

## Report of the Infractions Sub-Committee

PORTOROZ, SLOVENIA 11 September 2014

The main outcomes, decisions and required actions arising are summarised in the table below.

Issue and Agenda Item	Main outcomes
Infractions Reports for 2012 and 2013 <i>Item 3.1</i>	<ul style="list-style-type: none"> <li>• A summary of infraction reports received by the Commission for 2012 and 2013 was reviewed and is given in Appendix 3.</li> <li>• Some members considered that, as there is no agreed quota for aboriginal catches in Greenland for the 2013-18 period, the catches taken in Greenland in 2013 should be reported as infractions. Denmark, Greenland did not agree with this view. The issue was referred to the Commission.</li> <li>• There was some discussion regarding lactating whales not accompanied by calves and short whales only just below the size limit that were reported as infractions but which are very difficult to identify at sea before the whale is caught. It was suggested that such cases should not be considered as infractions.</li> <li>• Referring to the recent judgement of the International Court of Justice (ICJ), clarification was sought on how the IWC databases will describe catches taken under the Japanese JARPA II programme. At present, these catches are shown as taken under special permit with a footnote indicating they have been discussed by the ICJ and including a reference to the court judgement.</li> <li>• Japan emphasised that it accepts the ICJ judgement, and is committed to follow it. It stated that the ICJ judgement was not retrospective to past JARPA II activities and therefore past JARPA II catches are not violations. Some members regarded catches under JARPA II as infractions.</li> </ul>
Follow-up on earlier reports <i>Item 3.2</i>	Information on the completion of the one previously unresolved infraction from earlier seasons is given in Appendix 3, Table 3.
Other Information <i>Items 5-7</i>	<ul style="list-style-type: none"> <li>• Information on the surveillance of whaling operations in the 2012 and 2013 is summarised under Item 5.</li> <li>• The information provided that is required or requested under Section VI of the Schedule is summarised under Item 6.</li> <li>• A summary of national legislation supplied to the Commission is given in Table 1. Chile and Denmark (Greenland) have submitted legislation since the IWC/64 meeting.</li> </ul>

**Terms of reference:** The Infractions Sub-committee considers matters and documents relating to the International Observer Scheme and Infractions insofar as they involve monitoring of compliance with the Schedule and penalties for infractions thereof (*Rep. int. Whal. Commn 29: 22*).

### 1. INTRODUCTORY ITEMS

A list of participants is given in Appendix 1.

#### 1.1 Appointment of Chairman

Lars Walløe (Norway) was elected Chair. He noted that this was his third term as Chair of the Infractions Sub-Committee, and as this is the traditional term of service, the Sub-Committee may wish to elect a new Chair for the next meeting.

#### 1.2 Appointment of Rapporteur

Cherry Allison (Secretariat) was appointed rapporteur with assistance from Sarah Ferriss.

#### 1.3 Review of Documents

The following documents were available to the Sub-Committee.

IWC/65/Inf	01	Revised Draft Agenda
	02	Annotated Draft Agenda
	03	National Legislation Details Supplied to the IWC
	04	Draft Summary of Infraction Reports Received by the Commission for 2012 and 2013

## 2. ADOPTION OF THE AGENDA

The draft agenda was adopted unchanged (Appendix 2).

## 3. INFRACTIONS REPORTS FROM CONTRACTING GOVERNMENTS

### 3.1 Reports for 2012 and 2013

The Sub-Committee reviewed IWC/65/Inf04, the draft summary of infraction reports received by the Commission for 2012 and 2013, which is given as Appendix 3 to this report.

Argentina noted that the IWC recognises aboriginal subsistence catches but that a quota for aboriginal subsistence catches in Greenland for the period 2013 to 2018 was not agreed at IWC64. Therefore it considered that the catches in East and West Greenland, as listed in Table 1b of Appendix 3, took place without the authorisation of the IWC and should be reported as infractions according to Article IX of the Convention. Chile, Mexico and Australia supported Argentina's comments.

Denmark re-affirmed its commitment to the IWC as an instrument for the regulation of whaling, and to the Infractions sub-committee. Denmark, Greenland has, as always, submitted the relevant data from Greenland in fulfilment of its reporting obligations. It stated that portraying its aboriginal take as an infraction does not reflect the exceptional circumstances faced by Denmark, Greenland and the IWC following the last meeting. It also fails to note that all Greenlandic catches are strictly regulated and follow the advice of the Scientific Committee. Furthermore it does not address the comprehensive efforts made by Denmark, Greenland to resolve the issue to be able to continue its work within the IWC nor does it recognise the subsistence needs of the indigenous people of Greenland. Denmark is, together with others, working hard to find a carefully balanced solution which addresses concerns on all sides for the future and is grateful to those who have participated in the process.

The Chair confirmed that this issue would be brought to the attention of the Commission.

Regarding the list of 2013 infractions, the Russian Federation drew attention to catches of calves by the USA that were independent from their mothers (ref. 2013.5 and 2013.6, Appendix 3, Table 2b) and of a lactating female by Iceland (ref. 2013.7). It questioned whether it was possible to identify calves and lactating whales at sea and asked whether these catches should be considered as infractions.

The USA stated that it is very difficult to distinguish between an adult and an older calf at sea and occasionally a calf may be taken inadvertently. Since 2006, a bowhead calf has been defined as having a body length of 7.5m or less and a baleen length of less than 60cm. At the time, the Scientific Committee Chair indicated that the criteria were not practical for assessing calves at sea. In both the instances reported in 2013, the Alaska Eskimo Whaling Commission (AEWC) determined the taking of the calf was an unforeseeable mistake; therefore, no sanctions were imposed on the hunters.

Iceland recalled that this matter was discussed last year (IWC/64/Rep4) when the Secretariat clarified that the Convention prohibits the taking of females with calves and hence that while catches of lactating females are traditionally reported to this Sub-Committee they are not infractions *per se*. In the case reported in IWC/65/Inf04, it was impossible to identify that the animal was lactating, until after it had been caught. Such cases are unavoidable and hence no penalty was issued.

Referring to the recent judgement of the International Court of Justice (ICJ), Australia asked for clarification on how the IWC databases will describe catches taken under the Japanese JARPA II programme. Japan emphasised that it recognises and accepts the ICJ judgement, and is committed to follow it. It noted that the court "Decides that Japan shall revoke any extant authorisation, permit or licence granted in relation to JARPA II, and refrain from granting any further permits in pursuance of that programme." Japan explained that the last sampled animal was in early March 2014, prior to the ICJ judgement, and that all JARPA II special permits expired by 31 March 2014. It stated that the ICJ Judgment was not retrospective to past JARPA II activities and therefore past JARPA II catches are not violations. While data should be considered by the IWC Scientific Committee, Japan stated that any country can choose not to use JARPA II data in their analyses and papers.

Japan further suggested that the ICJ judgement is legally binding to the countries involved (Japan, Australia, New Zealand) but that the IWC is not bound to the ICJ judgement, unless the IWC makes a decision relating to it. Japan also noted that the IWC does not have competence to make a judgement on the interpretation of the ICJ judgement. Following an observation by Argentina that Article 65 of the UN Convention on the Law of Sea (UNCLOS) allows for

countries to work through the appropriate international organisations for the conservation, management and research of cetaceans, Japan clarified that it does not deny competence of the IWC under Article 65 of UNCLOS.

Chile, supported by Argentina, regarded catches under JARPA II as infractions on the basis that they are non-scientific catches made by an IWC member.

The Secretariat clarified that at present, the JARPA II catches are shown in the IWC database as taken under special permit with a footnote indicating they have been discussed by the ICJ and including a reference to the court judgement.

### **3.2 Follow-up on earlier reports**

Information on the completion of previously unresolved infractions from earlier seasons is given in Appendix 3, Table 3; these include one infraction by Korea.

## **4. SURVEILLANCE OF WHALING OPERATIONS**

The Infractions Report submitted by the USA, the Russian Federation and St. Vincent and the Grenadines stated that 100% of their catches are under direct national inspection. Catches by Denmark (Greenland) are subject to a random check (1%). In 2012, 17.3% of the catch by Iceland was under direct national inspection; in 2013, 5.3% was under direct national inspection and 4.7% was under inspection under an international program.

## **5. CHECKLIST OF INFORMATION REQUIRED OR REQUESTED UNDER SECTION VI OF THE SCHEDULE**

The Checklist was developed as an administrative aid to the Sub-Committee in helping it to determine whether obligations under Section VI of the Schedule were being met. It is not compulsory for Contracting Governments to fill in the Checklist although they do have to fulfil their obligations under this Section of the Schedule.

The available information is summarised below:

*Denmark:* Information on date, species, length, sex, whether the whale is lactating and the length and sex of any foetus if present is collected for between 73-100% of the catch, depending on the item. The position of each whale killed is collected for 58-68% of the catch and the name of the area where whales are hunted is reported for the remainder. Information on killing methods and numbers of struck and lost animals are also collected.

*USA:* Information on date, time, species, position, length, sex, the length and sex of any foetus if present, killing method and number of struck and lost is collected for 67-100% of the catch. Biological samples are collected from at least 53% of animals.

*Russian Federation:* Information on date, time, species, position, length, sex, whether the whale is lactating, killing method and numbers struck and lost is collected for 100% of the catch. Biological samples are collected from about 45% of animals.

*St. Vincent and the Grenadines:* Information on date, time, species, position, length, sex, the length and sex of any foetus if present, whether the whale is lactating, killing method and numbers struck and lost is collected for 100% of the catch. Biological samples are collected.

*Norway and Iceland:* the required information has been submitted to the Secretariat as noted in the Scientific Committee report (IWC/65/Rep 1 (2013) and (2014)).

## 6. SUBMISSION OF NATIONAL LAWS AND REGULATIONS

A summary of national legislation supplied to the Commission is given in Table 1. Chile and Denmark (Greenland) have submitted legislation since the IWC/64 meeting.

Table 1

Country	Date of most recent material	Country	Date of most recent material
Antigua and Barbuda	None	Kiribati	None
Argentina	2003	Korea, Republic of	2011
Australia	2000	Laos	None
Austria	1998	Lithuania	None
Belgium	2002	Luxembourg	None
Belize	None	Mali	None
Benin	None	Marshall Islands, Republic of	None
Brazil	2008	Mauritania	None
Bulgaria	None	Mexico	2006
Cambodia	None	Monaco	None
Cameroon	None	Mongolia	None
Chile	2011	Morocco	None
China, People's Republic of	1983	Nauru	None
Colombia	None	Netherlands, The	2002
Congo, Republic of	None	New Zealand	1992
Costa Rica	None	Nicaragua	None
Cote D'Ivoire	None	Norway	2000
Croatia, Republic of	None	Oman	1981
Cyprus	None	Palau, Republic of	None
Czech Republic	None	Panama	None
Denmark (including Greenland)	2013	Peru	1984
Dominica	None	Poland	None
Dominican Republic	None	Portugal	2004
Ecuador	2000	Romania	None
Eritrea	None	Russian Federation	1998
Estonia	2008	San Marino	None
Finland	1983	Saint Kitts and Nevis	None
France	1994	Saint Lucia	1984
Gabon	None	Saint Vincent and The Grenadines	2003
Gambia	None	Senegal	None
Germany	1982	Slovak Republic	None
Ghana, Republic of	None	Slovenia	None
Grenada	None	Solomon Islands	None
Guatemala	None	South Africa	1998
Guinea-Bissau	None	Spain	2008
Guinea, Republic of	None	Suriname	None
Hungary	None	Sweden	2004
Iceland	1985	Switzerland	1986
India	1981	Tanzania	None
Ireland	2000	Togo	None
Israel	None	Tuvalu	None
Italy	None	UK	1996
Japan	2008	Uruguay	2002
Kenya	None	USA	2004

### NOTES:

- Up to the 10<sup>th</sup> of September 2014. Dates in the table refer to the date of the material not the date of submission.
- Member states of the European Union (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and UK) are subject also to relevant regulations established by the Commission of the European Union. The date of the most recent EU legislation supplied to the International Whaling Commission is 2005.

## 7. OTHER MATTERS

### 7.1 Reports from Contracting Governments on availability, sources and trade in whale products

The Commission has adopted a number of Resolutions inviting Contracting Governments to report on the availability, sources and trade in whale products:

- 1994-7 on international trade in whale meat and products.
- 1995-7 on improving mechanisms to prevent illegal trade in whale meat.
- 1996-3 on improving mechanisms to restrict trade and prevent illegal trade in whale meat.
- 1997-2 on improved monitoring of whale product stockpiles.

- 1998-8 *inter alia* reaffirmed the need for Contracting Governments to observe fully the above Resolutions addressing trade questions, in particular with regard to the problem of illegal trade in whale products, and urged all governments to provide the information specified in previous resolutions.

No reports were received by the Secretariat on these resolutions and no comments were made during the meeting.

## 7.2 Other

No other matters were raised.

## 8. ADOPTION OF REPORT

The report was adopted by correspondence on 13th September 2014.

### Appendix 1

#### LIST OF PARTICIPANTS

#### ARGENTINA

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Miguel Iñíguez

#### AUSTRALIA

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#### DENMARK

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Robert Brownell  
Michael Gosliner  
Harry Brower  
DJ Schubert  
Michael Tillman  
Greig Arnold  
Roger Eckert  
Greig Arnold

#### URUGUAY

Rodrigo Garcia

#### Chair of Scientific Committee

Toshihide Kitakado

#### IWC Secretariat

Simon Brockington  
Cherry Allison  
Greg Donovan  
Sarah Ferriss

**Appendix 2**

**AGENDA**

1. INTRODUCTORY ITEMS
  - 1.1 Appointment of Chair
  - 1.2 Appointment of Rapporteur
  - 1.3 Review of Documents
2. ADOPTION OF THE AGENDA
3. INFRACTIONS REPORTS FROM CONTRACTING GOVERNMENTS
  - 3.1 Reports for 2012 and 2013
  - 3.2 Follow-up on earlier reports
4. SURVEILLANCE OF WHALING OPERATIONS
5. CHECKLIST OF INFORMATION REQUIRED OR REQUESTED UNDER SECTION VI OF THE SCHEDULE
6. SUBMISSION OF NATIONAL LAWS AND REGULATIONS
7. OTHER MATTERS
  - 7.1 Reports from Contracting Governments on availability, sources and trade in whale products
  - 7.2 Other
8. ADOPTION OF THE REPORT

Appendix 3

**SUMMARY OF INFRACTIONS REPORTS RECEIVED BY THE COMMISSION FOR 2012 AND 2013**

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.

Aboriginal subsistence catches and infractions are summarised in tables 1a-b. Catch and associated data for commercial and scientific permit catches were submitted to the IWC Secretariat (IWC/65/Rep 1 (2013) and (2014)). The data for commercial catches and other infractions are summarised in tables 1c-d.

Table 2 gives details of the infractions reported in the 2012 and 2013 seasons and Table 3 gives information on the unresolved infractions from previous years.

Table 1a. Summary of Aboriginal subsistence catches and infractions reported for the 2012 season.

Country	Species	Males	Females	Total landed	Struck and lost	Total Strikes	Infractions / Comments
<b>Denmark</b>							
West Greenland	Fin	0	4	4	1	5	None
Greenland	Minke	33	109	144 <sup>1</sup>	4	148	None
	Humpback	2	4	7 <sup>2</sup>	3	10	2 (Infractions 2012.1,2)
East Greenland	Minke	0	4	4	0	4	None
<b>St Vincent and The Grenadines</b>							
	Humpback	0	1	1	1	2	None
<b>USA</b>							
	Bowhead	24	29	55 <sup>1</sup>	14	69	None
<b>Russian Federation</b>							
	Gray	50	89	139	4	143 <sup>3</sup>	None

Table 1b. Summary of Aboriginal subsistence catches and infractions reported for the 2013 season.

Country	Species	Males	Females	Total landed	Struck and lost	Total Strikes	Infractions / Comments
<b>Denmark</b>							
West Greenland	Fin	3	5	9 <sup>2</sup>	0	9	2 (Infractions 2013.1,3)
Greenland	Minke	37	127	166 <sup>1</sup>	9	175	1 (Infraction 2013.4)
	Humpback	4	3	7	1	8	1 (Infraction 2013.2)
East Greenland	Minke	1	3	4	2	6	None
<b>St Vincent and The Grenadines</b>							
	Humpback	3	1	4	0	4	None
<b>USA</b>							
	Bowhead	21	25	46	11	57	2 (Infractions 2013.5,6)
<b>Russian Federation</b>							
	Gray	39	86	125	2	127 <sup>4</sup>	None
	Bowhead	1	0	1	0	1	None

<sup>1</sup> Includes 2 whales of unknown sex

<sup>2</sup> Includes 1 whale of unknown sex

<sup>3</sup> Includes 8 whales that were inedible due to strong chemical smell

<sup>4</sup> Includes 2 whales that were inedible due to strong chemical smell

Table 1c. Summary of Commercial catches and other infractions reported for the 2012 season.

Nation	Species	Males	Females	Total Landed	Lost	Total	Infractions / Comments
<b>ICELAND</b>							
	Minke	38	11	49	3	52	None
<b>NORWAY</b>							
	Minke	144	313	458 <sup>5</sup>	6	464	None
<b>REPUBLIC OF KOREA</b>							
	Minke					4	4 (Infractions 2012.3-6)

Table 1d. Summary of Commercial catches and other infractions reported for the 2013 season.

Nation	Species	Males	Females	Total Landed	Lost	Total	Infractions/ Comments
<b>ICELAND</b>							
	Minke	13	22	35	0	35	None
	Fin	58	71 <sup>6</sup>	129	5	134 <sup>6</sup>	1 (Infraction 2013.7)
<b>NORWAY</b>							
	Minke	194	394	588	6	594	None
<b>REPUBLIC OF KOREA</b>							
	Minke					12	12 (Infractions 2013.8-19)

<sup>5</sup> Includes 1 animal of unknown sex

<sup>6</sup> Includes one whale (a female) listed as fin which was genetically determined to be a fin /blue whale hybrid.



Table 2a. List of infractions from the 2012 season

Ref.	Nation	Species	Sex	Length	Date	Infraction (specify)	Explanation	Penalty/Action	Investigatn. complete?
2012.1	Greenland /Denmark	Humpback	Female	14m	7 Nov. 2012	Killing method	Ilulissat (West Greenland). Report from regional Wildlife Officer on killing method (cold harpoon) used for secondary killing.	Reported to the Police.	Investigation on-going
2012.2	Greenland /Denmark	Humpback	Unk.	Unk.	6 Nov. 2012	Killing method	Sisimiut (West Greenland). Report from regional Wildlife Officer on killing method (whale grenade-99 for minke whale) used for primary and secondary killing. Whale was lost.	An administrative warning was given.	Yes
2012.3	Korea	Minke (1)	Unk.	5m	23 May 2012	No Quota (Illegal catch)	In the morning of 23 May, 2012, a minke whale was illegally caught with a harpoon in waters ~20 miles east of Guryongpo, Ulsan. The whale was killed by blood loss.	<b>Total: Nine violators</b> 4 violators: 8 months imprisonment and 2 years probation 3 violators: 6 months imprisonment and 2 years probation 1 violator: monetary penalty(US\$ 4,000) 1 violator: monetary penalty(US\$ 3,000)	Yes
2012.4	Korea	Minke (1)	Unk.	6m	June 2012	No Quota (Illegal catch)	The violators found a minke whale in the East Sea off Gyeongsangbuk-do on an unknown date in June 2012 and were alleged to have caught the whale illegally in a way not permitted under the Fisheries Act (probably harpoon). The whale was dismembered and hidden at sea.	<b>Suspension of prosecution</b>  Dismembered whale meat: confiscated	Yes
2012.5	Korea	Minke (1)	Unk.	5m	2 Sept. 2012	No Quota (Illegal catch)	Around 10:15p.m. 2 Sept. 2012, 3 people including the captain of <i>No. 105 Donggun</i> (5.84 ton) were arrested while trying to transport 118 bags of illegally caught whale meat (stored in its fish well) from the pier within Guryongpo Port in Guryongpo-eup, Nam-gu, Pohang-si to a porter truck parked at the port.	<b>Total: three violators</b> 1 violator: 8 months imprisonment and 2 years probation 1 violator: 6 months imprisonment and 2 years probation 1 violator: monetary penalty(US\$ 4,000) Dismembered whale meat: confiscated	Yes
2012.6	Korea	Minke (1)	Unk.	6m	29 Dec. 2012	No Quota (Illegal catch)	2 violators went aboard <i>Chungwoon</i> at 10:00a.m. on 29 Dec. 2012 and received 30 bags of minke whale meat to store in its fish well. The meat is suspected to originate from a minke whale that was illegally caught and dismembered by an unknown vessel in the East Sea. <i>Chungwoon</i> transported the whale meat to waters ~10 miles east of Cape Homi, Homigot-myeon, Nam-gu, Pohang-si at 7:30p.m. on the same day.	<b>Total: two violators</b> 1 violator: 6 months imprisonment and 2 years probation 1 violator: monetary penalty(US\$ 4,000) Dismembered whale meat: confiscated	Yes

Table 2b. List of infractions from the 2013 season. See also #

Ref.	Nation	Species	Sex	Length	Date	Infraction (specify)	Explanation	Penalty/Action	Investigatn. complete?
2013.1	Greenland /Denmark	Fin whale	Male	18m	14 Mar. 2013	Killing method *	Maniitsoq (West Greenland). Report from regional Wildlife Officer on killing method (whale grenade-99 for minke whale) used for secondary killing.	Reported to the Police. Investigation on-going	No
2013.2	Greenland /Denmark	Humpback whale	Male		25 May 2013	Killing method *	Nuuk (West Greenland). Report from regional Wildlife Officer on killing method (whale grenade-99 for minke whale) used for secondary killing.	Reported to the Police. Investigation on-going	No
2013.3	Greenland /Denmark	Fin whale	Fem.	18m	5 Aug. 2013	Killing method *	Paamiut (West Greenland). Report from regional Wildlife Officer on hunt without license and on killing method (whale grenade-99 for minke whale) used for secondary killing.	Reported to the Police. Investigation on-going	No
2013.4	Greenland /Denmark	Minke whale	Fem.	4,7m	27 Sept. 2013	Killing method *	Kangaamiut (West Greenland). Report from regional Wildlife Officer on killing method (cold harpoon) used for secondary killing and sale without prior stamping of sale license.	Reported to the Police. Investigation on-going	No
2013.5	USA	Balaena Mysticus	Fem.	6.78m	22 Sept. 2013	Calf	A whale swimming independently was taken in Barrow, and upon landing was determined to be a calf, based on body length, baleen length and stomach contents.	N/A	Yes
2013.6	USA	Balaena Mysticus	Fem.	7.01m	25 Sept. 2013	Calf	A whale swimming independently was taken in Barrow, and upon landing was determined to be a calf, based on body length, baleen length and stomach contents.	N/A	Yes
2013.7	Iceland	Fin	Fem.	68 feet English	17 Sept. 2013	Lactating	Whale caught at 66°23'N, 26°27'W. No calf was seen	None	Yes
2013.8	Korea	Minke (1)	Unk.	5m	20 Jan. 2013	No Quota (Illegal catch)	The violators were on board a rubber boat with an unknown person in waters 1 mile east of Gugye port, Yeongduk-gun, Gyeongsangbuk-do at 09:46p.m. 20 Jan 2013, and were alleged to tranship 89 bags of minke whale and 11 pieces of whale meat from <i>Taekyung</i> (6.07 ton, a gill net) and then transport them to the port of Gugye.	<b>Total: 2 violators</b> 1 violator: 6 months imprisonment and 2 years probation 1 violator: monetary penalty (US\$ 5,000) Dismembered whale meat: confiscated	Yes
2013.9	Korea	Minke (1)	Unk.	Unk.	Feb. 2013	No Quota (Illegal catch)	A bottom trawler embarked from Gampo port on 20 Feb 2013. When trawling began at 05:00a.m. at the point of Fix 35-41N 129-40E (in waters ~10 miles east of Wolseong Nuclear Power Plant), the vessel hauled its fishing net at 07:50a.m. and obtained a minke whale carcass with its head and flesh removed. The vessel called at the port of Gampo and reported the fact later that day.	<b>Suspension prosecution</b> The carcass and some remaining meat was confiscated.	Yes

Ref.	Nation	Species	Sex	Length	Date	Infraction (specify)	Explanation	Penalty/Action	Investigatn. complete?
2013.10	Korea	Minke (1)	Unk.	5m	1 June 2013	No Quota (Illegal catch)	On 1 June 2013, the violators fired a wired-harpoon into a minke whale swimming in waters 13 miles east of Wolpo, Cheongha-myeon, Buk-gu, Pohang-si. After following the whale until it died, they lifted the carcass and dismembered it.	<b>Total: five violators</b> 3 violators: 8 months imprisonment and 2 years probation 2 violators: 6 months imprisonment and 2 years probation Dismembered whale meat: confiscated	Yes
2013.11	Korea	Minke (1)	Unk.	Unk.	21 July 2013	No Quota (Illegal catch)	On 21 July 2013, the violator received ~30 bags of illegally caught and dismembered whale meat from an unknown vessel at 5-6:00p.m. near a breakwater at the Daebo 1-ri port, Daebori, Homigot-myeon, Nam-gu, Pohang-si and transported them to Guryongpo, Namgu, Pohang-si by truck.	<b>Total: one violator</b> 1 violator: 8 months imprisonment and 2 years probation Dismembered whale meat: confiscated	Yes
2013.12	Korea	Minke (1)	Unk.	5.5m	27 Aug. 2013	No Quota (Illegal catch)	The violators harpooned a minke whale at around 11:30 a.m. in waters ~13 miles northeast of Daebo port, Daebo-ri, Homigot-myeon, Nam-gu, Pohang-si. The whale was dismembered and the meat put into bags and hidden in the sea with buoys attached.	<b>Total: nine violators</b> 3 violators: 8 months imprisonment and 2 years probation 2 violators: 6 months imprisonment and 2 years probation 2 violators: monetary penalty (US\$ 7,000) 2 violators: monetary penalty (US\$ 4,000) Dismembered whale meat: confiscated	Yes
2013.13-15	Korea	Minke (3)	Unk.	Unk.	5 Aug. 2013	No Quota (Illegal catch)	At about 4:00 p.m. on 5 Aug. 2013 the violator lifted 124 bags of dismembered minke whale meat (suspected to be 3 minke whales) which had been hidden at sea ~14 miles east of Chilpo Quay, Chilpo-ri Heunghae-eup, Pohang-si. At 5:00 p.m. the same day, a vessel called at the quay carrying the bags and the violator was arrested.	<b>Total: one violator</b> 1 violator: 6 months imprisonment and 2 years probation Dismembered whale meat: confiscated	Yes
2013.16	Korea	Minke (1)	Unk.	5m	22 Aug. 2013	No Quota (Illegal catch)	At 3:00 p.m. on 22 Aug. 2013 the violators harpooned a minke whale swimming in waters ~15 miles east of Chuksan-myeon, Yeongduk-gun and dismembered it. Later the same day, they transhipped the carcass to another man in a rubber boat in waters ~8 miles north of Daebo-ri.	<b>Total: 2 violators</b> 1 violator: monetary penalty (US\$ 8,000) 1 violator: monetary penalty (US\$ 3,000) Dismembered whale meat: confiscated	Yes
2013.17-18	Korea	Minke (2)	Unk.	Unk.	10 Sep. 2013	No Quota (Illegal catch)	At 10:40 a.m. on 10 September 2013, the violators lifted and stored 74 bags of minke whale which had been illegally caught and dismembered by an unknown vessel in the East Sea. The vessel had put the carcass into net bags and sacks and hidden them in the sea with buoys attached.	<b>Total: 2 violators</b> 1 violator: 8 months imprisonment and 2 years probation 1 violator: 6 months imprisonment and 2 years probation Dismembered whale meat: confiscated	Yes

Ref.	Nation	Species	Sex	Length	Date	Infraction (specify)	Explanation	Penalty/Action	Investigatn. complete?
2013.19	Korea	Minke (1)	Unk.	Unk.	22 Aug. 2013	No Quota (Illegal catch)	At 5:20a.m. on 22 August 2013, a dead minke whale was discovered floating in waters ~5 miles southeast of Galnam port Wondeok-eup, Samcheok-si, Gangwon-do. The carcass was tied to a vessel which called at the port of Jangho at around 6:30 on the same day and reported it to the police. Inspection found signs of whale hunting on the head of the carcass.	No sign of infraction was found from the reporter. Difficult to specify vessel suspected of hunting the whale (internal investigation completed)	Yes

# The USA also reported that a small whale (8.33 m) was taken in Nuiqsut on 13 Sept 2013 and originally reported as a calf. Based on the original report, the AEWB Board of Commissioners imposed a fine of \$2,500 on the captain. Hunting rights for the captain and crew were suspended for two seasons, and the captain was denied the right to take credit for sharing the whale with the community. Following the decision, baleen from the whale was inspected by scientists from the North Slope Borough Department of Wildlife Management and found to be larger than baleen normally found in a calf. With this information, and evidence that baleen length is the best indicator of whether a whale is a calf, the Board of Commissioners reversed its previous findings, determined that no infraction had occurred, and withdrew the fine and other penalties.

\* Not formally infractions of the IWC but of national authorities; information on these have been traditionally reported in previous years.

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

Ref.	Nation	Species	Sex	Length	Date	Infraction (specify)	Explanation	Penalty/Action	Investigatn. complete?
2011.7	Korea	Minke (1)	Unk.	5m	16 May 2011	No Quota (Illegal catch)	A vessel operating in the area of Song-do Port, Boryoung, in Chungnam province from April 15 for the purpose of catching minke whales illegally, caught one minke whale with a harpoon in coastal waters ~23miles from Gunsan.	<b>Total: six violators</b> 3 violators: 8 months imprisonment and 2 years probation 3 violators: 6 months imprisonment and 2 years probation	Yes