What is the nature and frequency of inspection of land stations?
- (e) What agency provides the inspectors for land stations?
- (f) Do the inspectors discharge any duties other than those of an inspector, such as the collection of special biological data?

III. Violations

- (a) What is the court of competent jurisdiction with respect to:
 - (1) Violations committed in territorial waters in connection with the operation of a land station?
 - (2) Violations committed on the high seas in connection with the operation of a factory ship or a land station?
- (b) With respect to the illegal taking of whales in violation of paragraphs 2, 3, 9 and 14 of the Schedule:
 - (1) What is the minimum and maximum monetary fines that may be levied?
 - (2) May imprisonment be ordered as a penalty, and if so, what is the minimum and maximum period thereof?
 - (3) May both a monetary fine and imprisonment be imposed for the same offence?
 - (4) May the court or other judicial entity order forfeiture of the illegally taken whales or the products or monetary value thereof?
 - (5) Is any legal or regulatory provision operative which permits the payment or forfeiture to the Government of bonuses not paid to gunners and crews in pursuance of paragraph 2, Article IX?
- (c) With respect to violations as to closed seasons or areas in contravention of paragraphs 4, 5, 6, 7, 8, 10, 11 and 13 of the Schedule:
 - (1) What is the minimum and maximum monetary fines that may be levied?
 - (2) May imprisonment be ordered as a penalty, and if so, what is the minimum and maximum period thereof?
 - (3) May both a monetary fine and imprisonment be imposed for the same offence?
 - (4) May the court or other judicial entity order forfeiture of the illegally taken whales or the products or monetary value thereof?
 - (5) May the court or other judicial entity order forfeiture of whaling vessels or whaling equipment?
- (d) What penalties may be imposed on whaling companies or persons for failure to submit required statistical or other reports to the Government?
- (e) Under what circumstances and in connection with what types of violations may licences to engage in whaling be suspended or revoked?

FRANCE

I. Organization

- (a) Ministère de la France d'Outre-Mer, Paris. Direction des Affaires Economiques.
- (b) As above.
- (c) As above.
- (d) As above.
- (e) None; draft bill under consideration.
- (f) In France: by the scientific institutions of French Overseas Territories (Whaling Research Centre, Laboratory of Colonial Fisheries, Museum of Natural History).
In Overseas Territories:
 - in French Equatorial Africa: Laboratory of Marine Biology of the Institute of Central African Research, Pointe-Noire;
 - in Madagascar: Oceanographical Service of the Scientific Institute, Tananarive.
- (g) Ministère de la France d'Outre-Mer.

II. Enforcement Officers

- (a) The Inspectors are sworn officials belonging to the Administrative Section of the relevant Maritime Department of the Secretariat of the Mercantile Marine. As regards their work in supervising whaling practices, they must first be approved by the Ministry of French Overseas Territories.
- (b) The Inspectors give reports to the Ministry of French Overseas Territories of any proved infringements.
- (c) Two.
- (d) Permanent during the whaling season.
- (e) Ministère de la France d'Outre-Mer.
- (f) The Inspectors are authorized, should the case arise and within the limits of their competence, to make biological observations and supply information requested by the Scientific Research Institutes.

III. Violations

- (a) to (e) None.

ICELAND

I. Organization

- (a) Ministry of Foreign Affairs.
- (b) Ministry of Fisheries.
- (c) As above.
- (d) As above.
- (e) As above.
- (f) As above.
- (g) As above.

II. Enforcement Officers

- (a) Whaling inspector employed by the Ministry of Fisheries.
- (b) The inspector has no authority to make arrest but reports findings to enforcement agency for legal action.
- (c) No factory ships registered.
- (d) One inspector is on duty throughout the season.
- (e) Ministry of Fisheries.
- (f) No.

III. Violations

- (a) (1-2) The ordinary criminal courts.
- (b) (1) Monetary fines are levied by the courts of justice each time. There is no maximum or minimum.
 - (2) Yes. Maximum period of six months, no minimum being prescribed.
 - (3) Yes.
 - (4) Yes.
 - (5) No.
- (c) (1-5) No factory ships registered.
- (d) The penalties are deprivation of licence to catch whales or/and monetary fines.
- (e) Failure to comply with regulations of the International Whaling Commission or any laws or regulations relating to whaling or the condition of the licence.

U.S.S.R.

I. Organization

- (a) Ministry of the Light and Food Industries of the U.S.S.R.
- (b) As above.
- (c) As above.
- (d) Central Administration for Fish Protection and Breeding of the Ministry of the Light and Food Industries of the U.S.S.R.
- (e) Ministry of the Light and Food Industries of the U.S.S.R.
- (f) Scientific research institutes of the Ministry of the Light and Food Industries of the U.S.S.R.
- (g) Ministry of the Light and Food Industries of the U.S.S.R.

II. Enforcement Officers

- (a) Whaling inspectors are officials (civil employees) of the Central Administration for Fish Protection and Breeding of the Ministry of the Light and Food Industries of the U.S.S.R.
- (b) Whaling inspectors have no authority to make arrests. They draw up a report (protocol) concerning offenders, and, depending on the nature of the infraction, submit the report either to the administration for the imposition of disciplinary action or to the public prosecutor for the institution of judicial investigation and legal proceedings.

All data on infractions must be submitted by the whaling inspectors to the Central Administration for Fish Protection and Breeding of the Ministry of the Light and Food Industries of the U.S.S.R.
- (c) Two.
- (d) At least one inspector maintained at each station throughout the whaling season.
- (e) The Central Administration for Fish Protection and Breeding of the Ministry of the Light and Food Industries of the U.S.S.R.
- (f) In some cases the inspectors collect biological data.

III. Violations

- (a) (1) The People's Court.
(2) The People's Court.
- (b) (1) Maximum fine, 500 roubles. No minimum laid down.
(2) The Court may impose a penalty of up to one year's imprisonment.
(3) No.
(4) The Court may order the forfeiture of the products obtained from illegally taken whales.
- (5) According to the whaling regulations, no bonuses are paid to gunners and crews in respect of the taking of any whales, the taking of which is prohibited. There is no legal provision for forfeiture to the Government of such bonuses.
- (c) (1) to (4)—as in (b) (1) to (4) above.
(5) Yes.
- (d) Disciplinary action may be imposed on officials responsible for failure to submit, or late submission of the required statistical or other reports.
- (e) No legal provision exists for the suspension or revocation of licences to engage in whaling.

Copies of this and the three preceding Reports may be obtained, on application, from

The International Whaling Commission,
Fisheries Department,
3, Whitehall Place,
Westminster, London, S.W.1.

Copies of the International Convention for the Regulation of Whaling 1946, showing the amendments to the Schedule made by the Commission from time to time, may also be obtained in the same way. The latest copy is that dated October, 1952.