

SUMMARY OF INFRACTIONS REPORTS RECEIVED BY THE COMMISSION FOR 2011

Under the terms of the Convention, each Contracting Government is required to transmit to the Commission full details of each infraction of the provisions of the Convention committed by persons and vessels under the jurisdiction of the Government. Note that although lost whales are traditionally reported, they are not intrinsically infractions.

Catch and associated data for commercial and scientific permit catches were submitted to the IWC Secretariat (IWC/64/Rep 1). Aboriginal subsistence catches and infractions are summarised in tables 1a and 1b.

Table 2 gives details of the infractions reported in the 2011 season and Table 3 gives information on the unresolved infractions from previous years.

Table 1a. Summary of Aboriginal subsistence catches and infractions reported for the 2010 season.

Country	Species	Males	Females	Total landed	Struck and lost	Total Strikes	Infractions/ Comments
Denmark							
West Greenland	Fin	0	5	5	0	5	1 ¹
Greenland	Minke	39	133	173 ²	6	179	None
	Bowhead	0	1	1	0	1	None
	Humpback	4	4	8	0	8	None
East Greenland	Minke	0	9	9	1	10	None
St Vincent and The Grenadines							
	Humpback	0	0	1 ³	0	1	None
USA							
	Bowhead	16	20	38 ⁴	13	51	1 ⁵
Russian Federation							
	Gray	58	68	126	2	128	None

Table 1b. Summary of Commercial catches and other infractions reported for the 2010 season.

Nation	Species	Males	Females	Total Landed	Lost	Total	Infractions/ Comments
ICELAND							
	Minke	45	13	58	0	58	None
NORWAY							
	Minke	163	364	527	6	533	None
REPUBLIC OF KOREA							
	Minke						21 ⁶

¹ See table 2, infraction 2011.1

² Includes 1 animal of unknown sex

³ Sex unknown

⁴ Includes 2 animals of unknown sex

⁵ See table 2, infraction 2011.2

⁶ See7 table 2, infractions 2011.3-7

Table 2. List of infractions from the 2011 season

Ref.	Nation	Species	Sex	Length	Date	Infraction (specify)	Explanation	Penalty/Action	Investigatn. complete?
2011.1	Greenland /Denmark	Fin whale	Fem.	14 m	8/8/2011	Length under 15.2 m	Qeqertarsuaq (West Greenland). Reporting form filled out by hunter showed that a fin whale was caught, which was ~1m shorter than the legal minimum catch length of 15.2 m	An administrative warning was given in writing. The whale had already been flensed so no proper control length measurement was possible. It is not possible to measure a swimming whale with an accuracy of 1 meter.	Yes
2011.2	USA	Bowhead	Fem.	6.6m	8 Sept 2011	Calf	A calf was inadvertently taken by a crew from the village of Kaktovik during the fall bowhead whale subsistence hunt. During a hearing by the AEWB Board of Commissioners, it was found that crew in the area observed a whale that appeared to be unaccompanied. After the whale was struck, another whale surfaced in the same area. After landing, it was determined that the struck whale was a calf. Therefore, it is assumed that the other whale which surfaced after the strike was a cow or another adult accompanying the calf.	A hearing by the AEWB Board of Commissioners, held on October 4, 2011, found that the strike of the calf was unintentional and an accident resulting from the fact that the calf appeared to be unaccompanied prior to the strike. No sanction was imposed.	Yes
2011.3	Korea	8 Minke whales	Unk.	5-8 m	02/05/11 17/05/11 21/05/11 24/05/11 27/05/11 19/06/11 11/07/11 16/08/11	Illegal catch	On May 2 nd , a vessel in conjunction with other three vessels caught a minke whale with a harpoon in the coastal waters of ~14 miles from Ulsan, Korea. In similar operations, these vessels caught a total of 8 minke whales in the area up until August 16 th 2011.	8 violators : 6-10 months imprisonment and 2 years probation with momentary penalties (5-35,000 dollars) 2 violators : suspension of prosecution	Yes
2011.4	Korea	2 Minke whales	Unk.	7.8 m Unk	09/04/11 07/11/11	Illegal catch	On April 9 th , three vessels caught a minke whale with a harpoon in coastal waters ~14 miles from Ulsan, Korea. On July 11 th , the same vessels caught one minke whale with a harpoon in coastal waters ~15 miles from Ulsan, Korea.	3 violators : 6-8 months imprisonment and 2 years probation with momentary penalties (7-10,000 dollars) 1 violator : momentary penalty (5,000 dollars)	Yes
2011.5	Korea	Minke whale	Unk.	6 m	21/05/11	Illegal catch	On May 21 st , a vessel caught a minke whale with a harpoon in coastal waters ~15 miles from Youngdeok in Northern Gyeongsang province, Korea.	2 violators: 6-8 months imprisonment and 2 years probation with momentary penalties (2-4,000 dollars), and 80 hours community service 3 violators: momentary penalty (5-7,000 dollars)	Yes

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Ref.	Nation	Species	Sex	Length	Date	Infraction (specify)	Explanation	Penalty/Action	Investigatn. complete?
2011.6	Korea	9 Minke whale	Unk.	5-8 m	09/04/11 17/05/11 21/05/11 01/06/11 05/06/11 10/06/11 18/06/11 05/07/11 06/07/11	Illegal catch	On April 9 th , a vessel in conjunction with other three vessels caught a minke whale with a harpoon in the coastal waters ~14 miles from Ulsan, Korea. In similar operations, these vessels caught a total of nine minke whales in the area up until August 6 th 2011.	8 violators : 6-8 months imprisonment, 2 years probation with momentary penalties (2-11,000 dollars) and 120 hours community service 3 violators : 10 months of imprisonment and 2 years probation 2 violators : 8-10 months imprisonment with momentary penalties (10-30,000 dollars) 1 violator : 3,000 dollars momentary penalty	Yes
2011.7	Korea	Minke whale	Unk.	5m	16/05/11	Illegal catch	A vessel operated in the area of Song-do Port, Boryoung, in Chungnam province from April 15 th for the purpose of illegally catching minke whales and caught one minke whale with a harpoon in coastal waters ~23miles from Gunsan.	6 violators : pending in court	Pending

Table 3. List of unresolved or previously unreported infractions from earlier seasons and follow-up actions.

Note: infraction 2009.22 has not previously been reported to this sub-committee.

Ref.	Nation	Species	Sex	Length	Date	Infraction (specify)	Explanation	Penalty/Action	Investigatn complete?
2010.1	Greenland /Denmark	Minke	Male	5 m	5/8 2010	Use of cold harpoon	Paamiut (West Greenland). A cold harpoon was used as secondary killing method.	Reported to the police. Investigation resulted in monetary penalties.	Yes
2010.3	Iceland	Fin	Fem.	66 feet	30.6.2010	Lactating.	No calf was seen.	Fine.	Yes.
2010.4	Iceland	Fin	Fem.	65 feet	12.9.2010	Lactating.	No calf was seen.	Fine.	Yes.
2010.14	Korea	Minke Whale	Unk.	Unk.	23 Aug 2010	No Quota	Crew members were caught discarding bags containing whale meat when a patrol vessel approached a vessel in coastal waters 5 miles southeast of Jukbyun, Northern Gyeongsang province. A detailed inspection was conducted and bags of illegally caught and dismembered minke whale were found in the well of the vessel. The crew members were arrested.	3 violators : 6-8 months imprisonment and 2 years probation	Yes
2009.19	Korea	Minke Whale	Unk.	Unk.	23 Nov 2009	No Quota	A fishing vessel caught a minke whale with a harpoon in coastal waters near Yeongdeok-gum GyeongBuk; it was cut up and the meat taken on board a boat	3 violators : 10 months imprisonment and 2 years probation	Yes
2009.22	Norway	14 Minke	Unk.	Unk.	2009	Use of cold harpoon	** See below	The captain was sentenced to a fine. In addition, the fishery authorities had refused the vessels application for participation in the whale hunt in 2010. Furthermore the value of the illegal catch was confiscated.	

**** Infraction report 2009**

All vessels permitted to take part in the Norwegian minke whale hunt, are instructed to keep a catch log book which shall be sent to the Directorate of Fisheries by the end of the season. Violation of this order may result in denial of permission to take part in the hunt the following year. The information in the catch log book is compared with the information recorded by the Electronic Trip Recorder (Blue Box) developed in 2001-2005(IWC/57/RMS/8). In addition to the log book and Blue Box, inspectors from the Norwegian Directorate of Fisheries conduct periodic and random checks of the hunt at sea and on land.

Each harpoon grenade has a serial number which shall be recorded in the log book when the whale is shot. In 2009 the mandatory subsequent control of the catch log books at the Directorate of Fisheries, revealed that on one vessel only 14 harpoon grenades had been used to catch 26 minke whales.

The Directorate of Fisheries suspected an infringement of the mandatory use of harpoon grenades (IWC/58/WKM&AWI25) in the hunt and reported this incident to the police. The case has thus since 2009 in the legal system. In December 2011 the Supreme Court upheld the sentence in which the captain was found guilty in 14 incidents of intentional use of cold grenade harpoon.

The captain was sentenced to a fine by the court in 2011. In addition, the fishery authorities had refused the vessels application for participation in the whale hunt in 2010. Furthermore the value of the illegal catch was confiscated.