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THE INTERNATIONAL WHALING COMMISSION

SEVENTH MEETING

MOSCOW, JULY 1955

VERBATIM REPORT

of the

PLENARY SESSION

HELD ON JULY 18, 1955

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DOCUMENT XXIA

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Plenary Session

Monday, 18th July, 1955.

In the Chair: Dr. Remington Kellogg (U.S.A.)

The Meeting opened at 10 a.m.

The CHAIRMAN: Will the Seventh Annual meeting of the International Whaling Commission please come to order.

It is a pleasure for me personally to see at this meeting our old colleagues, Professor Bogdanov, Mr. Tveryanovich, Captain Solyanik and a number of experts whom I have known personally for many years. As regards the Norwegian Delegation, I first met Gunnar Jahn at Berlin in April, 1930 where the Economic Committee of the League of Nations had assembled a group of experts from countries interested in whaling for the purpose of drafting a convention to give some protection to whales. Mr. Jahn has continued his active interest in whaling in all the intervening years. This is the first meeting of the Commission which he has attended. The other members of the Delegations are all well known to those of you who have attended previous meetings of this Commission. Akira Kodaki of the Japanese Delegation has had long experience in international whaling matters. As I recall, I first met Jimmie Kodaki at the International Conference on the Regulation of Whaling which was held in London in 1937. Our Secretary, Alban Dobson first became involved in this whaling business at the London Conference of 1938, and has actively participated in our work since that time.

To the new members who are attending the meeting of this Commission, for the first time, may I express the hope that you will contribute your share to make this meeting a success. Those of you who have regularly attended the meetings of this Commission are fully aware of the purposes and objectives of the 1946 Convention for the Regulation of Whaling, and I need not press this point further.

To all of you may I express the hope that this meeting will serve a useful purpose.

It is now my pleasure to introduce His Excellency Mr. Ishkov, Minister of the Fishing Industry of the U.S.S.R.

His Excellency Mr. ISHKOV, (Minister of the Fishing Industry of the U.S.S.R.) (Spoke in Russian) (Interpretation): Mr. Chairman, Gentlemen, the Government of the Union of Soviet Socialist Republics has instructed me to welcome you and to wish you success in your great work, which is so essential to all mankind, the conservation of the whale stock--an important source of foodstuffs.

It is with a feeling of utmost pleasure that I take this opportunity to convey to you the greetings and best wishes of the workers of our Fish and Whaling Industry who highly appreciate your noble efforts aimed at the regulation of whaling, based on sound principles, in order to ensure a lasting and stable whale stock.

We all realise that your task in protecting whales is extremely heavy and responsible and that you are faced with difficulties of a scientific, technical and legal character; but the fact that all countries send to this Commission their distinguished scholars, best experts and important business executives testifies that there is a most sincere desire to overcome these difficulties by international co-operation and by pooling the scientific efforts of all countries.

I am convinced that the International Whaling Commission will no doubt be able to overcome these difficulties in the spirit of mutual understanding; and that its work will bring fruitful results for the benefit of all mankind.

During many years of its activities the Commission has ably combined the principle of freedom of the seas with the tasks of whaling regulation; it has accumulated considerable experience and this will help you to broaden and consolidate the steps taken during all these years to preserve whales from extermination.

In this connection I should like to emphasise the great importance for the activities of the Commission, of pooling and co-ordinating scientific research and contributing in every possible way to its development.

Unfortunately, our knowledge is far from perfect as regards whales, their biology, their stock, their life-span, their breeding and migration; in other words, everything that is so vital for organising and regulating whale fishery on rational lines.

This, to a certain extent, handicaps the implementation of concrete measures to regulate whaling, and brings about a discrepancy in estimating the actual condition of the whale stock and consequently a divergence of views as to what steps ought to be taken. The accumulation of such knowledge will enable us not only to prevent the extermination of whales, but also to engage in whaling with minimum waste.

The co-ordination and promotion of scientific research is one of the honourable and principal tasks of the International Whaling Commission, and I believe it will be successfully accomplished provided scientific research is conducted in close co-operation among, and by the joint efforts of, all countries concerned in whaling.

Many scientists of various countries have done and are doing a great job in this respect; I am referring to Dr. Mackintosh, Dr. Ruud, Dr. Kellogg, Dr. Slijper and many other inderatigable and talented scientists who have made a valuable contribution to the science concerned with whales.

Whale fishery is one of the youngest in our country, and yet our scientists and young experts, Sleptsov, Arsenyev and others have conducted a number of valuable investigations.

I suppose that your personal contacts, the exchange of scientific information, and the discussion of further development of scientific research, will greatly contribute to the accumulation of knowledge without which, as I have already said, no rational whaling is conceivable.

Our scientists are willing to share the results of their research and, I have been told, they have prepared a considerable amount of scientific material for the benefit of their colleagues working in this field.

I believe that the Seventh Meeting of the International Whaling Commission, guided by the Whaling Convention of 1946, will make its contribution to the regulation of whaling.

Mr. Chairman, Gentlemen, I hope that not only your work will be a success, but also that your stay in Moscow, and later in Leningrad, will be pleasant. I should like to express my utmost satisfaction that the present Seventh Meeting of the International Whaling Commission has assembled in Moscow, the capital of our Soviet country, where we are able to accord our esteemed guests our warmest hospitality.

There is a saying here that good work should go hand-in-hand with good rest. Most of you, Gentlemen, are in the Soviet Union for the first time, and many things here will be of interest to you. It seems to me that you will get a sufficiently clear picture of our agriculture if you visit the U.S.S.R. Agricultural Exhibition. Excursions to the Moscow State University, the U.S.S.R. Research Institute of Marine Fisheries and the Zoological Institute in Leningrad will acquaint you with the system of higher learning and the organisation of research institutes in this country.

We for our part will do everything necessary to help you get a better knowledge of our country and our peoples, and we shall be very glad if you take away good memories of Moscow and of the Soviet Union.

Once more I wish you success in your great and useful work.

The CHAIRMAN: Thank you, Mr. Minister, for your kind words of encouragement, and for the generous hospitality that has been shown the entire Commission, so far, during this stay. Again let me thank you.

His Excellency Mr. ISHKOV: /Interpretation/: I wish you success.

/The Minister then left the Meeting/

The CHAIRMAN: We now come to the part of our Agenda that deals with the election of the Chairman and the Vice Chairman for a period of three years.

Since the term of my office expires at this time, do I have any nomination for Chairman?

Mr. R.G.R. WALL /United Kingdom/: Mr. Chairman, on behalf of the United Kingdom Delegation, I wish to propose that we invite Dr. Lienesch of the Netherlands to be our next Chairman. We feel that our present Vice Chairman would be a very worthy successor to you, Sir; and I am personally happy to propose the name of Dr. Lienesch.

The CHAIRMAN: Is there a seconder? Mr. Jahn of Norway seconds the nomination. Are there any other nominations? If not, the nominations are closed and if we can take a voice vote we can expedite matters. All in favour please say "aye", those opposed "no". I hear no "noes", so Dr. Lienesch has been duly elected Chairman. Can I have a nomination now for Vice Chairman?

Dr. G.J. LIENESCH /Netherlands/: Mr. Chairman, on behalf of the Netherlands Delegation, I should like to propose Mr. Wall of the United Kingdom as Vice Chairman of the International Whaling Commission.

The CHAIRMAN: Dr. Lienesch has proposed the nomination of Mr. Wall of the United Kingdom as Vice Chairman. Is there a seconder to that? Mr. Patterson of Australia seconds the nomination. Are there any further nominations for Vice Chairman? If not, I declare the nominations closed, and all in favour please say, "aye", those opposed "no". It is carried unanimously.

/At this point Dr. Lienesch took over the Chair/

The CHAIRMAN: Gentlemen, I would like in the first place to thank you for the honour you have done me by electing me unanimously as Chairman of this very distinguished Commission. I must confess that it seems rather a heavy task to me as I am not so well acquainted with the English language as my predecessor, our well-known Chairman, Remington Kellogg.

I think on behalf of the Commission I should thank Dr. Remington Kellogg for the excellent way in which he has conducted this Commission in the previous years. We have had rather a difficult situation in this Commission, being a somewhat young body, and the question is not yet settled. Of course in the early years of such a body you always have to make up your mind again every year; but I earnestly hope that by now we have survived the most difficult years-- which will certainly make it easier for me as Chairman, but that is one thing that I have to realise for the coming years. If I do not grasp what is going on I hope you will forgive me sometimes when I make mistakes owing to some gap in my knowledge of English.

Nevertheless, I very much appreciate the fact that you have elected me and I will reply to the best of my ability.

The Russian Government have made wonderful arrangements for us here. Everything looks very well which makes it very convenient for me in this wonderful building and this wonderful room. If everything goes as it has up to now, we shall achieve a very good end for this meeting and perhaps go home more or less content with the results. We will wait and see.

I am very glad that Mr. Dobson can assist me. He has a great deal of experience in these activities; and when the Chairman does not know the way out, I hope the Secretary will give me the support I need to survive the difficulties.

Thank you very much.

I think the best thing now is to go back to the next item on the Agenda, which is "Opening remarks by the Chairman and outline of arrangements for the meeting."

You will have seen that we have a good deal of entertainment to enjoy, but I hope that there will still be sufficient time left for the meeting. However, in my view, this will mean that the Plenary Sessions will be rather short and a good deal of activity will go on in the three Committees which we have to elect, the Scientific, Technical and the Finance Committees. The Finance Committee is set up according to the Rules of Procedure by the Chairman, and I understand it is one of the things we have to set up first. On the other hand, perhaps it would be better to call for the Scientific and Technical Committees as has been usual in previous years and then there will be some time left to think over who the Finance Committee will be. I should like the Secretary to make notes about the polling and I would like to go round the table for that.

I missed a point, the Formal approval of the Agenda. The Secretary would like to make some remarks about the papers on the table.

The SECRETARY: Mr. Chairman, I am very anxious that all the members attending this conference should be quite clear about the papers which have been circulated and, owing to the rather late arrival of some of them, and the necessity of sending them out to members in order that they might get there before this meeting, one or two of them are still outstanding; but I should like just to mention to you - and you will tell me if I am wrong - that if any member finds he has not got certain papers I would like to know of it at once.

Thirteen numbered documents have already been circulated and there are three more which are now being typed which will be distributed as soon as they are ready. But, as always happens, we are indebted to various members of Delegations for papers which have not been circulated to the Commission before this meeting. I would like to remind you that there are now laid round the table several papers which I will mention: there is one on "The Use of Size Limits for Fin Whales in the Regulation of Whaling" by Dr. Slijper and Mr. Drion; there is a paper, "Some Remarks on the Stock of Fin Whales in the Antarctic" by Mr. E.F. Drion and Dr. E.J. Slijper. There is a document which the U.S.S.R. have very kindly circulated about the Fisheries of the U.S.S.R. - that is the blue volume - and finally, there is a very beautiful book on Moscow which contains some very beautiful pictures, that is the large red folder which is round the table.

There is only one other point. I do not wish to confuse you, but it would greatly help me. There is, among the papers circulated, one entitled "An International Symposium on Whale Research Problems" by Johann T. Ruud. I think that was the last paper we were able to get out into the hands of members before they reached Moscow. I should be very grateful if those who can find that paper quickly would write on it 'Document XV' because it is one of our numbered documents.

Then there is a paper which has been circulated to the Commissioners entitled "International Whale Marking Scheme". That also does not bear a number, and I should be grateful if you would help me by writing on it 'Document XVI'. I think if you do that we shall find ourselves easily acquainted with the various documents.

Now, Mr. Chairman, I have nothing more to say on that point; I will circulate the new documents that you have not yet seen and certain revisions of existing documents as soon as possible.

I cannot say anything with regard to the arrangements of this conference just at the moment. The U.S.S.R. are very kindly giving us a list of entertainments proposed and I think the simplest thing would be if you would allow me to read that out when I have it in my hand in a minute or two.

The CHAIRMAN: Thank you very much Mr. Dobson for your remarks to the Commission.

The first point we can settle then is the formal approval of the Agenda. Are there any comments about the Agenda? I take it everybody is in favour of the Agenda.

Mr. G. JAHN (Norway): There is something not on the Agenda that I sent round by Mr. Dobson. It is reference number AP VII, a circular to all concerned and it ought to be mentioned at this moment. It is a proposal from the Norwegian Government for the appointment of international observers. You have it with you, but I think it should be mentioned at this moment.

The CHAIRMAN: That is correct, Mr. Jahn. You contacted the Secretary about this proposal in April, I believe?

Mr. G. JAHN (Norway): Yes.

The CHAIRMAN: Then for the first time there has been some misunderstanding about putting this point in the Agenda. There was no written proposal at that time, but I believe that the Secretary made it clear that there has been this misunderstanding and he has taken notice of when you put this before him.

Mr. G. JAHN (Norway): It was sent from Norway on the 9th May.

The CHAIRMAN: The Secretary was away on duty, on other activities, and so there was an overlapping of time.

Mr. G. JAHN (Norway): I mentioned it only to be certain that it will be dealt with in one of the Committees here.

The CHAIRMAN: I will hand over to Mr. Dobson, if you do not mind.

The SECRETARY: Mr. Chairman, Mr. Jahn is quite right in raising this point: namely that the circular of 31st May, which contains an outline of his proposal, must be read as part and parcel of the Agenda. Therefore, when you approve the Agenda, as I hope you will at once, you approve it with that as an addendum.

I want to explain that I have considerable apologies to make on this matter. Clearly there was a misunderstanding, and I put the matter right as soon as possible. I am also, and I must be, held responsible for any lapse in the matter of the reception of this document. I mentioned just now that there were three or four documents being copied, one of them is a small memorandum which I have taken the liberty to prepare on Mr. Jahn's proposal as the result of my discussion with our legal advisers. It is quite clear that in asking you to approve the Agenda, the Agenda must be regarded as containing the circular dealing with Mr. Jahn's proposal.

The CHAIRMAN: Thank you very much, Mr. Dobson.
Is it agreed, Gentlemen?

Mr. BABAYAN (U.S.S.R.) (Interpretation): Mr. Chairman, would you please excuse me, but the Soviet Delegation would like to ask once more whether or not the Norwegian proposals as regards Observers are included in item (4) of the Agenda?

The CHAIRMAN: Thank you Mr. Babayan. Any other remarks gentlemen?

Mr. BABAYAN (U.S.S.R.) (Interpretation): Probably this is a result of mistranslation, but I would like to ask whether or not the Norwegian proposals are attached to item (4) of the Agenda?

The CHAIRMAN: Yes, Mr. Babayan, that is the idea and it means that they should form a part of the actual Agenda, they will be included in the formal Agenda.

Mr. BABAYAN (U.S.S.R.) (Interpretation): Mr. Chairman, the Soviet Delegation believes that inasmuch as the Norwegian proposals have been circulated with considerable delay they are not in keeping with the existing Rules of Procedure. We have been unable to acquaint ourselves with this proposal in detail to make a sufficiently thorough study of it, and I believe that other Delegates are in the same position. We therefore think it would be advisable to recommend the conference not to include these proposals as regards observers.

Thank you, Mr. Chairman.

The CHAIRMAN: Thank you, Mr. Babayan. The question Mr. Babayan has put before us has been explained by our Secretary and also by myself. There has been contact between the Norwegian Commissioner and the Secretariat of the I.W.C., but only a verbal contact. The written proposal for the Agenda from the Norwegian side was sent in time, but because of our Secretary's other duties he was not in his office when this letter came in, and so this delay has been more or less the result of overlapping. That is set up in the Rules of Procedure. I got the impression that nearly everybody had been informed by the Secretariat that this had happened, is that right, Mr. Dobson?

The SECRETARY: Mr. Chairman, I feel in view of the points raised by the U.S.S.R. that I should explain and, as we say in England, possibly stand in a white sheet, about exactly what happened with regard to this proposal. Mr. Jahn will no doubt put me right on anything I say that is not, in his view, correct. But Mr. Jahn came, with other Norwegian Delegates to the meeting of the Scientific Sub-Committee in the second half of April in London and, while he was there, I had the opportunity of hearing from him a proposal which I misunderstood. The proposal, as I understood it, was one which Mr. Bergerson had often raised with me in years gone by. It was that there should be an interchange of inspectors on the various factory ships, and

I understood that that was to be not recorded in the Convention or in the Schedule, but that it was to be a gentleman's agreement. As a matter of fact, immediately Mr. Jahn left London I prepared a circular which would have gone out just about the same time as the Agenda, referring to this proposal of Mr. Jahn's and it was all ready to go out to the Delegates. I then received a letter from Mr. Jahn asking me to postpone that circular because he wanted to send me the exact proposal he had to make. Now that was the unfortunate thing.

Mr. Jahn wrote to me on 9th May and I got this letter on 11th May, but there was no enclosure to it. What happened I do not know, but I did not attach very much importance to it because I had no idea at that time that what Mr. Jahn was actually proposing was a vital amendment of the Schedule. I had to leave for Copenhagen a few days afterwards, and to Copenhagen I went and was pursued by telegrams asking what had happened to this proposed alteration of the Schedule.

Now, Gentlemen, when I came back from Copenhagen unfortunately there was a rail strike in England and I could not get near my office for a week. I tried every way, walking and flying, but I live a hundred miles away and I could not get there. The result was that by the time I was able to circulate Mr. Jahn's proposal which ^{he} had by then repeated in a telegram it was 31st May.

You must hold me responsible and you have all the remedies at your disposal, but that was how there was a delay in sending this proposal out.

But I am bound to say in self protection, and Mr. Jahn will forgive my saying this, amendments of Schedule should have been in my hands by 27th March, and they were not in my hands apparently until 11th May, just before the sixty days began.

May I now make a proposal if it is within my competence? I hope very much that this proposal will not be rejected because of a technicality - you can put it down to a railway strike - and that the U.S.S.R. will allow the proposal to be referred to the Technical Committee, discussed there and reported back to the Commission. I hope that will be what takes place.

Dr.A. KODAKI (Japan) : I gather the Secretary proposes that this should be discussed at the Technical Committee and not by the Commission, not as a matter to be included in item (16), that is "Amendments to the Schedule". It is only to be discussed and deliberated by the Committee, is that the intention of Mr.Dobson?

The SECRETARY: That was my intention because I thought it should not be ruled out altogether.

Mr. G. JAHN (Norway): (Inaudible, microphone not working) ... We may raise many other points, but I should like to have discussion of this proposal in one of the Committees. Therefore, I ask the Russian Delegation to agree to taking that in one of the discussions and then you can say whatever things you have to say against it. It is only a question of whether we discuss it in substance or not.

Mr. G.R.B. PATTERSON (Australia): My point is just a small one. When the Secretary was speaking he referred to a discussion with me. I think he had his names confused rather, in mentioning that he had a discussion with me.

The SECRETARY: Mr. Jahn.

Mr. G.R.B. PATTERSON (Australia): Yes, you mentioned my name; I just wanted to make sure my name is not in the notes.

(N O T E: The name intended was BERGERSON
and not PATTERSON)

The CHAIRMAN: I think the best solution for the moment is that this question should be discussed in the Technical Committee, free of the formal Agenda. Or this can be raised under "Other Business" for discussion. As there is an objection from the Russian side on the formal point I believe we have to bear also in mind that this proposal was not sent in in due time, and we have to stick to the Rules as much as we can. But the question is an important one, and discussion in the appropriate Committee seems to me the best way of getting the feelings of this Commission on this question. Would you like to poll for this proposal?

Mr. K.E. BABAYAN /U.S.S.R./ /Spoke in Russian/
/Interpretation/:

We do not express our objections to the substance of the proposal submitted, but inasmuch as according to the explanation made by Mr. Dobson, and the Chairman's explanation, a misunderstanding arose here for technical reasons. But a fact remains a fact; the proposal came after a considerable delay. If we put it on the Agenda and discuss it in substance we are going to be faced, as we are now, with additional difficulties that will handicap our work. Therefore, the Soviet Delegation believes that it would probably be the right thing to do to regard this question as not being officially placed on the Agenda, but to discuss it in the Scientific and Technical Committees. I see no urgency in this matter and, therefore, it would be quite possible to postpone this matter till the next meeting of our Commission.

Thank you, Mr. Chairman.

The SECRETARY: May I just say a word in reply to the last speaker? What the last speaker desires to see avoided is this matter coming up as an amendment to the Schedule at this meeting. If it is out of time, it cannot be made an amendment to the Schedule, but I venture to suggest - I am not a lawyer - that this proposal by Mr. Jahn could have been put up at any time after the Agenda had gone out with the request that it might be included on the Agenda, but not with a view to amending the Schedule. If I am right, therefore, there is no reason why this matter, because it was sent out after sixty days, should not be discussed, but we cannot move it as an amendment to the Schedule.

Mr. F.H. CORNER /New Zealand/: My point is similar to that brought to our notice by the Secretary of the Commission. As far as I can discover in the Rules of Procedure laid down for the Commission there is only one Rule that would bear upon this subject, namely Rule 12, which says:

"No order of business which involves amendment of the Schedule to the Convention, or recommendations under Article VI of the Convention, shall be the subject of decisive action by the Commission, unless the subject matter has been included in the provisional Order of Business which has been circulated to the Commissioners at least sixty days in advance of the meeting at which the matter is to be discussed".

Therefore, since this matter, by various acts of God, has not been circulated sixty days in advance, it clearly

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cannot be the subject of decisive action at this meeting. Nevertheless, as I understand the Rules of Procedure, any matter can be placed upon the Agenda, even if I raised a matter now at this moment it could be placed on the Agenda if other Commissioners were prepared to discuss it. In this case I think the Soviet Delegation have, of course, raised an important point in that this is a very important proposal, they have not had time to consider it thoroughly and, therefore, it is a pity if it is brought forward for any very thorough discussion at this meeting. However, some Commissioners have probably had time to study this particularly question, and I for my part would find it most useful if it could be discussed in a preliminary way in the Committee and we could get the preliminary views of such Governments as have views upon it. Nothing can be done before next year, but these preliminary views given at this meeting would be a great help to me, and perhaps to other Commissioners when considering the matter over the coming year.

Dr. Remington KELLOGG /United States/: Mr. Babayan and Mr. Corner have raised consequential objections which I think are quite in order, that we cannot take any substantive action on this matter at this particular meeting of the Commission. Nevertheless, it is within the competence of either the Scientific or the Technical Committee to consider such matters or any matters that come before them. Nevertheless, in spite of the objections, I believe they will find it to their advantage to listen to informal discussions at one of these Committee meetings, because I believe that

certain points will come out which will be of interest to all concerned. But I think it should be borne in mind that the best legal advice that I have had, since our Government is the repository Government, is that we cannot take substantive action at this meeting.

Mr. R.G.R. WALL (United Kingdom): All I wish to say is that I would associate myself and the United Kingdom fully with what Mr. Corner of New Zealand has said, and I would hope that we could have discussion, though without any substantive action, at this time because of the legal questions. But I would think it helpful to have informal discussion in the Committees on the Norwegian proposal, and I would hope that Delegations generally would be able to accept that.

Mr. K.E. BABAYAN (U.S.S.R.) (Spoke in Russian)
(Interpretation):

The Soviet Delegation understands the statement made by Mr. Kellogg and we agree to take part in non-official discussion on this proposal.

The CHAIRMAN: I think, Mr. Babayan, that you agree with Mr. Kellogg's proposal. I think this settles the question for the moment and we can have full discussion in the Committees about this question. Then everybody can be content about the action taken on the point raised by Mr. Jahn. Is that agreed, Gentlemen? At the same time I believe that the formal Agenda is approved. Are there any objections? There are none.

Now we come to item (5) of the Agenda, "Appointments to Committees". First I would like to take the polling for the Scientific Committee.

Scientific Committee

Australia	- Mr. G.R.B. Patterson
Brazil	- Not present
Canada	- No nomination
Denmark	- Observer
France	- Dr.P. Budker
Iceland	- No nomination
Japan	- Dr.H.Omura
Mexico	- Not present
Netherlands	- Dr.E. Slijper
New Zealand	- Mr. F.H. Corner
Norway	- Prof.J.Rund
Panama	- No nomination
South Africa	- Dr.J.M. Marchand
Sweden	- No nomination
United Kingdom	- Dr. N.A. Mackintosh
United States	- Dr. Remington Kellogg
U.S.S.R.	- Mr. E.N. Pavlovsky

Technical Committee

Australia	- Mr. R. Moore
Brazil	- Not present
Canada	- The Hon.James Sinclair
Denmark	- Observer
France	- Mr. R. Acolas
Iceland	- No nomination
Japan	- Mr. M. Okai
Mexico	- Not present
Netherlands	- Mr. H.S. Drost
New Zealand	- No nomination
Norway	- Mr. G. Jahn
Panama	- Mr. R. Aleman
South Africa	- Dr. G.C.Scully
Sweden	- No nomination
United Kingdom	- Mr. R.G.R.Wall
United States	- Mr. Davies
U.S.S.R.	- Capt. A.N. Solyanik

The CHAIRMAN: According to the Rules of Procedure I would now like to appoint the following gentlemen to the Finance and Administrative Committee:

United States	- Dr. Remington Kellogg
Norway	- Mr.G. Jahn
South Africa	- Dr.J.M. Marchand

Dr. A. KODAKI (Japan): I thought that nominations for this Finance Committee were made by the Chairman; are these the names which you recommend to us?

The CHAIRMAN: Yes. Are there any objections? Do you all agree? Thank you very much, then that is the Finance Committee, Dr. Kellogg, Mr. Jahn and Dr. Marchand. We have now set up the three Committees.

(Conference adjourned for coffee.)

The CHAIRMAN: Will the meeting please come to order.

Perhaps I may make a few remarks with regard to the timetable. It is our intention to have a break at about a quarter to one and then this afternoon at half past two the Scientific Committee can meet and also the Finance Committee can meet. Perhaps it would be better still if the Finance Committee met a little earlier say at half past two and the Scientific Committee can meet at three o'clock. There will be a tea break again this afternoon about four. It is proposed that we go on until six. After adjourning the meeting there will be a party, you will have seen the list I suppose. Dinner will be after the party and there will be some transport between the Metropole Hotel and the Sovetskaya. I will announce later on when the next Plenary meeting will be held.

I should now like to deal with the Agenda to make clear which points are dealt with in the different Committees.

Mr. R. G. R. WALL (United Kingdom): May I ask, Sir, I was not entirely clear: does the Technical Committee meet this afternoon or only the Scientific Committee?

The CHAIRMAN: The idea is that the Finance Committee will meet a little bit earlier - about half an hour earlier - and that after that both the Technical and Scientific Committees will meet at three. The Technical Committee will meet in this room and there is a room upstairs for the Scientific Committee. Is that clear, gentlemen?

Have you all got the timetable of visits and entertainments for Delegates? That is your programme to live by. Thank you so much for that.

Now to go back to the Agenda: we have dealt with the first five points. Point (6) Finance. Have you all got document 1(A)? This will be handled by the Finance and Administration Committee this afternoon for consideration and recommendation.

Item (7) "Helicopters for killing whales", as the Commissioner of the United States has lost his luggage, it will be difficult to deal with this point at this moment. There is one copy that is being mimeographed now and I propose that we deal with this point later on when the report is available to everyone. This point can then be dealt with by the Technical Committee if you accept that.

Item (8) the "use of "Refrigerated" ship", Document II. That can also be dealt with by the Technical Committee for recommendation.

Item (9) "Report by the special Scientific Sub-Committee" also belongs to the activities of the Scientific Committee.

Mr. R.G.R. WALL (United Kingdom): And the Technical Committee, Sir.

The CHAIRMAN: Well, do you think that necessary, Mr. Wall?

Mr. R.G.R. WALL (United Kingdom): Item (9) you are now on, is that right? I certainly feel we should consider this report in both Committees.

The CHAIRMAN: I am in your hands, gentlemen. If you would like to have the report of the special Scientific Sub-Committee referred ^{to} both Committees I would of course agree to that. Mr. Wall of the United Kingdom proposes that this report should also go to the Technical Committee. Are you in favour of that?

Mr. H.S. DROST /Netherlands/: Mr. Chairman, I think that in Document 111 there are a few points which could also be discussed by the Technical Committee.

The CHAIRMAN: Well, Mr. Drost, I take it that the Technical Committee will also deal with the report of the Sub-Committee. /Agreed/ Thank you.

Item /10/ "The Review of the 1954/1955 Season's Catch". In the first place I believe that belongs to the discussion in the Plenary session, the next Plenary session.

Item /11/ "Question of the objections raised to certain of the amendments to the Schedule adopted at the Sixth Meeting. This is a point that also belongs in the first place to the activities of the Plenary session I believe. Perhaps we should keep it in mind for a moment while we just deal with the points of the Agenda to see what belongs to the Scientific and to the Technical Committee and then come back later on to some points left and then see if we can deal with it today in the Plenary session. Is that acceptable?

Then Item /12/ "Existence of other Bodies concerned with the Regulation of Whaling" Document V. That seems to me also to belong to the discussion in the Plenary session.

Item /13/ "Rules of Procedure - Amendments submitted by the Canadian Commissioner": Rule XVI to be rescinded and the following Rule to be substituted therefor: - The seat of the Commission shall be located in London, England. If this is accepted, the Commissioner will move the adoption of the following resolution: -

"That the Finance and Administration Committee with the Secretary be authorised to make arrangements for suitable office accommodation and any necessary stenographic and clerical help for the headquarters of the Commission".

Rule XVII to be rescinded and the following rule to be substituted therefor: -

The Commission shall hold a regular annual meeting in London, but the Commission may decide that once in three years the annual meeting may be held at such other place as the Commission may determine. Any Contracting Government, desiring to extend an invitation to the Commission to meet outside London in the third year, shall give formal notice thereof sixty days in advance of the meeting preceding that at which the meeting outside London is to be held. Attendance by a majority of the members of the Commission shall constitute a quorum. Special meetings of the Commission may be called at the direction of the Chairman after consultation with the Contracting Governments".

There is a note: "The Commission may wish to refer this proposal to the Finance and Administration Committee"

I should like to accept the proposal in this note. Is this agreed? /Agreed/ So we shall get the report in the next Plenary session.

Item /14/ "Infractions". This can, as usual, be referred to the Technical Committee.

Then in Item /15/ we get the "Report by the Finance and Administration Committee".

Item (16) is "Amendments to the Schedule as recommended by the Scientific Sub-Committee and otherwise."

Items (17) and (18) are the "Reports by the Scientific and Technical Committees" respectively, for a Plenary session.

Item (19) "Publicity Questions" can be a full discussion I suppose. Item (20) "Attendance at meetings of the Commission by representatives of Governments which have not ratified or adhered to the 1946 Convention" Document VIII. This is also an item for a Plenary session.

Then we get Item (21) "Draft Sixth Annual Report for approval" and Item (22) "Any Other Business" and, finally, Item (23) Date and place of next meeting. The question of the date might be taken by the Finance Committee, it is the same activity as for Item (13)

I think each Committee is now aware of the points they are dealing with. If there is any comment upon these proposals I should like to have it.

Dr. A. KODAKI(Japan): Item (16) "Amendments to the Schedule..." Do you mean that these several paragraphs should be dealt with by both the Scientific and the Technical Committees? Or would you divide these subsidiary items between the two Committees ?

The CHAIRMAN: As I see it, Mr. Kodaki, recommendations in the report of the Sub-Committee of the Scientific Committee and the report of the Sub-Committee will be dealt with in both Committees.

Any other remarks, gentlemen ?

Mr. H.S. DROST (Netherlands): Mr. Chairman, Item (16) of the Agenda, (a) up to (d) are indeed points for the Scientific Subcommittee, but not (e) and (f). (e) and (f) have not come up in the Scientific Committee.

The CHAIRMAN: That is quite correct, but as Item (16) will be dealt with by the Scientific and the Technical Committee that covers (f) also.

Mr. H.S. DROST (Netherlands): There is a small point I want to mention to the Commission. Sub-paragraph (e) there is written 'Paragraph 8(a)' whereas it should be '7(a)'

The CHAIRMAN: That is quite correct, Mr. Drost, thank you very much.

Then I would like to get back to the Agenda for the present session and I should like to put before the meeting Item (II) "Question of the objections raised to certain of the amendments to the Schedule adopted at the Sixth Meeting". Would anybody like to make any remark upon this point ?

Dr. A. KODAKI (Japan): I think Item (10) should be dealt with by the Plenary session. I hoped, Mr. Chairman, that you would propose that Item (10) should be dealt with first, "Review of the 1954/1955 Season's Catch".

The CHAIRMAN: You prefer to have the catch first ?

Dr. A. KODAKI (Japan): Yes.

The CHAIRMAN: It is up to the Secretary to speak on this.

The SECRETARY: I think I ought to remind the members generally that these figures which have been very kindly prepared for us by Mr Vangstein have only just been circulated, and it may be better to leave it till the next Plenary when Mr. Vangstein gives a verbal report on this rather than take it now.

The CHAIRMAN: Is that acceptable to you, Mr. Kodaki?

Dr. A. KODAKI (Japan): If you prefer to discuss item (10) at the next Plenary session.

Mr. E. VANGSTEIN (Norway): That is all right for me. I can take it now or at the next meeting just as you like.

The CHAIRMAN: The papers are just circulated for the members of the Commission are they not?

Mr. E. VANGSTEIN (Norway): Yes, it was sent to some of the Commissioners before they left for Moscow and some of the Commissioners have just got it today. But if the Commission likes I can go over it with you today, or at the next meeting.

The CHAIRMAN: I should prefer to have it at the next meeting. I think it would be better.

Dr. Remington KELLOGG /United States/: We may run into a traffic jam. I was wondering if it would not expedite the work of the conference if Mr. Vangstein is prepared to get that out of the way now and we can read the detailed report later. We are going to have a lot of work ahead of us.

The CHAIRMAN: Dr. Kellogg of the U.S.A. proposes that we take point /10/ first.

Dr. J.M. MARCHAND /South Africa/: I second that.

Mr. R.G.R. WALL /United Kingdom/: I would simply add, Sir, that if the Technical and Scientific Committees are to meet this afternoon I think it would help us if we could have from Mr. Vangstein now a first review of the Catch Results for last season. I think it might help at our meeting this afternoon.

Dr. A. KODAKI /Japan/: I agree with Mr. Wall that this should be dealt with first.

The CHAIRMAN: Thank you. Well gentlemen, I am in your hands if you prefer to get Item /10/ first it is all right with me.

May I then invite Mr. Vangstein to give his review, and please will he keep his eye on his watch so that we can adjourn on time this morning.

Mr. F. VANGSTEIN (Norway): The Bureau of International Whaling Statistics has, as in previous years, compiled some statistical material which has been distributed to the Commissioners. This material comprises whaling in fields outside the Antarctic in the calendar year 1954 and whaling in the Antarctic in 1954/55.

In respect of whaling in 1954 in fields outside the Antarctic the Bureau has not received the usual statistical returns from two companies which operated on the coast of Peru, two companies which operated on the Chilean coast, and a Spanish company. Moreover, particulars of the size of captured whales have not been received from a company which operated on the coast of Peru, from the Olympic Whaling Company in respect of sperm whaling off Peru, and from Spanish and Portuguese companies. Apart from this the statistics should, as far as the Committee knows, be complete.

A South-African, a Brazilian and a Faroese company which operated from land stations in 1953 did not resume activity in 1954. In 1953 these companies had an oil production of about 16,000 barrels. On the other hand the Panamanian company engaged in sperm whaling off Peru in the autumn 1954. A Japanese company commenced pelagic whaling with floating factory "Kinjyo Maru" at Kamchatka. A new Australian company commenced operation from a land station in East Australia. These companies produced in 1954 about 135,000 barrels whale and sperm oil.

In the provisional issue of International Whaling Statistics No. XXXV a table will be found on pages 8 and 9 which gives the catch oil production of the individual

expedition in 1954. In the table on page 28 the production or by-products is given with respect to the individual fields.

Assuming that the companies which have not sent in catch returns for 1954 had the same production as in 1953, the production in 1954 amounted to approximately 600,000 barrels whale and sperm oil, that is to say a rise in comparison with 1953 of about 148,000 barrels. The increase is due to the pelagic catch of sperm whales off Peru and the larger catch by factory ships in the Northern Pacific. On page 10 in the provisional issue a map is shown which gives the location of the several land stations and the field operations of the factory ships.

When it relates to Antarctic whaling the Bureau has this time received returns from all the companies, and we are very grateful for this. The material thereby becomes complete and we are saved a lot of extra work. If all returns from the companies are not available before the meeting of the Commission we have to compile a provisional survey, and this has later to be recast.

All the countries which took part in the pelagic operations in the Antarctic season 1954/55 have ratified the International Whaling Agreement. The chief provisions which applied to pelagic expeditions in season 1954/55 were:

The commencing date for the taking of fin whales was January 7, and for the taking of blue whales January 21. These are the latest opening dates hitherto practised in the Antarctic. The purpose is to protect the blue whales and at the same time obtain the largest possible yield.

It was permitted to take humpbacks in the area from 0° Longitude eastwards to 160° West in the period February 1, 2, 3 and 4.

The minimum size limit for fin whales was fixed at 57 feet as compared with 60 feet in the three previous seasons. The minimum size limit for blue whales was 70 feet, for sei whales 40 feet, for humpbacks 35 feet and for sperm whales 32 feet.

The maximum catch allowed was 15,500 units.

19 factory ships, 3 land stations and 254 catching boats took part in the operations. This is two factory ships more than in the previous season, "Olympic Challenger", which did not operate in 1953/54, resuming activity in 1954/55. In addition the Japanese sent out three factory ships, as compared with two in the previous seasons. The number of catching boats was restricted by voluntary agreement between most of the companies, and the average number of catchers per factory ship was 12.3. The catchers had an average tonnage of 511 gross tons and an average engine power of 1,933 I.H.P. As a comparison it may be mentioned that in the season 1934/35 the factory ships employed on an average 6.2 catching boats, and the average tonnage and engine power of the catching boats were then 245 gross tons and 894 I.H.P. respectively.

The whaling operations were called off on March 19, having lasted 72 days as regards fin whales and 58 days as regards blue whales. This is 4 days less than in season 1953/54, but it must be noted that the whaling fleet was larger by 2 factory ships and 27 catching boats.

Table 1 in the material distributed shows the catch of the individual expeditions and the production of whale and sperm oil last season. Table 2 shows the production of by-products. The catch of baleen whales in terms of blue whale units amounted to 15,324 units, but only 15,179 units were actually processed. The catch was about 180 units less than the permitted maximum, and the operations could have continued one day longer than the date fixed by the Committee of International Whaling Statistics.

As will appear from figure 3 in the material distributed, there was a very low catch in the last part of the season. Thus in the five last days the catch was 100 units lower than in the preceding five days. As regards figure 3 a mistake was made when the figure was drawn as the catch per January 8 is plotted as 742 units. This is, however, the result of 2 days' catch only and should therefore not have been included in the figure.

The pelagic expeditions obtained approximately the permitted catch. The time which was consumed was such as had been reckoned, and it may therefore be said that the operations last season were satisfactory. I believe, however, that there are many companies, perhaps the majority, which do not share this view. For the expeditions which operated in the eastern field I think the results must be considered satisfactory, but for practically all the expeditions which operated in the western and middle fields the results were not so good. One of the chief causes of this was the very low oil yield last season. The oil yield per blue whale unit fell by about 12 barrels in

comparison with the three previous seasons. This signifies a reduced production of 182,000 barrels. The greatest decline in the oil yield was in Area III, namely 17 barrels, and approximately 50% of the total number of blue whale units were taken in this field. In Area IV the oil yield was approximately the same as in the preceding season, but the yield in Areas II and V fell by 3 - 4 barrels.

In seasons 1948/49 to 1950/51 the oil yield varied between 116 and 119 barrels. In the three following seasons the yield rose by about 12 barrels. It was thought that the chief cause of this large increase was the later date for taking of baleen whales, the higher minimum size limit for fin whales and the improved processing equipment which the factory ships had gradually acquired. The opening day was, however, put still later last season, and the processing equipment was not poorer than formerly. The only factor which acted in an unfavourable direction, when it relates to the oil yield, was the lower minimum size limit for fin whales adopted in Tokyo in 1954. In 1953/54 Season 803 fin whales of less than 60 feet were taken, as compared with 2,339 last season. Thus there was an increased catch of fin whales of less than 60 feet to the extent of 1,536 animals. It is obvious that blue whale units consisting of small whales yield less oil than blue whale units consisting of large whales.

The average size of fin whales less than 60 feet was last season

57.5 feet and of fin whales of 60 feet and over 67.4 feet. Taking Mr. Ash's formula as basis, a fin whale of 57.5 feet should yield about 23 barrels less oil than a fin whale of 67.4 feet. The larger catch of fin whales of less than 60 feet has therefore presumably caused a production loss of 43,000 barrels. Adding this estimated production to the actual production the oil yield per blue whale unit will increase by about 2.8 barrels, but even then the oil yield would have been about 9 barrels less than in the three previous seasons. Thus there must have been other reasons for this low output last season. The whaling managers have, since their return, stated that the whales, especially in Area III, were very lean. Mr. Ash has in an article in the Norwegian Whaling Gazette for May 1955 concerning the oil yield on board floating factory "Balansen" stated:

"There are two obvious reasons, either or both of which may operate, for this remarkable leanness of the fin whale stocks in Area III this year. Either the whales arrived on the feeding grounds late or else the "krill" was not as abundant as usual. Information concerning the usual frequencies of krill sizes at different points of the whaling season is very meagre and the only evidence available is from the gross amount of krill in the stomachs of the whales taken. In this feature no variation from 1953/54 was noticed. The whales were however observed to have unusually attenuated tails early in the season, despite the fact that they were simultaneously putting on fat at their customary high rate. This suggests that the whales had arrived on the feeding grounds, in an emaciated condition, unusually late rather than there had been a failure of the krill supply early in the summer."

As regards blue whales, a total of 2,163 blue whales were captured by the pelagic expeditions, which denotes a decline relatively to the previous season of 521 whales. The catch of fin whales rose by 892 to 25,878. Of humpback whales there were taken 493. For two seasons the taking of humpback whales has been restricted to four days, instead of the arrangement with a maximum catch of 1,250 humpbacks which was in force in the seasons prior to 1953/54. In these two seasons the catch of humpback whales has amounted to 594 and 493 animals respectively, that is to say considerably less than the 1,250 animals under the previous arrangement. Of sperm whales there were captured about 5,700, which marks an increase of some 3,000 relatively to the previous season. The land stations on South Georgia captured 13 blue whales and 2,746 fin whales, among other species. The total catch of blue and fin whales in the Antarctic in season 1954/55 amounted therefore to 2,176 blue and 28,624 fin whales. Apart from the war seasons this is the lowest figure for blue whales since season 1919/20 and the highest catch of fin whales in the Antarctic since whaling commenced there. Since whaling began in the Antarctic approximately 320,000 blue whales and approximately 434,000 fin whales have been captured. In the course of the last 8 seasons 181,000 fin whales have been taken.

In the seasons prior to 1937/38 the blue whale bore the chief burden of the catch, but the fin whale has long since taken over this position. Since the middle of the 1930 decade there has been a steady fall in the number of blue whales caught,

both absolutely and relatively to the number of captured fin whales. Whereas the blue whale in seasons 1931/32 to 1933/34 formed about 80% of the combined blue and fin whale catch, last season it formed only 7.7%. This does not of course furnish a correct view of the stocks of blue whales formerly and now, because the blue whale, according to our information, makes its appearance relatively more frequently than the fin whale in the Antarctic spring months. As the opening day for pelagic whaling has since the 1930 decade been constantly moved to a later date, the blue whale has been relatively better protected than the fin whale. Last season the opening day for blue whale hunting was January 21, which is the latest opening date ever practised. To get a better basis of comparison we have therefore calculated what percentage the blue whale represents of the combined blue and fin whale catch in the period January 21 to March 5 in all the seasons since 1931/32. These dates have been chosen because they represent the latest opening day and the earliest closing day for the taking of blue whales. During the said period the blue whale catch last season amounted to 10.7% as compared with 12.8% in the preceding season. In the seasons subsequent to 1931/32 the blue whale amounted in the said period to about 50%. I draw attention in this connection to tables in the material distributed. This table shows also the blue whale catch in the said period in respect of each single area. In Area 11 the blue whale catch rose from 7.9% in 1953/54 to 15.1% in 1954/55. There was also an increase in the catch of blue whales in Area V from 7.9 % to 21.2 %.

On the other hand there was a big drop in the blue whale catch in Areas III and IV.

The average size of the blue whales taken by the pelagic expeditions last season was 77.8 feet, that is to say a decline of 0.2 feet compared with 1953/54. The average size of the fin whales was 66.5 feet, that is to say a decline of 0.6 feet. This is due to the lower minimum size limit of fin whales. The average size of fin whales of 60 feet over was 67.4 feet last season, which is the same average size as in the preceding season. Of the total catch of fin whales, 27.3 % were immature, as compared with 21.9 % in the preceding season. This is partly due to the lower size limit for fin whales last season. In seasons 1946/47 to 1950/51, however, the minimum size limit was 55 feet, and the proportion of immature animals then varied between 14 and 24 %.

Of undersized animals there were taken by the pelagic expeditions last season 79 blue, 373 fin, 6 humpback, 2 sei whales and 1 sperm whale. The land stations on South Georgia captured 19 undersized fin whales. Since the minimum size limit for fin whales was raised from 55 to 60 feet the capture of undersized whales increased considerably. In seasons 1946/47 to 1950/51 the catch of undersized whales amounted to 0.1 to 0.6 % as compared with 2.4 to 3.3 % in the seasons when the minimum size limit was 60 feet. Last leason the proportion of undersized fin whales was 1.5 %. Outside the whaling season 1 blue, 12 fin and 5 humpbacks were captured in the closed area.

Similarly to previous years we have compiled tables which show the catch and oil production per square of 10° and per area. I draw attention here to the graphs accompanying the material distributed. These show the catch and number of catcher's day's work per 10° longitude sector. As in the four preceding seasons, the greatest whaling activity took place in Area III. Approximately 50% of the catch of baleen whales was caught in this area. In Area II approximately 3,000 units were taken, but of these about 2,300 units were taken between 20° West and 0° . Between 20° West and 60° East the catch last season amounted to about 9,400 units, which represents about 62 % of the total catch.

The catch of blue whale units per catcher's day's work was 0.91 units last season, as compared with 0.98 in the previous season. The average catch was lowest in Area II, namely 0.77. In Area III it was 0.87 and in Area IV and V 1.13.

This was a short review of the whaling activity and catch results in the Antarctic season 1954/55 and the summer operations 1954. The Commissioners will, however, find in the material distributed more exhaustive information.

The CHAIRMAN: Thank you so much, Mr. Vangstein, for the splendid short review. I should like to give a further vote of thanks to Mr. Vangstein for explaining it as he has on behalf of the Commission.

Is there any need for any comments at this moment? I do not think so because it is just not from the press. If we can get back to it in the next Plenary Session, then there will be sufficient time if somebody wishes to make any remarks. Information will be furnished in a short time. I much prefer the way you did it, Mr. Vangstein, and I am speaking on behalf of the Commission when I thank you once again.

As we still have some time left before we adjourn, I should like to deal with another point on the Agenda, and thus save time for a fuller discussion on whaling. I should like your attention for item 19 of the Agenda, "Publicity Questions." I think we can deal with this before adjourning.

May I ask Mr. Dobson to say a few words?

The SECRETARY: If you will look at the Seventh Meeting, Document VII, you will see that I have supplied a short note with regard to the question of publicity. You will be aware that at previous meetings of the Commission we have not admitted the press at all, except at the opening speech by the Minister at the first Plenary Meeting, as this morning. But we have always issued at the end of the meeting a short press notice; I think this has been very much

sought after by the press at the end of the meeting. However I have always thought that it has been an unsatisfactory document, because we cannot say really anything very detailed as to what we have done, for the simple reason that where we have amended the Schedule, or propose to amend the Schedule, we cannot say what we have done because it does not come into force until it has gone through the procedure of 90 days' deposit with the various contracting governments. So that after the meeting we cannot really tell anybody at large what we have done except in the most general terms.

Now the suggestion here is that in future we should issue a rather fuller press notice, even if we have to divulge that we may have altered the season from the beginning of say January, or whatever it is, but adding the caution that, of course, none of these amendments to the Schedule can come into force until they have gone through the procedure and, therefore, it must not be assumed that they are in operation. That is the first point that I want to put in order to receive the Commission's instructions.

Now the second point is one which perhaps I may just read from the document: "Secondly there is a subsidiary point, namely whether there is any objection to any Contracting Government reproducing in the journals of its own country the contents of any papers circulated at a Commission meeting. It is assumed that there is none, although strictly speaking the documents circulated at a Commission meeting must be regarded as confidential to those to whom they are circulated."

Mr. Chairman, those two points are just put to the Commission: namely, first may we prepare a rather more extensive press notice at the end of this meeting, which, of course, would be done by myself subject to your approval; and secondly, whether it is understood that a contracting government may publish the contents of any paper circulated at this meeting in the journals of its own country. Those are the two points upon which I should like the Commission to give me instructions.

The CHAIRMAN: May I ask the Commissioners if they have any additions or remarks to make on the questions put before the Commission ?

Mr. G.R.B. PATTERSON (Australia): On the question of the documents that are to be published, do I take it that the Secretary would be given the task of deciding what documents should be published ?

The SECRETARY: I think I can only answer Mr. Patterson's point by saying that I was not looking for any responsibility of deciding personally this matter, but it would be a general understanding that a contracting government might say, "Here is the document that has been circulated to this Commission, it is very interesting and we might publish it". But I was not seeking a task for myself to decide what should be done.

Mr. G.R.B. PATTERSON(Australia): No, that was not meant either, Mr. Chairman, but I think the task of deciding which

documents should be left in somebody's hands.

The CHAIRMAN: Mr. Patterson is asking which documents are acceptable for publication if they are in the hands of the Commissioners. I got it from the Secretariat that the idea behind this is that every Commissioner or every government should decide upon this point themselves. If they are in favour of publishing a certain document, they should do so if there is agreement upon this action in the Commission. This is a question for the Commission to deal with.

I should like to call on Mr. Kellogg of the U.S.A.

Dr. Remington KELLOGG (United States): The point I wish to make is that there are certain documents that have been given to us that deal with scientific research. Ordinarily it is not considered in good form to release the reports of research before they are published by the individual. These reports are frequently given to us for our guidance. I do not think that we should agree to their publication in advance of the publication by the sponsoring organisation.

The CHAIRMAN: Thank you, Dr. Kellogg.

Dr. A. KODAKI (Japan): Mr. Chairman, although I agree with Mr. Kellogg, it would be better for the Commissioners if the party who is to distribute such a report specifies whether this should be treated as confidential, not good for publication, or not; handling would then be so much easier. I know there are some documents which are very useful for the public if they are published in the paper. I think the documents are in two categories. When a Commissioner gives a report to this meeting he should decide whether it would be all right for publication or not.

Dr. N.A. MACKINTOSH (United Kingdom): There is in paragraph 37 of the Scientific Sub-Committee's report a point made, which is very much what Dr. Kodaki said; they recommend that scientific memoranda should be regarded as confidential unless otherwise agreed with the author. That was our point of view about that particular point.

Mr. H.S. DROST (Netherlands): Mr. Chairman, if we can see that there are two different kinds of document - confidential and non-confidential - it would be advisable in future if a member of the Commission produces a documents which he thinks is confidential, that he should mark it on top of the document, and that document should not be produced for the press.

The CHAIRMAN: I should like to make one remark: the most attractive documents for the press are the confidential ones; that is the danger in it, Gentlemen. However, I agree more or less with Mr. Drost; I think the point put before the Commission has some value. The press notice we are issuing now is not very attractive for the press. Everybody makes his own mind up as to what is going on in the Commission. We are not a secret organisation, I believe. We are dealing in the interests of mankind, so I am in favour of fuller press information than we have given up till now.

This is a problem that we have to solve. In my opinion, it would be better to give a fuller press notice, and if some government or some Commissioner is of the opinion that this paper for the Commission is worth publishing in the press he can do so.

If he thinks it is an ordinary contribution in the scientific field, that ought to be dealt with in the normal way for scientists, between themselves. No official publication of this paper is necessary.

To my mind it is a matter of opinion whether we as Commissioners should give some fuller information. We are quite aware of the 90 days' notice to be given by the governments and if papers are to be produced that are worth being given publicity, it seems to me up to the governments or Commissioners themselves to give fuller information to the press, if you think that is all right.

Dr. Remington KELLOGG (United States of America): Is it not true that the press release will be available to the Commissioners before it is finally approved? If this press release contained material which they did not consider suitable, it could then be deleted.

The CHAIRMAN: By the press ?

Dr. Remington KELLOGG (United States of America): No, by the Commissioner before it goes to the press.

The SECRETARY: The answer to Dr. Kellogg is that when we are able to produce a drafted press notice and that is shown to the Commission at large, but it has not always proved possible to do so because things are done in rather a hurry at the last moment. When it is possible we show it to the Commission as a whole.

What I am suggesting now is that, in drafting that press notice, I should go a little further afield than I have in previous press notices.

Dr. Remington KELLOG (United States of America): The point I want to raise is that the Commission will have a chance to see the press notice themselves.

The SECRETARY: I hope so.

The CHAIRMAN: I have the idea that the press notices that have been prepared up till now have been quite incomplete, and the idea behind this is to disseminate more information than we have done up till now.

Mr. G. JAHN (Norway): I think it is right to give as much information as possible. We are working here for the public, not for ourselves. I quite agree with the Secretary that we should draw it up as large as possible, but if it is possible, we should very much like to see it beforehand as we do in all international assemblies when we publish anything.

As to the second question, some of these papers are more or less the property of the man who wrote them. He has the right to publish them, of course, including scientific papers, and we should not take and publish a paper without asking him about it, whether he thinks it is right for publishing in the press or in a scientific review, and so on. We cannot do that; no government can do that.

The CHAIRMAN: Thank you, Mr. Jahn, for your contribution to this discussion.

Mr. R.G.B. WALL (United Kingdom): On the first point, Sir, I should like to say that we very much agree that there should be a fuller press notice, and I would endorse all that Mr. Jahn has said on that point. It avoids misrepresentation and misunderstanding; it also accords with the practice of other fishery conservation bodies that I know, and appears to give rise to no difficulties in practice.

On the second point, Sir, I should like to be a little clearer. Are we discussing simply the question, whether scientific papers should be given publicity? What about the statistical material - for instance, what Mr. Vangstein has just given us? I am not sure what is the position about giving that publicity. Are these data made public? If not, should they be?

Mr. G. JAHN (Norway): They are always published; they always should be.

The CHAIRMAN: Mr. Jahn, you say they are available?

Mr. G. JAHN: Yes.

The CHAIRMAN: Well, I think that covers the question.

Mr. F.H. CORNER (New Zealand): We would agree to the desirability of having a fuller press notice, including amendments made to the Schedule or recommended at each meeting of the Commission, with the proviso in the press notice that the amendments do not come into effect until after a certain period.

As to the publication of scientific and other papers presented to the Committee, I wonder what is the best channel for clearing publication of a particular paper. For instance, I have in front of me now a paper - the first one I pick up - by Mr. Drion and Dr. Slijper; say my Government wished to publish this particular paper in a Government scientific journal, it could either communicate with Mr. Drion and Dr. Slijper and ask their permission in advance, or it could communicate with the Netherlands' Minister and ask him if he could arrange the clearance with his own nationals. I wonder if it is a possibility that any government wishing to publish should make its clearance through the Commissioner whose national has written the particular paper.

A third point I wish to raise is in connection with the actual proceedings of the Commission. That is not referred to in the Secretary's proposal, but is there any reason why the minutes of Plenary meetings should not be available to a press man who wished to look through them and write an article based on them, or do we wish to keep all the actual proceedings confidential?

THE CHAIRMAN: I should prefer to accept your first idea, that we get the information through the Commissioners of the Commission.

I am not so much in favour of the activity of the press in the papers on their own responsibility. There is always a lot of misunderstanding between the press and people who have written something. It seems to me to be much wiser, if other countries do wish to publish some papers by scientists of the Commission, that it should be done by means of contacting the Commissioner; it is then settled much better.

Do you agree with that, Gentlemen?

Dr. N.A. MACKINTOSH /United Kingdom/: I am not sure myself, but I would rather have thought that where scientific papers are concerned it would be simpler to get into direct touch with the author of the paper.

The CHAIRMAN: That will be the effect of this activity through the Commissioner, but then you have more or less centralised the possibility of getting the contact. I believe that a Commissioner who gets a request for the publication of a paper will just go to his scientists and say, "Well, there is a request from New Zealand on behalf of the Commission, please deal with it". I think that will be the normal way.

On the other hand, there can be a change of scientists sometimes. In my opinion, it would then be better for the man who wants the information to follow one course of action rather than to more or less go his own way. I would prefer making contact through the medium of the Commissioner even if it is a scientific paper. It is not a question of hiding the scientist behind the Commissioner, but it would be better to do it this way from the point of view of administration.

Dr. N.A. MACKINTOSH (United Kingdom): I do not want to press the point, Mr. Chairman. All I have in mind is that a scientist, when he is drafting any paper on scientific subjects, should not have the feeling that it may perhaps get out of his hands, because it might affect what he says. If he feels sure that he will have the last word as to when and in what form it will be published he will feel freer to write what he wants to say.

The CHAIRMAN: I should say that the feeling behind this discussion is that we are in favour of a wider publicity of the activities of the Commission. That is the first point, which we all accept and are agreed upon.

The second point is what to do with the special papers of a scientific or a technical nature. If there is interest in a special paper of a special scientist or technician, let the country concerned get into direct contact with the Commissioner of the other country where the scientist is staying and is working. That Commissioner will meet the scientist or the technician to get the right publication and also the right contact. I fully see your point and I do not believe any Commissioner round this table would like to be in a position of causing the scientist to be out of order with regard to the publication of his contribution. I believe you are very careful about the position of scientists and I fully appreciate that, but from our point of view I believe we can agree with you that the scientist has the most direct interest in this kind of publication, so he will be contacted directly on this matter.

The SECRETARY: Mr. Corner raised a question; I do not want to prolong the discussion, but I do regard the Plenary minutes of this Commission as confidential documents. If a country wants to give the information contained in them to a member of the Press, that is what I am asking you to allow him to do. But I do regard them fundamentally as confidential documents.

Mr. F.M. CORNER (New Zealand): I was only concerned, Mr. Chairman, to see the exact limits of the proposal and to see which documents were covered and which were not.

Mr. R.G.R. WALL (United Kingdom): I would like to add my voice to the fear of any proposal that the minutes of Plenary meeting should be made available to the Press. One cannot be sure from time to time what may appear in the minutes of Plenary meetings, and I agree with the Secretary that they should be confidential to the Commission.

Mr. F.M. CORNER (New Zealand): The minutes of such important bodies as the Security Council are made public. I doubt whether in comparison the minutes of the IWC contain a great deal of confidential material which could not be made available to qualified workers. I think one should not worry too much about that, but this is a matter for the Commission to decide.

(The Secretary confirmed the arrangements with regard to the Committee meetings)

Mr. K.E. BABAYAN (U.S.S.R.) (Spoke in Russian)
(Interpretation): Mr. Chairman, Gentlemen, I hope you will excuse me for keeping you for a moment. Before having a break I want to convey to the Delegates the wish of the Minister of Fisheries of the U.S.S.R. for a successful conference. The Minister also wishes to present you with this atlas of the fish of the U.S.S.R. This work will be a pleasure to you; you will see it in the hall.

Thank you, Mr. Chairman.

The CHAIRMAN: Mr. Babayan, thank you very much for the wonderful present you have just offered to the Commissioners round the table. Those who do not yet know the contents of this atlas will be surprised about the fisheries industry. This has been printed and put together here in the Soviet Republic. It is a wonderful book of enormous value, and it will always be a reminder of this meeting. Whatever the success of the meeting, your success is already assured by the presentation of this wonderful atlas. Thank you very much indeed for your present.

The meeting is now adjourned until further notice.

(The Conference adjourned for lunch)

DOCUMENT XXI-B

THE INTERNATIONAL WHALING COMMISSION

SEVENTH MEETING

MOSCOW, JULY 1955

P L E N A R Y S E S S I O N

Wednesday, 20th July, 1955

In the Chair: Dr. G.J. LIENESCH

SEVENTH MEETING
DOCUMENT XXI-B

INTERNATIONAL WHALING COMMISSION

SEVENTH MEETING HELD IN MOSCOW

Plenary Session
Wednesday, 20th July, 1955

In the Chair: Dr. G.J. LIENESCH

The CHAIRMAN: Gentlemen, the second Plenary session is now open. This meeting has to deal with a few points on the Agenda that we can settle, because they have not been put before the Committees who are now active. But before dealing with these points on the Agenda, I should like to give Mr. Pavlovsky the opportunity of speaking to you for a moment.

MR. E.N. PAVLOVSKY (U.S.S.R.) (Spoke in Russian) (Interpretation): My esteemed colleagues, it is my great regret that I shall not have the opportunity of taking you to Leningrad where you will be able to acquaint yourselves with the Biological Institute of the Academy of Science. My colleagues will welcome you there, and I am sure they will be very attentive and show you everything you wish; but in order that you may have a better impression of our Institute I am giving you copies of this "Soviet Union" where there is an illustrated article on the Zoological Institute of the Academy of Sciences which deals with the work after World War II. I would have been glad to give each Delegate a copy, but it has already been sold out, so that with great difficulty I am only able to give each Delegation one copy. I hope you will get a full impression of our Institute. I shall, so to speak, greet you by correspondence over there.

The CHAIRMAN: Thank you very much, Mr. Pavlovsky for your kind gift to the Commissioners and Delegations; and thank you very much indeed also for your kind words to us.

Now Gentlemen, I should like to say how very welcome His Excellency the Ambassador of Mexico is to this meeting. He has been interested in whaling for some years since the time he was in London, and we are very glad he has the opportunity of being here as the Commissioner for Mexico.

His Excellency the AMBASSADOR OF MEXICO: Thank you very much.

The CHAIRMAN: Then Gentlemen, I think we can deal with the question of the announcements by the Secretary, and I call for your attention please.

The SECRETARY: Gentlemen, I would call your attention to two documents which are laid upon the table this morning, and which I hope you have all received. One is a copy of Document X, as revised, that gives you a list of members which I hope is now up to date, except that we have not yet been able up to now to record the presence of the Mexican Ambassador. The other is a revised list of documents /No.XI/. I have taken the liberty on this occasion of preparing a revised list of documents right up to the end of the conference. It may be that one or two further documents will be prepared, but I thought it would be convenient to all the representatives to know that even the Report of the Technical Committee, which is not yet out, has its place as number XIX, and so forth.

Now Gentlemen, the other very important matter which I have been asked by the Soviet Delegation to announce is in connection with the Leningrad visit by train on Sunday night, 24th July. You have already indicated to me by correspondence that you either wish or are not able to go on that expedition, but the Soviet Delegation are now making the final preparations and you will understand that it is absolutely essential for them to have all the details correct. Now Gentlemen, I have put on the table here, one before Mr. Vangstein, one before Mr. Patterson and in the hands of Mr. Drost, a brief form which it is the wish of the U.S.S.R. Delegation that you should fill in, it is very simple: in the left-hand column I ask you to put your name, and in the second column your Delegation. That will indicate that all those names that are in the two columns are intending to go Leningrad. The third column is the date on which you are proposing to leave Leningrad for home. In the last column you are asked to put the date on which you are returning to Moscow if you are not going straight home from Leningrad. I would ask those four gentlemen to pass the forms round that way and this way and, if you would fill them in, I shall be able to give them to Mr. Babayan who I know wants to have them as soon as possible.

I am desired by the Canadian Commissioner to announce that there will be a reception by the Canadian Ambassador to the U.S.S.R. on Friday, 22nd July from 5 7 p.m. The timetable that you already have shows a theatre entertainment for Friday evening, but this kind invitation by the Canadian Ambassador will not interfere with that. Individual invitations are being issued and it is hoped that transportation to and from the Embassy can be arranged.

The CHAIRMAN: I think Gentlemen we can now deal with the Agenda questions, and I would like to call your attention to Item /11/ the "Question of the objections raised to certain of the amendments to the Schedule adopted at the Sixth Meeting" I should like to call upon Mr. Wall of the United Kingdom to say a few words about this.

Mr. R.G.R. WALL /United Kingdom/: Mr. Chairman, I think I should first say that one part at least of this item has been under consideration in the Technical Committee and will figure at least briefly in the report of that Committee. Would you wish me to speak to the matter in advance of the Technical Committee's Report? It was the Norwegian Delegation which brought up the North Atlantic blue whale position.

I wonder in short, Sir, should we await the Technical Committee's Report and, if not, would the Norwegian Delegation rather than myself wish to speak first to this matter.

The CHAIRMAN: We have not asked the Technical Committee to deal with this item on the Agenda as it stands here, so it has been left open for the Plenary to deal with it. I think in that way we should get some reaction on this item and see if there is agreement between the representatives of the United Kingdom and

of Norway so that if the Norwegian Commissioner would give us his views on this question in brief I should be grateful. May I invite the Norwegian Commissioner to give his views before the Technical Committee brings out its Report.

Mr. G. JAHN /Norway/: You know, Mr. Chairman, that Denmark and Iceland have abstained from adhering to the regulation which prohibits the catching of blue whales in the North Atlantic and, as I said in the Technical Committee, the situation is such that the stock of blue whales is almost exhausted in those waters. There are very few left. Denmark has the Faroe Islands and they have some whaling there, but none have been killed in the last two years. The number of blue whales killed in Iceland has gone down in recent years and, as far as I am informed, they have killed none this season.

The situation is that other countries, Norway and the United Kingdom, adhere to the Convention and thus it happens that the whaling companies off the coast of Norway are not allowed to kill blue whales but companies off the coast of Iceland and the Faroe Islands are allowed to kill blue whales. We have experienced very much trouble with our companies, but we have kept to the Convention in order to preserve the little stock there is there and in the hope that it may be possible for that stock to survive and multiply in the years when they are protected.

I therefore raised the question in the Technical Committee and proposed that we should underline this situation, and make a request

to the Danish and Icelandic Governments that they should take up their position once more and, if possible, adhere to the Convention from next year, that was what I said in the Technical Committee, and which I repeat, Sir.

The CHAIRMAN: Thank you very much, Mr. Jahn for the information on this situation. Are there any further remarks about this point?

Mr. P. THORSTEINSSON (Iceland): I just wish to explain that the reason why my Government objected to the proposition for blue whales in the North Atlantic was because they were not quite convinced that the stock had diminished to a dangerous point. The catch books show there were only four good catches of whales in Iceland - the catches have decreased since 1951, but that coincided with the fact that on two of the boats the catch was taken by inexperienced people, and the catch books show unusually many escapes of blue whales after that time. So when my Government objected last year it was because they were not convinced that the stocks had gone down too much. But I suppose they would certainly be ready to consider the question again before next season, so I do not object to the Norwegian Delegation's proposal.

The CHAIRMAN: Thank you, Mr. Thorsteinsson, on this question of the Icelandic viewpoint. Anyone else?

Mr. R.G.R. WALL (United Kingdom): I have listened with much interest to what has been said, both by the Norwegian Commissioner and by the Icelandic Commissioner. I do not want to prolong the discussion on this matter in view of what Mr. Thorsteinsson has said except that I feel I must put on record that the United Kingdom is in exactly the same position as Norway. We have accepted the amendment on the strength of the-- I think I may say unanimous--scientific advice of this Commission at Tokyo last year, and we therefore put this into force. Just as Mr. Jahn has been somewhat incommoded in his relations with the Norwegian industry, so Captain Salvesen and the British industry do not like what the United Kingdom Government have done in this matter because they are tied, and two other countries are not tied, over blue whales in the North Atlantic.

I have been encouraged by what Mr. Thorsteinsson has said in one way because we know the concern that the Icelandic Government always expressed for fisheries conservation and they have supported it, and, as there was such a unanimous scientific opinion about the real need for conserving what remains of the blue whale stock in the North Atlantic if it is to survive at all, we hope that the Icelandic and the Danish Governments will be prepared to accept the scientific opinion of this Committee and accept these measures as other countries have done, and we would certainly join in that hope with Norway.

The CHAIRMAN: Thank you, Mr. Wall. I believe we can come back to this in the next Plenary Session, but now we have inside

information about what we can expect from the Technical Committee's Report which was brought forward by Mr. Jahn when he gave his views. We have already heard that the Icelandic side are sympathetic and do not object to our getting any assistance from the Commission to review the question of whaling in the North Atlantic, specially with regard to blue whales. I should like to leave the question of Point (11) here, after this short discussion, and move on to another point on the Agenda.

Mr. R.G.R. WALL (United Kingdom): Mr. Chairman, before you move over to another item on the Agenda may I say that there is a North Pacific question under this same item. Could we deal with that?

The CHAIRMAN: That is quite correct, Mr. Wall. I do not believe there is any objection to dealing with it now, at this moment, if you like to speak on that to start with, Mr. Wall?

Mr. R.G.R. WALL (United Kingdom): Last year, Mr. Chairman, we adopted an amendment in Tokyo relating to blue whaling in the North Pacific, and the situation has now come to this, that the four countries which are interested in the North East Pacific, Japan, U.S.S.R., United States and Canada, have not found it possible to accept the amendment which the Commission adopted last year, while every other government which is not interested in the North Pacific at the present time has accepted the amendment. We now have what appears to us to be the rather absurd position that we have an amendment in the Schedule of

the Convention which has no application whatever and which the four countries mostly concerned have rejected. We think that we should consider appearances in that it is really undesirable to have amendments of that character in the Schedule. What we would like to propose ourselves, if we are in order, is that in one form or another the Commission should find means of scrapping the amendment which was made last year relating to the North Pacific. I think the situation now is that the position before last year was a better position than the one we are in at this moment.

Thank you, Sir.

The CHAIRMAN: Thank you, Mr. Wall for your clear explanation. Are there any remarks from any other Commissioner about this question? Does everybody fully agree on this proposal from the United Kingdom? It seems to be quite a sound idea to omit this amendment that does not work at all. It only makes it a little bit ridiculous that everybody agrees who is not interested at all and the countries concerned do not. I am very much in favour of taking the normal way of saying that we have to get rid of this amendment, and I think we can put this before the governments concerned to withdraw this amendment when we make proposals at the end of this meeting.

Do you accept this action? Then we are quite prepared to act in that way. Thank you very much, Mr. Wall, for the way you made the introduction to this point.

May we now come, Gentlemen, to another question left on the agenda which is not in the hands of the Committees,

Point (20), "Attendance at meetings of the Commission by representatives of Governments which have not ratified or adhered to the 1946 Convention." That is Document VIII.

There is, of course, a difference of opinion about how to act in this delicate situation, and I should like to get the views of the Commissioners around the table upon this situation.

Dr. Remington KELLOGG (United States): It is recognised that a rather anomalous situation is created when observer Delegations to Commission meetings are welcomed from countries party to the South Pacific Agreement and who have not only declined to ratify the Convention of 1946 but have created a whale conservation regime in derogation of the International Whaling Commission's programme. Nevertheless it is not believed by my Government that any useful purpose would be served by closing the door to observer participation on this account. It would appear that so long as non-participating whaling governments are permitted access to Commission meetings the possibility of their ultimate full membership is heightened. My Government favours a continuance of the policy of inviting observer delegations to Commission meetings.

Mr. G.R.B. PATTERSON (Australia): On this question of observers, at a previous meeting a motion was carried, at the instigation of the Australian Commissioner, that those nations who wish to send observers should be given twelve months' notice either to ratify the Convention and send delegates or

not to send observers to the Conferences. The following year the Australian motion was not in force and the observers were allowed to attend again, and at the 1954 meeting at Tokyo a considerable amount of time was taken up with representatives from some countries. It is the considered opinion of Australia that we should stress that notice be given to these countries that are observers that unless they ratify the Convention or contribute towards the cost to the Commission they should not be allowed to attend in future even as observers.

The CHAIRMAN: Thank you, Mr. Patterson. It seems that there are already two quite different views. May I ask for a third view please? Are there any further comments, Gentlemen?

Mr. K.E. BABAYAN (U.S.S.R.) (Spoke in Russian) (Interpretation): Mr. Chairman, Gentlemen, the Soviet Delegation also considers it necessary to state that our Government considers it possible to have observers present at the sessions of the Whaling Commission. I think it would be the best method of convincing them of the necessity to join the work of our International Whaling Commission and Convention. Thank you, Mr. Chairman.

The CHAIRMAN: Thank you, Mr. Babayan, for your contribution to these discussions.

Mr. G. JAHN (Norway): Mr. Chairman, all of us sincerely wish that the South American countries who are here as observers should adhere to the Convention; we hope that some

of them, at least, will do so. We have tried to convince some of them that it is for their own benefit to adhere to the Convention. But on the other hand, I cannot see any obstacles against their being here, learning more about the Convention and following it. If they are here, the result in the long run--and I do hope it will not be too long--may be that they will become more and more convinced that it is necessary. Therefore, I think we should be glad that they are present here, learning more and more of the necessity of being members of this Convention.

Dr. A. KODAKI (Japan): First of all, Dr. Kellogg and Mr. Jahn, of course I do not pretend not to understand the viewpoint expressed by the Australian Commissioner, but I should like to suggest a sort of compromise plan. Let them attend the Commission meeting, but explain to them the question of the cost involved. As a Commission we could request those governments who are not members of the Convention, but who desire to send their observers to the Commission meeting, to share the cost which is incurred by their attendance.

The CHAIRMAN: If I have got it right, Dr. Kodaki has proposed that there should be a financial contribution from the governments represented who are not members of this Commission.

Dr. A. KODAKI (Japan): I do not mean that they should pay the full amount, but this question should be thoroughly studied by the Finance Committee.

The CHAIRMAN: We could ask the governments, but I am rather doubtful that it will be possible. There are two sides to this question: you see, you either invite somebody or you do not, and if you ask your guests to pay you will be in an awkward position.

Dr. A. KODAKI (Japan): I do not think they are our guests at all. They desire to attend the meetings and they should certainly make a fair contribution to the cost. I do not think they are guests at all.

The CHAIRMAN: Are there any further comments on this question?

Mr. R.G.R. WALL (United Kingdom): Sir, may I start with a question? This matter is being raised, at least in part, on the grounds of expense, and the Secretary in his note says that a considerable amount of work is involved in complying with the requests of these countries for papers. When these countries send observers they pay the expenses of the observers in coming here. I take it there is no doubt of that. What is the scale of the expenditure which actually falls on the Commission? Is it really very heavy? Does it mean more than a certain amount of extra work and a certain amount of extra paper and postage? Has the Secretary any idea of what the amount might be in a year? I would imagine that it would be really rather small.

The CHAIRMAN: May I call upon the Secretary to make this quite clear?

The SECRETARY: The answer to Mr. Wall's question is that the sum involved by the whole Commission is a derisory one; therefore, the proportion that would be expended on observer countries who have not ratified is trifling and negligible.

I put this matter on the Agenda with the consent of those to whom it was sent in draft because I thought, with a new Chairman, it was appropriate that I should remind the Commission of this practice. I only wanted to be quite clear that I was intended to continue the practice. I am bound to say that one of the difficulties in the offices that we have is that we have to wait a very long time for any reply from these observer countries as to whether they are or are not coming, and it is not infrequent that they appear at the last moment, without having given any notice saying that they intended to apply.

On the question of expense, I just mentioned it in passing, but it is negligible. I hope I have made it clear.

The CHAIRMAN: Thank you, Mr. Dobson, for this information.

Mr. R.G.R. WALL (United Kingdom). Having heard the answer to that question, Sir, may I just go on to say that the United Kingdom would associate themselves with the viewpoint of the United States and the U.S.S.R. on this matter and Norway, I think. We would feel that on broader grounds it is desirable to continue the practice, not least because this Commission does concern itself with the area with which some of these other countries are concerned. We have

regulations which apply in that broad field of work and we would think that it is proper and right that what you might call the coastal countries should, therefore, have the right of attending our meetings if they so wish. We would get into rather a difficult position if we went the other way.

The CHAIRMAN: As there is no further comment on this question, I think we have to come to a conclusion. Before we do so I believe it is necessary to have a poll to get the view of the Commission, or to act further upon this question. Would somebody like to propose that we may in the future see at these meetings observers of the countries who have not adhered up to now to this Convention, that we sincerely hope they are very sensible of the education they can get in this meeting, as Mr. Jahn said just a few moments ago, and that in the long run they will want to be full members of the Whaling Commission?

The SECRETARY: Mr. Chairman, if someone would like to move, here are some words that may meet the case: "That non-ratifying countries should continue to be invited to be present as observers at meetings of the Commission." I think that will cover it, if someone would move. Then we can poll.

Mr. R. ALLEMAN (Panama): I so move.

Mr. G. JAHN (Norway): I agree with that, but could we not add that the Commissioners expressed the hope that those countries would become members of the Convention, ratify the Convention.

Dr. REMINGTON KELLOGG /U.S.A./: I would like to move an addition. Let me explain first that in the past we have issued invitations to Italy and Portugal to attend. They did not sign the 1946 Convention, but they have at times - Italy in particular - expressed a desire to know more about it. If they engaged in whaling, I was advised personally that they would seriously consider ratifying.

I would, therefore, like to have this proposal amended to include at least Italy and Portugal.

The CHAIRMAN: Thank you, Mr. Kellogg, but as it stands now I believe it is open to nearly every country concerned. I see your point of view.

Dr. A. KODAKI /Japan/: I doubt whether it is advisable to accept what Dr. Kellogg says. The other countries who are not members of the Commission may feel rather ignored. I do not think that is a wise approach. It is much better to have the broader sense of --

The CHAIRMAN: Nomination of countries, you mean.

Dr. A. KODAKI /Japan/: That is right.

While Mr. Dobson is preparing the draft, I should like to ask whether it would be wise to add the point we discussed just now, the question of sharing the cost. I do not propose this; I just ask for your opinions in this matter.

The CHAIRMAN: Thank you very much for raising the question, but I think you have already had the answer from the Secretary, that this is not the main point in fact.

Mr. H.S. DROST (Netherlands): Mr. Chairman, I should like to have limited these invitations to those countries who are engaged in whaling.

The CHAIRMAN: Thank you, Mr. Drost, for your remark about this, but I should like to wait for a little until we get the wording the Secretary is now trying to find to cover all the needs; I should say the wishes, not the needs.

The SECRETARY: May I just, before reading the full resolution which is in draft, remind delegates, and Dr. Kellogg in particular, that I regularly remind these non-ratifying countries that we should like them to join; that is done at fairly regular intervals.

I suggest for your consideration, Gentlemen, that the resolution might read, "Resolved that non-ratifying countries should continue to be invited to be present as observers at meetings of the Commission; at the same time the Commission expressed the earnest hope that these countries will not delay further their ratification of or adherence to the Convention."

The CHAIRMAN: Thank you, Mr. Dobson, for your draft proposal. Gentlemen, do you think we can agree upon this? It seems to be generous enough in its wording. My impression is that it is hardly necessary to take a poll on it.

This is carried by an overwhelming majority, Australia abstaining.

That deals with that Item of the Agenda, but there is still Item(21). "Draft Sixth Annual Report for approval." The Secretary would like to make some additions and corrections to this.

The SECRETARY: Gentlemen, I have circulated in the usual form a draft report which will be the Sixth Report of the Commission, and it is before you in the form of Document IX.

As you know, this report covers the period ending 31st May. As the Agenda always goes out earlier than that - in fact, on 30th April on this occasion - it is naturally impossible for me to complete this report before the end of the year. Therefore, although I write it as soon as I can, it contains a number of gaps relating to figures of catch. I am very grateful to Mr. Clark of Canada for one or two comments he made by post, and above all I am again greatly indebted to Mr. Vangstein, who always supplies me with figures and on this occasion made one or two observations which were of the utmost importance to me.

I do not know whether anyone else has any comment to make before I send this to the printers when I get home to London. If anyone wishes to call attention to any error of typing or error on my part, please do so before the end of the Conference.

However there is one rather important point upon which I wish to receive the guidance of the Commission. Attached to this report it has been customary to include a number of appendixes. Those appendixes are, a list of the members, delegates and advisers who have attended the meeting; secondly, an Agenda for the meeting - this of

course is the last meeting; thirdly, we have been accustomed to include the Chairman's report and a list of the various publications that have been received during the year; there is also the financial statement which you will be asked to approve at the next Plenary meeting. But on this occasion I very tentatively suggest that the scientific members of this Commission might like to have in this report, as an appendix, the report of the Scientific Sub-Committee. I have not consulted anybody about this and it may be that some of the scientific members would object to that, but it seems to me the report of the Scientific Sub-Committee contains many important matters, even if it is not entirely accepted by the Commission, as we shall hear at the next Plenary session is the case or is not the case.

I throw that out as a suggestion, as a means possibly of making the report more interesting, that we should include as an appendix the report which has been circulated to the Commission by the Scientific Sub-Committee. I shall quite understand if you say, 'No'.

Dr. Remington KELLOGG /U.S.A./: I would like to propose as a formal resolution the recommendation that the Scientific Sub-Committee's Report be included in this published statement. It is my personal opinion that it will receive wider circulation and recognition by so publishing.

Dr. J.M. MARCHAND /South Africa/: I second that.

Mr. R.G.R. WALL (United Kingdom): Sir, I have no comment on the proposition, but if the Scientific Sub-Committee's Report is to be published and printed, then I think a point which was made in the Technical Committee yesterday becomes of some consequence.

At the top of the second page of the Report there is a mention that one member present spoke on behalf of the Technical Committee. We agree I think in the Technical Committee that could not be strictly accurate because the Technical Committee as such is not present at the Scientific Sub-Committee. If this is to appear in print in public, I would suggest that that should be put right so that there is no misunderstanding.

The CHAIRMAN: I think you are quite correct on this matter, Mr. Wall. There has only been a technician in the Committee.

The SECRETARY: As a member of the Committee.

The CHAIRMAN: Who has been a member of the Technical Committee.

Mr. R.G.R. WALL (United Kingdom): I would rather even that phrase were omitted, Sir. I think the Technical Committee as such should not appear in the Report of the Scientific Sub-Committee or somebody will get a wrong idea.

The CHAIRMAN: Thank you, Mr. Wall, I think you are right on this point.

Mr. G. JAHN /Norway/: As far as I am informed, the Technical Committee asked Mr. Mos to be present at the Scientific Sub-Committee, and he spoke as a member of the Technical Committee although not making the Technical Committee responsible for what he said. But he was there as a member of the Technical Committee and not as a representative of Norway. He was appointed by the Technical Committee to be present.

The CHAIRMAN: Thank you, Mr. Jahn, for this information on this situation. I got the impression that it was intended at the Tokyo meeting and during the Scientific Sub-Committee meeting in London that there should be a kind of liaison with technical affairs, so that there should be a representative or observer of the Technical Committee to give advice if necessary, but not on behalf of the Technical Committee.

Mr. G. JAHN /Norway/: No, not on behalf of the Technical Committee.

The CHAIRMAN: On behalf of the Technical Committee but only as being a member of the Technical Committee acquainted with technical questions.

Mr. G. JAHN /Norway/: Yes.

Dr. N.A. MACKINTOSH (United Kingdom): Do you want a decision on this point now, Mr. Chairman? I rather feel that this report was not drafted with the idea in mind that it would be published, and some of us might like just an opportunity to look through it again. I imagine there would be no objection, but there may be something in it which might influence our opinion on whether it would be suitable for publication.

The CHAIRMAN: I would not like to deal with the wording of this report as it stands now because it has been set up for publication in the form now proposed by Mr. Dobson. I can therefore imagine that there will be a slight alteration in the wording but even so we can avoid the difficulties put before us by Mr. Wall.

The SECRETARY: I think if you accept in principle the suggestion I have made of including this report, the question of making those words right could be discussed outside the conference room. But I would like to call attention to the fact that one wants to look - and Dr. Mackintosh wants to look - at the precise wording of the settlement at Tokyo. I have the previous meeting papers here, and at the moment I have only been able to look up the actual Chairman's report which says that a scientific sub-committee should be set up consisting of representatives of so-and-so with a technical representative from Norway. That was the wording of the Chairman's report. But if you go further back you may find something a little bit different. Mr. Mos will remember, and Mr. Mackintosh will

remember, that at the meeting of the Scientific Sub-Committee one of my few contributions was that I asked whom Mr. Moe was representing and I put in some words which were subsequently altered. So I think we want to look back before we can settle this, otherwise I should like to feel that I can get on with this proposal.

The CHAIRMAN: Thank you very much, Mr. Dobson, for your clarification of the situation in the past.

Mr. R.G.R. WALL (United Kingdom): I would only like to say, Sir, that I am sure this vexed question of Mr. Moe's description can be settled quite easily outside the meeting if you wish. But I suggest that the right place to do it may be in paragraph 2 of the Report where the people who were present at the meeting and their functions are described. If we could get the right description there we could then leave out the offending phrase on the second page of the Report.

The CHAIRMAN: Thank you, Mr. Wall. Will this idea suit everybody? The main thing is to decide upon the publication of the Sub-Committee's Report as an appendix to the Annual Report. Is everybody in favour of this proposal? I see it is unanimous. (Agreed) Thank you for your acceptance.

Mr. H.S. DROST (Netherlands): There is only a minor point in the fourth paragraph of Document IX. It says on page 2--

The CHAIRMAN: Just a moment, Mr. Drost, will you hand it over to the Secretary to correct that.

I think we have dealt with the questions we had in mind to deal with at this Plenary Session. We do not like to take up your time, but we hope that now you can be more comfortable in the Committees, and can resolve the difficult problems you have to tackle in the Scientific and Technical Committees. We also have to tackle them a little bit in the Finance Committee on the question of the contributions we require from countries.

(After announcements concerning Committee meetings the Conference adjourned.)

THE INTERNATIONAL WHALING COMMISSION

SEVENTH MEETING

MOSCOW, JULY 1955

DOCUMENT XX1-c

VERBATIM REPORT OF THE PLENARY MEETING HELD

ON JULY 22ND

INTERNATIONAL WHALING COMMISSION

SEVENTH MEETING HELD IN MOSCOW

Plenary Session

Friday, 22nd July, 1955

In the Chair: Dr. G.J. Lienesch

The Meeting opened at 2.05 p.m.

The CHAIRMAN: Gentlemen, the Third Plenary Session is now open and I should like to ask for your attention to two announcements by the Secretary.

(The Secretary made two announcements)

The CHAIRMAN: Now Gentlemen, we can start with our consideration of the reports we already have in hand; but I should like to ask, if you have any remarks to make concerning the First and Second Plenary Sessions, that you would hand them to the Secretary for correction so that we do not deal with smaller points about these records in this meeting.

As you have seen, we have many items on the Agenda before us to discuss and about which to make up our minds. I hope that we can avoid the same full discussions that have already taken place in the different Committees and that we will just use this Plenary Session for consideration of the recommendations in the different reports of the different Committees.

As usual, I would like to propose that we deal first with the Report of the Finance and Administration Committee. May I request the Chairman of the Finance and Administration Committee to introduce the Report of his Committee.

Mr. G. JAHN (Norway): Gentlemen, I have the honour to present to you the report of the Finance and Administration Committee. I will read it paragraph by paragraph.

"1. The Committee consisting of Dr. Kellogg, Mr. Jahn and Dr. Marchand met on 18th July, 1955 and Mr. Jahn was elected Chairman.

"2. The Committee considered the statement of accounts submitted by the Ministry of Agriculture, Fisheries and Food for the year ending 31st May, 1955, Document No. I (A). The income for the year produced by contributions amounted to £ 2,550 (of which two contributions of £ 150 each were outstanding at the end of the year); the sum carried forward from the previous year was £1,457 13s 7d, and the total sum available therefore £ 4,007 13s 7d.

The expenditure for the year amounted to £2,271 18s 1d and there is therefore a sum of £1,735 15s 6d to be carried forward. The different items as appearing in Document I (A) were much the same as usual. Travelling expenses were up at £602 10s 4d owing to cost of the journey to Tokyo. On the other hand, the cost of the Annual Meeting was generously borne by the Japanese Government.

The Committee submit Document I (A) for the approval of the Commission, but suggest that the word "approved" in the heading be altered to "provided".

The CHAIRMAN: Excuse me, Mr. Jahn, do you prefer that we should take all these items separately for agreement? You see, you have just dealt with Document I (A) and you ask for approval by the Commission. Can we agree upon it in this Commission that the approval of the Committee has now been carried by the Commission?

Mr. G. JAHN (Norway): Yes, I think so.

The CHAIRMAN: So that, when you have read out one of your paragraphs, you will wait for a moment and ask the Commission for approval.

Mr. G. JAHN (Norway): Yes, I did not ask at the first paragraph because there is nothing in it.

Well Gentlemen, can I take it that you all agree the approval of Document I (A)? (Agreed) So that is agreed, thank you very much.

Mr. G. JAHN (Norway): I will go on,
"3. The Committee next examined the amendments to the Rules of Procedure submitted by the Canadian Commissioner in Item (13) of the Agenda.

The Committee recommend the acceptance of the new Rule XVI, as the existing Rule XVI was only intended to be of a temporary nature.

They also recommend the acceptance of the resolution standing in the name of the Canadian Commissioner, which however does not call for any action.

Finally, the Committee recommend the acceptance of the new Rule XVII, standing in the name of the Canadian Commissioner. While of opinion that any Government desiring to extend an invitation to the Commission to meet other than in London should be required to give notice thereof in advance of the previous meeting, the Committee hardly think it necessary to insist on sixty days' notice.

The Commission therefore recommend the acceptance of the new rule with the words "sixty days" omitted".

There are three things here, I do not know whether you will take a vote on each of them?

The CHAIRMAN: I should like to get them out together I think. They have already been considered by each Delegation among themselves, and I take it there will not be much against acceptance.

May I call upon the Canadian representative to say if he can also accept the omission of the sixty days' notice.

The Hon. James SINCLAIR /Canada/: Yes.

The CHAIRMAN: Thank you very much. Now I should like your approval of these three slight alterations.

Mr. R.G.R. WALL /United Kingdom/: There is just one point I should like to make, Sir, although I do not want to press it. I am not very clear why it is desirable that any Government wishing to invite the Commission to meet in its own country should give notice in advance of the meeting before. I think the general system in fisheries conventions is that any Government wishing to invite a Commission to meet in its capital brings up the matter at the preceding meeting.

I am wondering if in fact it may not be a little difficult to ask for such notices to be given in advance of the previous meeting; but if there is a strong reason for it I do not wish to press the matter, I merely wish to raise it.

The CHAIRMAN: Thank you, I understand there was a good reason for that. If you take the last two years, it was rather difficult for different Delegations to contact their Governments about the possibility of acceptance of an invitation in the circumstances in which they found themselves during that meeting. That is why this proposal came forward, to avoid this difficulty for the Commissioners concerned.

Are there any further remarks, Gentlemen? Do you want to poll for this? Can it be unanimous approval? Is everybody agreed? /Agreed/ Thank you very much.

Now Mr. Jahn, will you please go on.

Mr. G. JAHN /Norway/:

"4. The Committee's attention was directed by the U.S.A. Commissioner to a request by the U.S.A. Authorities to the desirability of preparing a budget each year for the following fiscal year of the Commission on the basis of the present programme with subsidiary papers reflecting the financial impact of the proposals which are to come before the Commission.

"The Secretary explained that this had always been done up to this year in the form of Document I /B/, but an exact budget had been withheld this year because of the impossibility of estimating what would be the cost of certain proposals on the Agenda. The Secretary was directed by the Committee to prepare an explanatory statement for Dr. Kellogg to hand to the U.S.A. Authorities.

"The Committee also took note of the U.S.A. suggestion that steps should be taken to reduce progressively the size of the balance hitherto carried forward either by financing new proposals as far as possible from the balance rather than by increasing the budget, or by reducing the budget and hence the assessments against the Contracting Governments. In the view of the U.S.A. Authorities an amount not to exceed 50 per cent of the annual budget would be a fair level for maintaining the financial stability of the Commission".

That is only a statement, of course, so there is nothing to say on that.

The CHAIRMAN: That is all right.

Mr. G. JAHN /Norway/: I will go on --

"5. The Secretary informed the Commission that hitherto he had been paid by fees /the system adopted when he was Fisheries Adviser to the Ministry which post had now terminated/. This necessitated his keeping a day-to-day record of the time devoted to the Commission's work. During the six years which had elapsed since the Commission had come into being, the Secretary's fees had varied from £ 264 to £ 638, and the Secretary would like the Commission now to fix his remuneration on an annual basis payable quarterly in arrears. This application was not one for an increase in pay, but he asked

the Commission (in a note circulated at the suggestion of the previous Chairman of the Committee) to take into account the fact that following the terms upon which he had been originally appointed as Fisheries Adviser, he had to bear the cost of reaching the office from his home in the country three hours from London, as London was regarded as his home station."

That is only a statement, so I will go on to the next paragraph.

"6. The Committee recommended that the Secretary's remuneration be fixed at an annual fee of £550, payable quarterly in arrears.

Do we agree upon that?

The CHAIRMAN: I should like to ask the Plenary Session of the Commissioners if there is any objection to this recommendation?

Mr. R.G.R. WALL (United Kingdom): May I just ask for clarification on one point. Sir. The Proposed figure of £550 would be inclusive of traveling expenses in getting to his office.

Mr. G.JAHN (Norway): Yes.

Mr. R.G.R. WALL (United Kingdom): Thank you.

Mr. G.JAHN (Norway): From home to office, yes.

The CHAIRMAN: Is that quite clear, Mr. WALL?

Are there any further remarks, Gentlemen? I take it you approve this recommendation? (Agreed) Thank you very much.

Mr. G. (Norway):

"7. The Committee also took notice of the fact that in the Secretary's appointment no notice of termination had been prescribed. The Committee recommend that six months' notice should be prescribed on either side."

The CHAIRMAN: Well Gentlemen, it is the same question as before. Can you also approve this recommendation? No objections? (Agreed) Thank you very much.

Mr. G.JAHN (Norway):

"8. The Committee considered from a financial aspect the proposal regarding observers put forward by the Norwegian Commissioner in the circular letter of 31 May, 1955. In view of the fact that no effective action can be taken on this proposal during the current year and no expenditure will therefore be involved, the Committee have no observations to make

That is only a statement.

"9. As regards the budget for 1955/1956, the Committee recommend the approval of Document I (B), which has now been circulated. There are no substantial variations from previous years except that the sum of £ 1,000 has been included, under expenditure, for whale marking and other scientific work, which brings the total estimated expenditure up to £3,500, leaving a balance of £1,035 to be carried forward."

The CHAIRMAN: Thank you, Are there any comments?

Mr. R.G.R.WALL (United Kingdom): I am sorry to be speaking so much, Sir, but may I ask whether the Finance Committee have taken into account the proposal which will appear in the Scientific Committee's Report for a symposium, where I think the provision estimated to be required is about £2,000. If that proposal comes to be approved will it require some amendment of this paragraph or not, Sir?

Mr. G! JAHN (Norway): I have a statement to make: under consideration of the financial situation Mr.Rund will defer his proposal.

The CHAIRMAN: Thank you very much, Mr. Jahn. I think that covers everything. So that settles this question for this year. Will you go on, Mr. Jahn?

Mr. G. JAHN (Norway):

"10. The Committee recommends that the contribution to be requested of each Contracting Government should remain at £150 Sterling.

The CHAIRMAN: Any objections? (Agreed)

Mr. G. JAHN (Norway):

"11. As regards the date of the next meeting, the Committee recommend that the month of July is on the whole the most suitable, but a week earlier would be more suitable if it can be arranged. Otherwise, the Committee recommend 20th July as the opening day."

The CHAIRMAN: Thank you very much, Mr. Jahn. I would like to thank you, as Chairman of the Finance Committee, for reading out your Committee's Report.

Does anyone wish to raise any point on Items 10, and 11, for consideration?

Mr. R.G.R. WALL(United Kingdom): I did want to raise Item 11 of the Report, Sir. The substantive question there - if this is the moment to do it, is it now or will be later?

The CHAIRMAN: I should like to deal with it now if you do not mind.

Mr. R.G.R. WALL (United Kingdom): Well Sir, the United Kingdom does feel differently from the Finance Committee on this, and if I may I should like to explain why.

We have the feeling that the present arrangements on dates are not very suitable. If you start with the Antarctic season in any year the catch data are not available until about April or May, even though Mr. Vangstein gets out the data very expeditiously, and I think we are in the position where the Scientific Sub-Committee tend to meet before there is full knowledge - or perhaps very much knowledge - of the catch data of the immediately preceding season, so that I wonder whether the Scientific Sub-Committee itself is not meeting to some extent without the full information it would be desirable for it to have. Moreover, when the data from Mr. Vangstein become available, speaking for myself as a Commissioner, there is not very much time between that date and the date of the Commission in July to study that data, to consult with the whaling industry in one's own country, and to seek instructions from one's Ministers, and one tends to come to a meeting in July a little inadequately prepared in some respects.

Furthermore, there is a point which I shall be obliged to raise I think on some items under the Scientific Committee's report, and that is that we tend to make changes in the regulations in July applicable to the immediately following season, though the industry, speaking in Antarctic terms, has already by July made its commitments for the following season.

I think there is a tendency therefore to do things which are difficult, perhaps to some extent unfair, to the industry. Our feeling is that these difficulties would be avoided if the Commission met in October, say, which would allow the Scientific Committee meeting between meetings to meet at a later date than it at present does and to have the full advantage of all the data supplied by Mr. Vangstein. If the Commission met in October of each year what we have in mind is that the changes it may then decide to make in regulations should be applicable a year ahead so that the industry gets fair treatment, if I may put it that way.

Therefore, I should like to raise this for discussion. I am not making a proposal at the moment, Sir, but I feel that these other considerations ought to be taken account of, and I wonder what Commissioners as a whole may feel about it.

The CHAIRMAN: Thank you, Mr. WALL. May I ask for a further comment on this question, Gentlemen? Has anybody anything to add on this?

Mr. H.S. DROST (Netherlands): Mr. Chairman, on the first two points that were mentioned by Mr. Wall, that is to say the figures from Mr. Vangstein and the Infractions, I think if the different countries sent in their figures earlier than they have done - which I do think is possible - there would not be these difficulties.

Mr. G. JAHN /Norway/: Mr. Chairman, there is of course something to be said for the proposal made by Mr. Wall, but it has come up and I do not want to give my personal opinion and I cannot take any standpoint on it now because I should like to consult my Government first. So far we have always held our meeting before the season starts and tried to carry through the regulations at that time, but if I am to go home and tell them that it will be postponed for a year, or something like that, I do not know their reaction. It will be very difficult for me too at this moment - I do not say anything for the future. I would say, however, that for next year's meeting it would be difficult to vote for Mr. Wall's proposal.

Dr. R. KELLOGG /United States/: I find myself in the same position as Mr. Jahn. I have had no opportunity to consult with my Government regarding our position on a change in date, and I would therefore prefer to leave this matter for another year and to suggest that we meet a week earlier than we did this year.

Mr. F.H. CORNER /New Zealand/: Mr. Chairman, in matters like this we would normally be guided by the views of countries which do have whaling fleets to send to the Antarctic; but I must say the second point that Mr. Wall made seems to me to be a very relevant one.

Each year we have been reducing the annual permitted catch, and after considering the Report of the Scientific Sub-Committee it would seem that in other years it might quite well be reduced too. But in considering these reductions it does seem that we should take note of the inconvenience and financial loss that is caused to the industry by reducing the catch and introducing other restrictions so soon before the commencement of the season when the industry's commitments have already been made.

A meeting therefore later in the year whose recommendations could not take effect in the coming season, but a year^a head, would seem to be a desirable arrangement for the industry and would not seem to harm the work of the Commission itself.

The CHAIRMAN: Thank you Mr. Corner.

Dr. A. KODAKI (Japan): I should like to underline the point raised just now by the New Zealand Commissioner.

While the suggestion made by Mr. Wall really deserves serious consideration by all of us, some Commissioners may not be able to concur in this matter immediately. When we think of the regulation of the sixty days' notice sometimes certain deliberations affecting the Antarctic pelagic whaling may be decided upon too late for enforcement in the year immediately following; so if we are not prepared to take any decision at this meeting I think this question should be taken up properly at the next meeting and be an item on the Agenda to this effect.

The CHAIRMAN: Any other comments?

Dr. J.M. MARCHAND /South Africa/: Mr. Chairman, as a member of the Finance Committee, I find myself in rather an invidious position. I had the honour to be a member of the Finance Committee at the last meeting of this Commission in Tokyo and, on that occasion, I was rather a voice crying in the wilderness on this very same question. I will not go over the same ground again except to say that that voice that cried in the wilderness now has a supporter in Great Britain; and so I can end merely by saying that I endorse the view expressed by Great Britain.

Dr. A. KODAKI /Japan/: As Dr. Marchand said just now, I should like to say I am in favour of the United Kingdom suggestion.

Mr. G. JAHN /Norway/: As the situation is, could we not postpone this for the moment as it might well be that we all agree on the United Kingdom's proposal when we meet next year. It is very difficult for us, who have not had the opportunity to consult our Governments, to go in for another date than the usual one, and I think that those members who have proposed that should be kind enough to take that into consideration and leave this over until the next meeting when we might - I cannot really tell you now - get a unanimous vote on that.

The CHAIRMAN: I should like to second Mr. Jahn's idea that we postpone the decision on this question to the next meeting; and that we also take into account that we are in favour of meeting, if possible, a little earlier than we have now, so that instead of 20th July it would be about the 13th July. Then the bottleneck might of course be the dissemination of papers of the season before the meeting opens, but that can perhaps be overcome if during the meetings the figures about the Antarctic are available. So the figure about land stations can drop in later on because they do not dominate the consideration. That would perhaps give more space to the Whaling Institute in Sandefjord to get these figures together that are of interest for the coming meeting.

Can you agree on this compromise for the coming year?

Dr. A. KODAKI /Japan/: Mr. Chairman, do you intend to propose that next year's meetings should be held on 13th July instead of 20th July?

The CHAIRMAN: If possible. That depends upon the possibilities in Sandefjord. If they cannot get the necessary data together in time we shall have to stick to the 20th, but I should like to get advice upon an earlier opening date from Mr. Vangstein, whether he thinks that at all possible. May I call upon Mr. Vangstein to give his views.

Mr. E. VANGSTEIN (Norway): If the whaling companies can send in their statistical forms as soon as possible, but not later than 15th May, I think the statistics can be ready for circulation in the last week of June.

The CHAIRMAN: That would be excellent. Then we have to request the whaling companies to keep to that timetable.

Mr. G. JAHN (Norway): Gentlemen, I do not know whether you are aware that the 20th July is a Friday, and the 13th July, 1956 is also a Friday.

The CHAIRMAN: I would not like to do that.

Mr. G. JAHN (Norway): It would be better on a Monday, it is more convenient for all of us.

The CHAIRMAN: It should be the 16th July. That is a Monday in the Russian calendar and it would also be to us, I suppose.

Mr. G. JAHN (Norway): That is a Monday. That is much better.

The CHAIRMAN: Excuse me Gentlemen, I think the best date in this question would be just between the 13th and 20th July. The 16th July would cover the whole situation I should say. The 23rd July would be too late. Can we agree upon the 16th which is a compromise between the two dates. Do you approve that? (Agreed) Thank you very much.

That means that we have dealt with the Report of the Finance and Administration Committee, and that also covers the Items on the Agenda numbers (13) and (16) I believe and also (23) and (15).

Then I thank the Committee for the report it has brought out which has just been introduced so well by Mr. Jahn.

I should now like to move on the next report, that is the Report of the Scientific Committee which deals with the different very important questions regarding the restrictions of this Commission, and I call upon Dr. Mackintosh to introduce this report to the Commission.

Dr. N.A.MACKINTOSH (United Kingdom): Mr. Chairman, the principal work of this Committee was to discuss the reports of the Scientific Sub-Committee. I do not know that I need go through every paragraph in detail, but perhaps I could refer to certain paragraphs and make comments on them and I do not know whether you would like me to stop at each paragraph for discussion or go through the whole report first.

The CHAIRMAN: I think that is the best way that we can deal with it, thank you.

Dr. N.A. MACKINTOSH (United Kingdom): Taking paragraph 4, which is the first one of any importance, we ^{dealt with this} limit the catch of any species in the Antarctic. There was, I think, a little confusion about this which we dealt with in the Plenary Session the other day. But the main point is that although we understand that it would be technically difficult to apply separate quotas to the separate species, I think the scientists would still like to keep the question open because they think that separate limits to the separate species are desirable if they are practicable. We were advised that it would be difficult to do so, but I do not know whether you, Sir, would like to go any further into that point now?

The CHAIRMAN: This question has been fully discussed in the Scientific Committee and I do not think that we will get a new view on this point as you have just recommended it. In fact, we have not finished discussing the difficulties that can arise, is that not so?

Dr. N.A. MACKINTOSH (United Kingdom): The only question I have in mind myself is whether there would be any value in our considering it further in the Scientific Sub-Committee meeting, or at some future meeting of the Committee.

The CHAIRMAN: Well Gentlemen, I should like to put this question before you. It is indeed a rather important question and, if we take the advice of the Committee, I think we can now ask whether there is sufficient approval again to put it in the hands of the Scientific Sub-Committee for further consideration in the coming year.

Mr. G. JAHN (Norway): I only want to underline that it might be necessary to discuss this question further.

The CHAIRMAN: Yes, but for that we want the approval of the Commission.

Mr. G. JAHN (Norway): The situation might arise where we forbid hunting blue whales at all.

The CHAIRMAN: That is something new, I think.

Mr. G. JAHN (Norway): That is the regulation for a separate species.

The CHAIRMAN: I take it that is a statement, not a recommendation. Well Gentlemen, do you agree to leave it in the hands of the Sub-Committee concerned to deliberate further on this question?

Dr. R. KELLOGG (United States): It seems to me that that item can be included in our instructions to the special Sub-Committee for next year's work.

The CHAIRMAN: Thank you very much. That is what I had in mind too. Is that agreed upon? No objections. (Agreed) Thank you. I believe we know where we are on this question. Would you be so kind as to go on.

Dr. N.A. MACKINTOSH (United Kingdom): Paragraph 5, the Sanctuary in the Pacific Sector. The Committee agreed that it would be desirable to open this sanctuary now for a period of three years with the proviso that it would be automatically closed again at the end of that period unless the Commission decides otherwise. That is, in effect, the recommendation of the Sub-Committee. There was one qualifying opinion, Dr. Omura thought that perhaps, instead of opening it straight away, ten degrees of longitude on either side should be opened first simply as a first step with a view presumably to closing the rest of it later. But the majority of the opinion of the Committee was that the whole sanctuary should be open to whaling from the 1955/1956 season for a period of three years.

May I say that a point I am afraid I neglected to raise in the Committee, but which was noted in the Sub-Committee's Report, is that if the sanctuary is opened, and ships do go into the former sanctuary to catch whales, then it would be very interesting to the biologists if some observations could be made there of the usual kind which are made in factory ships, so that we can get some basis for comparing the population in that region with the population in other

regions. If there should be any chance of marking whales there, that also would be valuable, and we should like people to look out for ~~coloured~~^{marked} marks in any whales caught there.

Mr. R.G.R. WALL (United Kingdom): I wonder if it might help if I said that the Technical Committee also endorsed this recommendation, but with a Japanese reservation.

The CHAIRMAN: You see, Gentlemen, we do not yet have the full Report of the Technical Committee before us, so I think it is somewhat difficult to take a view on items covered by (16) in the Agenda because they are dealt with by both Committees. I think, therefore, we will just have to get the views as recommended by the Scientific Committee and then do likewise afterwards with the Technical Committee's Report before we can make up our minds on the items on the Agenda, otherwise we shall have to do it over twice. I should therefore like to get this information from Mr. Wall, whether he thinks it is possible for him in certain cases to endorse the recommendations of the Scientific Committee's Chairman in this meeting without having the Report of the Technical Committee on the table here. Perhaps this will be possible on some points from time to time, but some will have to be left open to be dealt with tomorrow, and that would cover the situation. May I have Mr. Wall's views on my proposal.

Mr. R.G.R. WALL (United Kingdom): My attention was diverted for a moment, but if I understand you alright--

The CHAIRMAN: Your Committee's Report is not yet round the table; do you prefer to endorse the recommendations of the Scientific Committee at a time when the Report is not yet available - which I should prefer, of course - but it is up to you to decide. Perhaps you will decide depending on the situation?

Mr. R.G.R. WALL (United Kingdom): I think depending upon the situation; where I can say in two words what the Technical Committee has decided I thought it might save time for me to do so. Where the situation is more complicated, I would rather leave it.

The CHAIRMAN: That means, Gentlemen, that we are dealing at the same time with Item (16) on the Agenda from both Committees, and we have got a recommendation in favour of opening the sanctuaries. The best plan seems to be that we now take a decision upon this recommendation.

Dr. A. KODAKI (Japan): Mr. Chairman, the views held by the Japanese Delegation are as already stated by Mr. Omura in the Scientific Committee.

The CHAIRMAN: Yes, I know, I had the impression that you perhaps wanted the floor to make another statement.

Dr. A. KODAKI (Japan): I have already explained our position in the Technical Committee as well, so I do not want to take up too much time.

Dr. J.M. MARCHAND (South Africa): Mr. Chairman, I just want to point that we might be absolutely specific here and mention the fact that both Committees recommend the opening of the sanctuary for three years.

The CHAIRMAN: Yes, that is correct.

Dr. J.M. MARCHAND (South Africa): It was not mentioned before.

The CHAIRMAN: Do you want a poll upon this question, Gentlemen? Or can there be general approval? All in favour say 'yes'. Then I take it you have approved it unanimously. (Agreed)

Dr. A. KODAKI (Japan): Is this a vote for the amendment of the Schedule, the same as polling?

The CHAIRMAN: I did not get that.

Dr. A. KODAKI (Japan): You asked the view of the various Delegations. Did you mean to say that this is polling for the amendment to the Schedule?

The CHAIRMAN: Yes, that is so.

Dr. A. KODAKI (Japan): That is slightly different from the previous method we have adopted.

The CHAIRMAN: Do you want a poll? All right. Do you agree, Dr. Kellogg?

Dr. R. KELLOGG (United States): I think, technically, in view of our past procedure, it is necessary to poll the countries individually since this is an amendment.

The CHAIRMAN: Thank you very much, you are quite right. Then, so that we do not lose any time, I will start with the poll. It seems to me the best way is to turn round the other way now, I should like to call upon our Secretary to take the poll.

The SECRETARY: I now poll the Commission on this proposed amendment to the Schedule that the Pacific Sanctuaries should be opened for three years. May I just be quite clear that what we are voting on is that paragraph V of the Schedule which states it is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill baleen whales in waters south of forty degrees south latitude from seventy degrees west longitude westwards as far as a hundred and sixty degrees west longitude, that is the Article of the Schedule which will be abandoned for three years. But before polling I would like to make it clear. I have already discussed this matter with our legal adviser and it we want to avoid as the result of this amendment altering the numbering of every other Article in the Schedule

I propose that we should deal with this matter by putting an asterisk after paragraph V and then saying in a note that at the Seventh Meeting the Commission decided that this should not operate for a period of three years. Otherwise, we shall have to alter every item in the Schedule. I thought I would mention that before I do the actual polling.

Dr. R. KELLOGG /United States/: Inasmuch as this amendment is only for a period of three years, and then it automatically ceases to be in effect, it is not necessary to wipe out paragraph 5.

The CHAIRMAN: That is quite correct.

The SECRETARY: I will now poll the Commission.

Mr. R.G.R. WALL /United Kingdom/: There is just a technical point, Sir. If you are going to do it this way, ought we to put the dates in to which the three years apply?

The CHAIRMAN: Yes.

The SECRETARY: May I go round clockwise. Will each Commissioner if he agree with the proposal say "yes".

U.S.S.R.	Yes
U.S.A.	Yes
U.K.	Yes
Sweden	Yes

South Africa	Yes
Panama	Yes
Norway	Yes
New Zealand	Yes
Netherlands	Yes
Mexico	Yes
Japan	Abstained
Iceland	Yes
France	Yes
Denmark	Abstained (not voting)
Canada	Yes
Brazil	Not present
Australia	Yes

That is fourteen Commissioners in favour, one abstaining, one not voting and Brazil absent. That is carried (Agreed).

The CHAIRMAN: Thank you gentlemen.

Now we go on, and we can get further on with the Report of the Scientific Committee.

Dr. N.A. MACKINTOSH (United Kingdom): Paragraph 6. deals with the blue whales in the Antarctic.

Mr. Chairman, the Sub-Committee in their report expressed themselves rather strongly about the need for further protection of blue whales, and the Sub-Committee agreed to recommend that the date for taking blue whales should be retarded to 1st February. Now I think I expressed the opinions of the Committee correctly in saying that we did not have in mind so much the actual date as the number of blue whales which it would be desirable to take, and we thought that something of the order of 1,500 blue whales would be appropriate and we suggested 1st February

to have something definite on the Agenda for the Commission. This was not a unanimous opinion, Professor Slijper and Dr. Marchand, representing the Netherlands and South Africa, felt that it would be preferable to retain the present opening date for the catching of blue whales in order to have a little more data on the statistics of catches in the next year or so, but the majority of the meeting were in favour of further retarding the date in order to afford a little more protection to the stock of blue whales.

The third point is that the main thing we ask for is a reduction in the total catch of blue whale units, which will have the effect of bringing the catch of fin whales down to what it was three or four years ago which we estimated would be likely to be caught if the opening date for the catching of blue whales is about 1st February. I think those are the grounds on which the majority of the Committee recommend a reduction in the total catch at such time as the Commission thinks it can be done with reasonable convenience. We have also recommended a reduction of the catch in the coming season and we have suggested a tentative figure totalling 11,000 units for perhaps a year or two ahead or whatever the Commission may consider appropriate.

The CHAIRMAN: Thank you very much, Dr. Mackintosh, for your introduction to this important question and for the far-reaching recommendations you have put before the Commission. I think there will be some comments upon these recommendations around this table. I doubt if the Technical Committee has any-

thing to do with this very biological viewpoint before us now. This is just put before the Commission as the evidence collected in the Scientific Committee and brought together in this recommendation.

I leave it to the Commission to give comments now upon these recommendations. Would you prefer to leave this question until we have also had the views of the Technical Committee? That means that we can deal with it now in the ordinary way and it comes to a poll.

Mr. R.G.R. WALL (United Kingdom): Perhaps I should first say, in view of what you have said that the Technical Committee had in effect three points in its Report on this. The first is that the Committee as such are not disposed to make any recommendation to Plenary Session about the proposed reduction in the maximum permitted catch. The second point is that conflicting viewpoints were expressed in the Committee about the proposed lowering of the maximum permitted catch for 1955/1956, and the third point is that two members of the Committee made the particular point that--I am just reading from the Report at the moment--"The whaling industry would be introduced within a short time of the opening of the next Antarctic season when commitments had already been entered into; there should at least be a postponement of any reduction."

Thank you, Sir.

The CHAIRMAN: Thank you. Well perhaps that is a better situation, though this has not been a real comment upon the recommendation of the Scientific Committee.

I should now like us to take a poll so that we have the Commission's views quite clearly before us. May I ask the Secretary to take a vote on the first recommendation, that is 8/a/, although the proposal is not fully covered by the item on the Agenda. The first proposal is a reduction to 11,000 units in the near future and the Agenda item is only the question of the reduction in units for the coming season. What we have to deal with at this moment is what is on the Agenda, that means the recommendation of the Committee of a reduction of a thousand units, so the whale catch will be, instead of 15,500 units, 14,500 units. Now I call for the vote please.

The SECRETARY: The amendment which the Commissioners are asked to vote for is in paragraph 8 of the Schedule which now reads, "Shall not exceed 15,500 blue whale units". The amendment is that it shall read 14,500 instead of 15,500. So that the total is 14,500 units, But there is a consequential amendment. If you accept that 14,500 in paragraph 8/a/, paragraph 8/c/ will become 13,000. That is purely consequential.

I will now poll the Commission on that amendment and the consequential amendment.

U.S.S.R.	Yes.
U.S.A.	Yes.
United Kingdom	No.

Mr. R.G.R. WALL (United Kingdom): I should like to explain my vote afterwards.

Sweden	Yes.
South Africa	No.

Dr. J.M. MARCHAND (South Africa): I would also like to explain at a later date.

Panama	No.
Norway	Yes.
New Zealand	Yes.
Netherlands	No.

Mr. H.S. DROST (Netherlands): I have an explanation, Sir; I do not know if you want that now or afterwards.

Mexico	Not voting.
Japan	No.

Dr. A. KODAKI (Japan): I will explain my position later.

Iceland	Abstaining
France	Yes
Denmark	Not voting
Canada	Abstaining
Brazil	Not present
Australia	Abstaining

The SECRETARY: The result of the poll, Gentlemen, is that there are 15 countries who voted, 6 were in favour and the remainder were either no or not voting. But in any case 6 is not three-quarters of the number voting. I declare that motion as lost.

The CHAIRMAN: Gentlemen, that was item (16)(c), paragraphs 8(a) and (c). of the Agenda. The recommendation of the Scientific Committee also asks for a further reduction in the near future. Would you like to carry on with this recommendation, then it will all be in the Annual Report of the Commission. It is another question and slightly different from the one we have already dealt with.

Dr. N.A. MACKINTOSH (United Kingdom): The question of the further reduction is a separate question from the quota for the coming season. I do not know that there is any more I have to say on it, Mr. Chairman. The main point was that the Committee were in favour by a majority, of a substantial reduction within the next year or two, I think that was what we had in mind, or whatever period the Commission might think appropriate if they accepted the proposal.

The CHAIRMAN: Is that acceptable to the Commission ? This is not a question regarding any amendments; it is only a general recommendation. I do not think we want to poll for this recommendation. So we will leave it and we take it in the Report that is carried forward I believe.

Dr. N.A.MACKINTOSH (United Kingdom): The only question, Mr.Chairman, is that I take it if the Commission is in favour of this proposal then could they not make a fairly definite expression of their opinion? Because the whole point of putting a reduction some time ahead is that the whaling industry should be able to make their adjustments.

The CHAIRMAN: I see your point, Dr. Mackintosh, but as some of the Commissioners would like to get back on their vote and give statements as to why they voted in the way they did, perhaps that will give us an opportunity to make a clarification about how to deal with the recommendation which the Scientific Committee has put before the Commission.

Dr. N.A. MACKINTOSH (United Kingdom): I quite understand and will go on to the next paragraph.

The CHAIRMAN: Excuse me a moment, Gentlemen. Would you like to have the statements about the voting at this moment? Or would you like to take these statements after you have dealt fully with the Technical Report also? I do not know how you feel about it.

Dr. Remington KELLOGG /United States/: Mr. Chairman, I think it would be advantageous at this time to clear that off the record. Let them make their statements and then we are far ahead.

The CHAIRMAN: So that means the U.K., South Africa, Japan and the Netherlands wish to have the floor to make their statements.

Mr. R.G.R. WALL /United Kingdom/: I would like to explain my vote. The United Kingdom are impressed with the weight of the scientific opinion and evidence about the state of the whale stocks in the Antarctic and feel that some further reduction may well be required. At the same time the United Kingdom also feels that the position of the whaling industry should be fully taken into account and balanced with scientific requirements as far as that is possible. The particular point we have in mind is that which in fact is made in the Report of the Technical Committee to which I have referred, namely that the whaling industry would be hard hit to use their own words if this reduction, which is of a substantial order, were made immediately before the coming season when the industry has already made its arrangements for that ^{Season} position. Our position is that unless the scientists are able to convince us that a most serious situation will develop because of the taking of a certain number more whales in the immediately forthcoming season, then we would feel that

any reduction which we may agree upon here - and we are prepared to consider a further reduction in the maximum permitted catch - should be made applicable to the season 1956/1957 and not 1955/1956. It is therefore because the date 1955/1956 was attached to this proposal that our vote was given against it.

Thank you, Sir.

Dr. J.M. MARCHAND (South Africa): Mr. Chairman, it is most convenient for me that the United Kingdom on this occasion is towards my right. It therefore means that I do not have to waste the time of the Commission any more except to say I can finish off my explanation by saying that I endorse every word that the United Kingdom has just said.

Mr. H.S. DROST (Netherlands): Mr. Chairman, Gentlemen, Article V of the Convention reads that the Commission may amend from time to time the provisions of the Schedule, and further on, in the second paragraph of this Article it is said that such amendments shall be based on scientific findings. The Netherlands Delegation has great respect for Professor Ruud's memorandum which is indeed impressing and has great value in that it has given more insight into the problem of the condition of the fin whale stock.

However, as you will know, Professor Slijper wanted further opportunity to study this very detailed report put forward

by Professor Ruud. After careful consideration by the Netherlands mathematicians the conclusions were arrived at: firstly that the data contained in Professor Ruud's memorandum do not completely justify the assumption that the catch under consideration constitutes a random sample of the stock. Furthermore, their calculations have shown that the possibility that the stock of fin whales is increasing cannot be ruled out.

We cannot be satisfied with a report written by scientists if this report does not contain all the evidence necessary to defeat reasonable critics.

That was the reason, when we came to the vote, that the Netherlands Delegation was not prepared to accept any decrease of the 15,500 blue whale units limit yet. We will be quite prepared to agree with a smaller ^{as} quota as soon as such a resolution is based on clear scientific facts. If we go on making amendments which are not sufficiently based we shall soon come into a very undesirable situation, as an expensive whaling expedition cannot be operated economically if not enough whales may be caught in a given season.

The Netherlands Government will wholeheartedly endorse a further careful scientific study of this important problem. I would stress therefore the necessity of the study by a limited circle of biologists and mathematicians of interested governments.

Dr. A. KODAKI (Japan): Mr. Chairman, I do not want to trespass upon your valuable time too much. I would simply endorse what Mr. Wall and Dr. Drost have said. I should like to express my gratitude to the Scientific Committee for their efforts in this matter. I found out that most members agreed on the reduction of the total catch, but there was one dissension, one in number but this one dissension was a pretty strong one and we were not fully convinced of the opinion of the majority. Also we have to consider the position of the industry, as Mr. Wall stated. That is the reason why I could not accept this proposal.

Would you permit me to say something about the procedure and why we carried on the poll in that way? If there is a mover and a seconder there may be some amendment proposed, but I do feel that formal parliamentary procedure might be more helpful for taking up such serious subjects. That is only for your consideration. Thank you.

Dr. N.A. MACKINTOSH (United Kingdom): I think, if I may, Mr. Chairman, I ought to say something in reply to Mr. Drost's observations. I am sure you do not want us to enter into all the complications of the statistical arguments on this question. I could perhaps a little enlarge on what the Committee did discuss. First of all the evidence for the decline in the stock of fin whales was based on two memoranda, not only that of Professor Ruud

and his colleagues, but also one by my colleague, Dr. Laws. They were based on independent, different, methods of the reading of the age, distribution of whales, and different samples of whales, and they came to approximately the same conclusion. I do not think any of us would claim that the evidence is conclusive. What we have to consider, to my mind, is that we have to get the best evidence of probabilities, and indications that we can, and where the probability is sufficiently strong we recommend action by the Commission, if they think fit.

We appreciate that Professor Slijper has looked into this question carefully. But as I understand it the criticisms were of two kinds, one was that the evidence was based on a sample which was not a sufficiently random and representative sample. We know that the catches are never entirely representative, but it is the best thing we can get and we have to base our opinions on the probabilities from the best evidence. The second is that the stock of fin whales might be increasing. This is a very debatable question, and the opinion of the Committee was that it seemed insufficiently probable to upset the balance of probability put forward by the memoranda which came to the conclusion that the stock of whales is on the decline.

I do not know that I have put this very well, but it was at any rate the opinion of the Committee by a majority of 8 to 1 that the memoranda by Professor Ruud and Mr. Laws should be accepted in principle.

The CHAIRMAN: Thank you, Dr. Mackintosh, for this clarification of the recommendation of the Committee.

Dr. Remington KELLOGG (United States): May I propose an amending resolution to the effect that this limitation of 14,500 be made applicable to the season of 1956/1957?

The CHAIRMAN: That is a new question.

Mr. F.H. CORNER (New Zealand): I would second that proposal, Mr. Chairman. In doing so I would say that we do seem to have reached a curious situation. The Scientific Committee accepted with one important dissension the report of the Scientific Sub-Committee which, in paragraph 10, said that the powers of recovery of blue whales might already be found to be largely lost, even if it received total protection. In paragraph (13), speaking of fin whales, it says that once progressive depletion has set in there is a risk that it will be accelerated and that the stock if much reduced will begin to lose its powers of recovery. That was a very serious report, and acting upon that the Scientific Committee, with only one dissension, accepted in principle that the situation was so bad that the Commission should work ultimately to a reduction of the catch to 11,000 units. They recognised however that it was impractical to make such a sweeping proposal at once and that we should work towards such a limit by stages.

Therefore as a compromise they proposed a limit of 14,500. That compromise has been thrown out completely and the figure will remain at 15,500, unless the Commission takes some action. This would be a very serious lack of action in view of the report of the Scientific Committee. At the same time, it is generally admitted that the industry is embarrassed by changes made at short notice and, for that reason, convinced that some action must be taken, I would second the proposal of the United States that the limit of the catch at 14,500 units be set and applied in 1956/1957. Of course, it might be argued that such a proposal cannot be made; if so we are going to be in the curious position every year in which we are in at the moment, that each year a recommendation for a reduction can be made, but each year it should not be imposed because the time limit is too short.

The CHAIRMAN: Thank you, Mr. Corner. Any further comment?

Mr. H.S. DROST /Netherlands/: Mr. Chairman, we have not been convinced by the memoranda of Professor Ruud and Dr. Laws, but we recognize this problem to be very important and therefore I think it is necessary to research this problem as soon as possible. I propose that we should start, or that a small circle which I called for

in my statement should start, as soon as possible, for instance even this year, and that it has two or more sessions. We cannot second any proposal in this Item before we are more convinced.

The CHAIRMAN: Thank you, Mr. Drost.

Dr. A. KODAKI /Japan/: I think it is rather extraordinary procedure. We have taken up this proposal, there was no amendment and a poll has taken place; afterwards somebody makes a fresh proposal. If we go on in this way we shall have to spend another week. I did not know there was such a parliamentary procedure in the world.

Mr. F.H. CORNER /New Zealand/: Mr. Chairman, I think there is an answer to that: the Commission would be irresponsible if, after that single vote rejecting all the proposals of the Scientific Committee, it refused to consider further action, even if what is necessary is a further meeting of the Scientific and Technical Committees and then a further meeting of this Plenary session. But to reject it like that would put the Commission in a very odd situation.

Mr. K.E. BABAYAN /U.S.S.R./ /Spoke in Russian/
/Interpretation/: Mr. Chairman, Gentlemen, the Soviet Delegation believes it necessary to state that it fully supports the decisions of the Scientific Committee which, with sufficient weight and in accordance with sufficiently

substantiated scientific materials, proved the necessity to reduce the quota from 15,500 to 14,500. This was the unanimous opinion of all our scientists who are present and who authoritatively participated in the discussion of all the problems arising at the present session. So, from the point of view of procedure, not everything may be very smooth. I quite agree with Dr. Kodaki, but from the point of view of the substance of the matters that have been discussed, on behalf of the U.S.S.R. Delegation, I would like to state that support should be voiced for the proposals stated by Mr. Kellogg and which were actually supported by Mr. Corner. We support the proposal that it is necessary to regard the quota of 14,500 not for this season but for the season of 1956/1957. That would be fair decision and it would enable us, if anybody has any doubts, to check up once more upon this matter which refers both to industrialists and researchers.

The CHAIRMAN: Is there any amendment upon this motion put before us by the United States Commissioner?

Dr. A. KODAKI (Japan): I do not want to insist on my own argument, but, you see, amendments should be voted on first and then you should return to the original. But this is a new proposal, so why should I have rejected what Norway has applied in respect of the exchange of observers? I think that sounds outside the normal course.

Mr. R. ALEMAN (Panama): Mr. Chairman, I must say I do not quite understand the procedure to be followed, because I cannot see how we are going to vote on an amendment to a proposition which has already been rejected. This seems to me to be contrary to the Rules of Procedure, besides which there may be the legal question involved, that no notice was given to the Commission of this proposed amendment for the 1956/1957 season, when, in accordance with our Rules of Procedure, any contemplated amendment of the Schedule should be notified to the Commissioners sixty days in advance of the date of the meeting.

Mr. H.S. DROST (Netherlands): Mr. Chairman, I think if we wanted to take a vote on this amendment it should have appeared on the Agenda.

Dr. Remington KELLOGG (United States): I quite agree that it is contrary to parliamentary procedure, and I recognised this at the time I proposed it; but what I am concerned with mainly, if we can get a record that this is advanced notice, is that this matter will come up at the next meeting of the Commission. It is not necessary to regard it as an amendment and I erred in stating so. It is contrary to parliamentary procedure. But I do think that we should go on record somewhere or other, for the sake of the industry and those concerned with an advanced notice, that this will be a matter of serious consideration at the next meeting for the ensuing season.

The CHAIRMAN: That means we have to leave it now. We have had a rather full discussion upon this question.

Mr. F.H. CORNER (New Zealand): Mr. Chairman, since this is one of the most important matters before the Commission I do not think we should leave it so easily. We had an almost unanimous recommendation from the Scientific Committee. A number of countries voted against this particular proposal on one ground only - this is leaving aside the Netherlands who voted for a different reason - the other members voted on the sole ground that the needs of the industry required that longer notice than this should be given. As I said before, it would be irresponsible of the Commission to leave this matter without some proposal being made which would meet this single objection which was raised by all except one of the countries that objected, that it was merely a question of the shortness of notice. I think that countries which voted against it merely on that ground should surely be willing to consider some alternative proposal.

The CHAIRMAN: Mr. Corner, I should like to add something to your previous speech. The voting is past, and four Commissioners who voted against not only stated what you expressed just now, but they also added that as Commissioners they have to take care of the views arising on the industrial side as well as of the biological questions. So they are more or less like a fender between two views on this question.

I fully agree that this is one of the most important questions we have to deal with. But as you have just heard from the Commissioner of the United States, he fully appreciates the queer situation we got into by proposing an amendment after the voting, which was the way in which he first tried to get through.

This does not mean we do not want to deal with this serious problem any more. I would propose just the reverse. From the Chair I would more or less strengthen the idea that we must further discuss the question of the reduction of the maximum catch as being one of the recommendations of the Scientific Committee's report. I believe that everybody around this table is in full agreement that we should have a full discussion on this question in the Scientific Sub-Committee. I think that gives us the lead on how to deal with this problem later on. There is a lack of data at this moment. Certain Commissioners are of that opinion anyway.

This does not mean that we shall always go around in this way, that every proposal for diminishing the maximum catch will be rejected. But this puts more and more responsibility upon us to collect the data. Especially there can be agreement within the circles of scientists; we have agreed as a rule. We are convinced by the voting in the Scientific Committee as well as by getting a report that is generally accepted. So I do not in the least have the feeling that there is any neglect of this question by the Commission.

Mr. R.G.R. WALL (United Kingdom): Sir, I have to say that I must support the general position which the New Zealand Commissioner has taken up in this matter. The United Kingdom thinks it unfortunate that we have reached the position we have. Perhaps the Secretary could advise us whether there is any legal mechanism by which we could continue this matter further.

If there is not, I would suggest that it is not really sufficient to leave it until next year; we might at least consider whether the Commission could adopt or consider some kind of resolution which would not have a binding effect, but which would carry us further forward than by just putting the matter on the Agenda next year, when we might get into the same situation again.

Mr. G. JAHN (Norway): As we are responsible for the proposal made at the Scientific Sub-Committee, I am of course very disappointed with the result we have had. When I went over this question of reduction I took the matter up with Mr. Ruud of lowering the quota, not only based upon Ruud's scientific research, but also based upon my experience of whaling statistics. I have been the Chairman, and I have worked with the statistics of whaling from the beginning; I have seen the results in every water in the world where whaling has been carried out, how it has gone on. I am convinced that if we go on with this catch in the Antarctic, even the Netherlands, which are new in the

business and have very little experience up till now, will get a setback which will be very dangerous for the industry.

There are two points of view in the industry: one is to go on and catch as much as you can now when the prices are high and when you have to pay out very serious and very large capital investments. Another point of view is to keep the industry going for a longer time, which is probably not so much to your benefit as far as capital is concerned, but is to the benefit of the men who work in the different parts of that industry. That is a very essential point; that should be taken into consideration also by the industry. The industry is not there to give profit to people; the industry is there to give people work. That must be the leading point for every industry. I wish to state that from the Norwegian point of view.

Dr. Remington KELLOGG (United States): (Spoke off the record).

The CHAIRMAN: Thank you, Dr. Kellogg, for the clarification of the situation. I believe that, after dealing with the report of the Technical Committee, we have to form a resolution for the governments concerned, and deal with the question here in the specified committee, that is the Scientific Sub-Committee.

I believe that we can take further notice of the Scientific Committee's report, if you do not mind.

Dr. N.A. MACKINTOSH (United Kingdom): Mr. Chairman, I am not quite clear what the position is that we have reached. The proposal for having a reduction to 14,500 units next season is rejected?

The CHAIRMAN: That is right.

Dr. N.A. MACKINTOSH (United Kingdom): Is it now put on the Agenda for the meeting next year that the limit should be reduced then to 14,500 units?

The CHAIRMAN : Not yet. In my opinion, that can be done easily within the sixty days' notice. This is only a proposal by the Commissioner of the United States of America, and this has been rejected for further action in this session I believe.

The SECRETARY: Mr. Wall raised a point just now and asked me a question. My reply to him is that I am not a lawyer but I entirely agree with Mr. Aleman who says that this proposition by Dr. Kellogg is not on the Agenda and, therefore, cannot be taken because it is precisely similar to something which has just been rejected. Nevertheless, it has been put by Dr. Kellogg and has been seconded by Mr. Corner. It has not

been rejected because it has not been voted upon. If I might suggest, the simplest thing would be to direct the Secretary to put this Item on the Agenda for the next meeting. That is my answer to Mr. Wall and that is as far as I think you can go. But I think Dr. Kellogg would be perfectly right in saying, "I moved something, it has been seconded, I should like to take a poll on it."

Dr. Remington KELLOGG (United States): Under Item (16), paragraph (c) which amends paragraph (a) line 3, "For 15,500 read 14,500", there is no date indicated as to what season it applies to. According to that, legally you could say it is for 1960.

Mr. A. KODAKI (Japan): Point of order. I propose that this meeting be adjourned for a moment to make things a little clearer.

The CHAIRMAN: Time is getting rather short and we must reach a certain point this afternoon. If you can go on for couple of minutes we might settle this question. It is not directly binding to the coming season, as I see it, so we can deal with it in quite good temper, as you say.

Perhaps I might just call upon Mr. Kellogg to give us his idea on this proposal to vote: that means that the recommendation of the Scientific Committee of reducing the catch of 15,500 to 14,500 shall stand for the season 1956/1957. Is that correct, Mr. Kellogg?

Dr. Remington KELLOGG /United States/: That is correct.

The CHAIRMAN: Then we will take the poll. May I ask the Secretary to take the poll.

Mr. H.S. DROST /Netherlands/: I do not see how it is possible because it was not on the Agenda. Can you explain?

The CHAIRMAN: Neither can I, I am sorry, Mr. Drost. Just a moment, gentlemen, before we poll. There are some people who wish to make some remarks on this question.

Dr. A. KODAKI /Japan/: I do not think it is necessary to poll. If it is a wider matter for the coming year any Commissioner can propose some item to be added, it is not necessary to get the agreement of all the Commissioners. The Chairman simply accepts what the U.S. Commissioner referred to. It is not necessary to have polling now.

Mr. G. JAHN /Norway/: To make it clear for myself and perhaps for others, did we not take a vote on paragraph 7 ?

The CHAIRMAN: No, we have not yet.

Mr. G. JAHN /Norway/: We took a vote on 7.

The CHAIRMAN: No, not on 7, on 8/a/.

Mr. G. JAHN /Norway/: Did we take a vote on these 15,500, 14,500 for the coming season?

The CHAIRMAN: Yes, we did.

Mr. G. JAHN /Norway/: Then having taken a vote on paragraph 8/a/, because it stands there "For 15,500 read 14,500", we have not said anything of the future. You must take a vote for the number of years. They have not rejected the whole as Mr. Kellogg has said. Beyond doubt, you can take a vote on that for the next season.

The CHAIRMAN: This has been incorporated in the normal Schedule, and that has only been corrected with regard to the decision of this Commission. It is always treated in the same way and we have taken the vote upon the proposal to diminish the total catch for the coming season. Now there is a second proposal to vote upon: to keep this recommendation of the Scientific Committee

not for the next season but for the season thereafter and Dr. Kodaki said we can put it in the Agenda to be dealt with without any vote. I think he is quite correct in that, but there is this wish of the U.S.A. Commissioner to get the opinion of the Commission on whether they are in favour of dealing with this problem in the year after the next catch season. That only means that there will be general interest to go further with this important question, and that does not in fact change the situation.

Mr. F.H. CORNER (New Zealand): Mr. Chairman, I have two points to raise on this question: the first is that under Rule XII of the Rules of Procedure it lays down that:

"No order of business which involves amendment of the Schedule to the Convention, or recommendations under Article VI of the Convention, shall be the subject of decisive action by the Commission unless the subject matter has been included in the provisional order of business which has been circulated to the Commissioners at least 60 days...."

'No order of business shall be the subject of decisive action unless the subject matter... '

Now would you say the subject matter is the size of the catch? I think the Rules of Procedure do not lay it down that the actual text of the proposal must be included in the Agenda and that the Commission must accept the actual text or nothing.

Could I make it clear by citing this particular proposal under Paragraph 8 (a). The Scientific Committee proposed that for 15,500 read 14,500. Suppose in the

course of negotiation it had been proposed that there be a compromise of 15,000. Would such a compromise have been out of order because we can only accept 14,500 or nothing? No, it would have been in order, because the subject matter of the size of the catch is in the Agenda. I think proposals relating to this particular subject matter, whether the proposal is that it be brought into force in 1956/1957, or that instead of 14,500 it might be 15,000 units, are in order because the subject matter has been included in the Agenda.

Mr. R. ALEMAN (Panama): Mr. Chairman, I consider that the observation recently made by Dr. Kellogg, which has been supported by Mr. Corner, would have been very pertinent if it had been made before we voted on the proposed amendment. From the legal standpoint, the fact is now that we have already voted on the proposed amendment to the Schedule as set out in the Agenda, and that proposed amendment was rejected. I cannot see, therefore, how, from the legal standpoint, we can come back and vote on a proposed amendment to the Schedule which has already been rejected.

Dr. A. KODAKI (Japan): I fully agree with Mr. Aleman. You see, Mr. Corner says that we may not be able to change the figure if the procedure is insisted on. No, we cannot change the figure to 20,000, if you like, but amendments should be voted on before the original proposal. That is the parliamentary procedure. You see, if we proceed as Mr. Corner suggests, although Dr. Kellogg's proposal has been rejected, next time I

may say, "20,000", somebody will second and we shall carry on for ages. I really cannot understand such arguments.

Mr. F.H.CORNER (New Zealand): I am sorry to keep on with this, Mr. Chairman, but I do not think this is a legal question. I do not agree with Mr. Aleman that it is not legally possible to come back to this question. Having read Rule XII, it will be clear to members that this question is not disposed of on legal grounds. I think it is still quite competent for the Plenary Session -- I will go back first to one point raised by Mr. Aleman, that a proposal of the kind made by Dr. Kellogg should have been put in before the vote. The point is that it could not have been put in before the vote because it would have had no relevance; it only had relevance after the vote was taken. Since every member of this Commission except one has accepted the fact that some limitation needs to be imposed, I think the Commission is failing to meet the will of its members by rejecting this proposal. We are clearly left in an unsatisfactory state, with members wishing to do something, but by some Rule of Procedure being debarred from doing it.

I suggest that in the light of the vote that has been taken on the recommendation of the Scientific Committee, the matter be referred back to the Scientific Committee to see if they have any other recommendation to make.

Mr. R.G.R. WALL (United Kingdom): I am beginning to wonder whether it is possible and desirable to take this vote again, because at the time it was taken I must admit now that I was under some misapprehension, and I think that arose from the fact that whereas the Scientific Committee recommended a reduction to 14,500 for 1955/1956 the amendment on the paper simply proposed a reduction. I was not conscious when I was voting against that that I was in effect voting against a reduction for any season, and that I did not myself intend. So that it may be, after this discussion, that for my part I voted wrongly and that I would not have voted against.

The CHAIRMAN: Gentlemen, I would like to propose that we deal further with the Scientific Report now.

Dr. N.A. MACKINTOSH (United Kingdom): Have we finished with paragraph 7, Mr. Chairman?

The CHAIRMAN: In my opinion we should carry on as if we had finished it.

Dr. N.A. MACKINTOSH (United Kingdom): I was wondering whether anything would be said about the other part of this paragraph which deals with the proposal that there should be further and larger reduction at a later stage.

The CHAIRMAN: I thought that you had already recommended that.

Dr. N.A. MACKINTOSH: I wondered what the Commission's view was on that point.

The CHAIRMAN: I am in favour of putting that in the Resolution so that action can be taken upon this viewpoint of the Committee again in the coming months.

Dr. N.A. MACKINTOSH /United Kingdom/: There is no view expressed by the Commission on the matter; it is simply referred back to the Sub-Committee.

The CHAIRMAN: Yes, that can also be the case, but it can be strengthened perhaps by getting a resolution here that the Sub-Committee gives full attention to making the recommendation more complete with data and so on.

Dr. N.A. MACKINTOSH /United Kingdom/: It is just as you say, Mr. Chairman. I only feel that there is nothing very much left of the Sub-Committee's recommendation.

The CHAIRMAN: I will ask Dr. Mackintosh to deal with the remaining items of the Report of the Scientific Committee.

Dr. N.A. MACKINTOSH /United Kingdom/: Well, Sir, I go on to paragraphs 8,9, 10 and 11. I think there is really very

little to say about it because we make no particular recommendations. We merely take note of the views of the Sub-Committee. There is just one point I would like to make a correction on: I am told that the wording of the last line but one of paragraph 9 is incorrect. It reads: "That the Australian authorities intended to reduce the catch in West Australian waters". It should be "the Australian authorities have reduced the catch".

The CHAIRMAN: Thank you, Dr. Mackintosh for the correction.

Dr. N.A. MACKINTOSH /United Kingdom/: I need say nothing more on that page.

Then we come to page 5, the Proposal for an International Symposium on Whale Research Problems. This explains the proposals in some detail with an estimate of the expected cost and an explanation of the purposes of the meeting. The proposal was that the Commission's funds might, if the Commission saw fit, be used to help the travelling expenses of persons who would have to come a long way. But I think I need not say anything more about that, because as the Norwegian Commissioner said, it is proposed to withdraw that for the present. It may perhaps come up again.

On paragraph 13, under "Other Research", Dr. Kellogg raised the possibility of using the Commission's surplus funds, if there were any,

for employing one or two suitably qualified people to see if they can get some further information of value by more detailed examination of the statistics, putting everything together and analysing it as far as they can. I think it was Dr. Kellogg's intention that that should not be a firm proposal at the present time, but it should be considered as a possible step.

Mr. G. JAHN (Norway): I do not know whether Mr. Kellogg's intention is to do anything more with international whaling statistics as they now stand, analyse them more thoroughly and so on. I personally, and without saying very much about myself, regard myself as a scientist in statistical matters, and I had the intention before this meeting to take up once more the whole of the statistics from the beginning, make a short review of the statistics and go into more detail and analyse the figures further for the years after the war. But time has been short for me and I now hope to start work this autumn. I cannot see that it is necessary to have any American to work on these things because we have very competent statisticians at home in Norway, and I do not think it will cost the Commission anything. I will get the help of young people at home, if it is necessary, and I can work on it myself. I think I am competent to do it, if I may mention it, I was elected

a month ago honorary member of the Royal Statistical Society and that means something. I heard some members in the Scientific Sub-Committee in London had complained that there were some people who had no scientific qualification and they mentioned my name. I only wish to inform them that this is not quite true.

The CHAIRMAN: Thank you very much, Mr. Jahn.

Dr. Remington KELLOGG (United States): When I made this proposal I had no intention of suggesting an American statistician. My only aim was to see that proper consideration was given to the evaluation of such statistics. I am certainly pleased that Mr. Jahn is willing to undertake it.

The CHAIRMAN: Thank you, Dr. Kellogg.

Mr. N.A. MACKINTOSH (U. K.): I think there is nothing special to be said about the second paragraph in section 13. There is one correction to be made here. "Professor Slijper should be receive and collect the data" i.e., analyse the data. This is simply a matter between scientists and the idea is to help get material from separate factories and send it to Professor Slijper.

Then we have several reports on research which were the subject of informal discussion.

Paragraph 14, the opening date and minimum lengths. They were remitted to the Committee, but in fact the South African Commissioner, Dr. Marchand, said that after consideration he wished to withdraw them so we did not go any further with that. Professor Slijper had a paper on the use of size limits in the regulation of whaling which deals in a certain way with the theory of size limits which we thought was a matter for further discussion amongst scientists.

Now under 15, Whale Marking, we had a fairly long discussion and there is quite a long section of the Report here, but I do not think I need go into it in any great detail except to mention one or two of the main points. It is recommended that the National Institute of Oceanography should act as the co-ordinating agency in a scheme of co-operation in whale marking, and I think I can say that the Institute will be officially prepared to undertake that.

We have also raised the question of possibly increasing the scale of whale marking, and it was agreed by the Committee that it is in fact very desirable that larger numbers of whales should be marked, and that we should try and keep it up every year. Now this is a matter on which I think we have said all we can in the Report of the Committee.

The main point which the wording of the Report makes is that to be done properly the thing must be done really thoroughly, it is not enough just to mark a large number of whales, results do not always automatically follow from that. If we are going to mark more whales we must also do everything we can to improve the efficiency of the recovery of the marks, with the correct data and certain specimens which are applicable to the analysis of the data. We have raised the possibility that the Commission might at some time consider the possibility of financial contributions to increase the scale of whale marking. On the other hand, we have already had generous help from a number of whaling companies who are putting catches at our disposal to get a certain number of whales marked.

There is one point which I would specially like to raise. Dr. Omura said that under the auspices of the Whaling Research Institute it would be possible to mark a certain number of whales in the Antarctic during the Japanese Whaling expeditions. We can supply, and I think we have time to send, sufficient marks from our stock to Japan. But there is the question of how the cost would be met, and out of this arose the possibility that the Commission would allow a certain amount of money to be spent in building up a small pool of something of the order of 1,000 whale marks which could be distributed in appropriate cases such as this. I would be very glad to have the Commissioners' view on this. I see that £ 1,000 has been allotted by the Finance and Administrative Committee to whale marking or other research, and this is a possible way in which it might be spent.

The CHAIRMAN: Thank you very much, Dr. Mackintosh for the presentation of all these items of the Report of the Scientific Committee. It should be quite easy if we have accepted the Report of the Finance Committee, there is only the question of the £1,000 allotted for whale marking. I think the effect will not be the same. Is there any objection to using the £1,000 allotted for special scientific activities, on the proposal now made by the Scientific Committee, this coming season exclusively for whale marking? Is there any objection to using it in this way? This amount of money is available for this purpose. So this is generally approved? (Agreed) You have got the first £1,000 already.

Dr. N.A. MACKINTOSH (United Kingdom): Thank you very much.

The CHAIRMAN: Now we come to item 16 on your Report I believe.

Dr. N. A. MACKINTOSH (United Kingdom): Well, Mr. Chairman, last year the Committee gave a definite recommendation that a Sub-Committee should be appointed because we had in fact quite a number of points to raise and there were several points also raised by the Technical Committee which were referred to a Scientific Sub-Committee.

On this occasion we have not got quite so many different things, but the feeling of the Committee was that there was value in having such a meeting in the period between the meetings of the Commission, I think Professor Slijper asked that we might go further into this

question of the statistical analysis of data on fin whales among other things, and it may be, I do not know whether the Technical Committee has any further points or the Commission may like to refer anything more to the Sub-Committee.

The CHAIRMAN : Thank you, Dr. Meckintosh.

With regard to the question of this Sub-Committee of the Scientific Committee, I am very much in favour of extending the activities of the Sub-Committee as much as we can especially in the scientific field. That is to say, in this field as well as in the biological, statistical or mathematical analyses over three years. But it seems to me rather a difficult position for the biologists themselves if they have not the real data at hand before they can understand the statistical proof. In my opinion, I do not think we should set up a big sub-committee for this purpose because I could imagine that every biologist who is invited to take part in the discussions of the sub-committee might have with him somebody who deals with the figures in the modern mathematical way, and then I can imagine too the sub-committee might come to the conclusion that they want further information in a mathematical way and so they might divide themselves more or less into two small committees the other dealing with mathematical questions.

Then it would be essential that this second meeting might meet more than once between meetings. Then we should be more prepared to discuss the question of the catch limitation than has been the case up to now. Is that agreeable?

Mr. G. JAHN (Norway): I heard you say something about statistics and then you stressed more about mathematics. I know something of mathematics myself and I assure that laymen also, many of them biologists that I have seen doing medical work and so on, believe in these formulae and think that ~~whether~~ ^{they} have them they can know all things. It is the same if you have a machine for making sausages, the sausages may be very fine but the quality of the sausages depends on what you put into them. That is the essential thing, not the mathematics

Dr. N.A.MACKINTOSH (United Kingdom): May we leave this question over and perhaps consider it tomorrow.

The CHAIRMAN: I am in favour of that; it was just the question from the Secretary whether it would not be better to take a decision on this item at this moment.

Dr. N.A. MACKINTOSH /United Kingdom/): As far as we got when discussing it in Committee was that we would like it to be a committee simply of scientists familiar with this type of work. We had not discussed with anybody where it would best be held, by whom it would be convened and the question of whether we could have two committees, one mathematical and one biological. I hope, Mr. Chairman, you will not give us a direction on this point but will leave us to work out a way to do it.

The CHAIRMAN: It is only a suggestion, but it has been in my mind not to put any direction upon the activities of the sub-committee.

Mr. F.H. CORNER /New Zealand/: Can I assume, Mr. Chairman, that in view of the various proposals and suggestions that have been made this question of the catch has not been passed over and is still with us?

The CHAIRMAN: Insofar as it concerns the voted upon Item 16/b/ paragraph 8/a/ and /c/.

Mr. F.H. CORNER /New Zealand/: I think, Mr. Chairman, perhaps the most convenient way of disposing of this -- I think when you get the record of the meeting you will see

that the proposal on which a vote was taken, was unfortunately not put properly to the Commission. I think it was neither proposed nor seconded. You might wish to check this with the records. I think in view of the confusion that has taken place as a result of that, the best thing might be to re-open the question and I therefore propose that the Commission - which, of course is master of its own procedure - can resolve that the vote on this question be annulled and that another vote be taken. I propose that, Mr. Chairman, as I think you will find that it is correct according to the Rules of Procedure to put such a proposal.

The CHAIRMAN: It has to be seconded too, I believe. Mr. Moe, Norway seconds. There is a proposal before the Commission now to re-open the discussion upon this Item 16, not on the discussions, only on the voting of Item 16/c/ concerning paragraph 8/a/ and 8/c/ in which there has been the recommendation to diminish the total catch. That has not been seconded by a Commissioner but has been put before the Commission as a whole. That is the idea before the meeting.

Mr. F.H. CORNER /New Zealand/: My proposal is merely that the Commission resolve that the vote on this particular question be annulled.

The CHAIRMAN: That is the first proposal and that is seconded by the Commissioner of Norway. That means coming back to Item 16 of the Agenda, paragraph 8 (a) and 8 (c). I should like to call for a vote now on the proposal made by the Commissioner of New Zealand, but first we have to make up our minds if we will get back to it.

Dr. Remington KELLOGG (United States): I only want to propose that if we take the vote on this then we come back to a definite statement of what we are voting on.

The CHAIRMAN: That is in my mind. I will call for the poll.

Dr. Remington KELLOGG (United States): Under parliamentary procedure, since this motion that we voted on was not seconded, it has no legal status and we can just wipe it out.

Mr. F.H. CORNER (New Zealand): It has been seconded.

Dr. Remington KELLOGG (United States): No, I meant the original proposal.

Mr. F.H. CORNER (New Zealand): I think, Mr. Chairman, it probably is the tidiest way from the point of view of our records to vote in this way and have a definite decision from the Commission. I do not suggest that immediately after that we need to go straight through the poll on Item 16. There is time for amendment and further discussion. If the Commission

wishes. The first thing is to annul this previous vote, as several members have admitted that they were confused at the time and it was not properly put and seconded.

The CHAIRMAN: That is quite clear. I think, to make it correct now, we just have to get the vote upon this proposal of New Zealand seconded by Norway, so I will call for the vote again. Those in favour say 'yes' and against say 'no'.

The SECRETARY: I am asked to poll the Commission on the proposal that the vote you took just now on the 14,500 units which involved an amendment to the Schedule 8 (a) and 8 (c) should be annulled. If that is quite clear I will now ask each Commissioner to say 'yes' or 'no'.

U.S.S.R.	Yes
U.S.A.	Yes
U.K.	Yes
Sweden	Yes
South Africa	Yes
Panama	Abstain
Norway	Yes
New Zealand	Yes
Netherlands	Abstain
Mexico	Yes
Japan	Abstain
Iceland	Yes
France	Yes
Denmark	Not voting
Canada	Yes
Brazil	Absent
Australia	Yes

May I give the result of the poll. There are 16 people voting: 3 abstained, 1 no vote and 12 were in favour. Therefore, that motion is carried.

Mr. Chairman, there will be a meeting of the Plenary tomorrow at nine o'clock it is suggested; and at that meeting you will have to consider this point which is reserved, you will have to consider the Report of the Technical Committee which I had hoped would have been ready by now, and you will also at your own request have to consider a Press release which you will realise cannot be circulated until you have considered the rest of your programme. The Technical Committee, the outstanding point now on the Scientific Committee and the Press release tomorrow at nine o'clock.

The CHAIRMAN: Gentlemen, the meeting is adjourned until tomorrow at nine.

(The Conference adjourned.)

Ex.175

THE INTERNATIONAL WHALING COMMISSION

SEVENTH MEETING

MOSCOW, JULY 1955

DOCUMENT XXI-D

VERBATIM REPORT OF THE PLENARY MEETING HELD

ON JULY 23rd

INTERNATIONAL WHALING COMMISSION

SEVENTH MEETING HELD IN MOSCOW

Plenary Session

Saturday, 23rd July, 1955

In the Chair: Dr. G.J. Lienesch

The Meeting opened at 9.05 a.m.

The CHAIRMAN: Gentlemen, may I call the meeting to order.

Mr. G. JAHN /Norway/: Before we start the meeting, I should like to ask you, Mr. Chairman, and propose if you should be willing that you call a private meeting of the Commissioners in order to settle some of the questions, and try to clear up the matters which we discussed yesterday. I therefore propose that we do that.

The CHAIRMAN: Thank you, Mr. Jahn. Who would like to second this proposal?

Dr. Remington KELLOGG /United States/: I wish to second it.

The CHAIRMAN: So the proposal is moved now and seconded by the United States. Can it be carried? May I call for a vote?

Mr. R.G.R. WALL /United Kingdom/: I only wish to say, Sir, that I think myself that this idea is a very good one. I have in mind that when in London two years ago we were also in a rather difficult situation and such a meeting as Mr. Jahn proposed did sort things out and saved a good deal of time, and that is why I would support it again.

The CHAIRMAN: Thank you very much, Mr. Wall. Are there any other remarks about this proposal?

Mr. R. ALEMAN /Panama/: It seems to me that the Chairman may call a meeting of the Commissioners at any time he wishes. Therefore, I do not see why we should have to vote on **this** question.

The SECRETARY: It has been moved that there should be a special meeting of Commissioners and that has been seconded and sponsored by Mr. Wall. The reason why, in answer to Mr. Aleman, this comes up now is because it will mean that someone will have to move the adjournment of this meeting immediately in order that that other meeting may be held. I think that is the procedure.

Dr. J.M. MARCHAND /South Africa/: I move that this meeting be adjourned in order that a special meeting of the Commissioners may be held. Is that seconded? Those in favour?

The CHAIRMAN: That means that we have to adjourn.
I propose that we adjourne this meeting immediately and join together within, let me say, three-quarters of an hour, at ten. Does that suit you? So then, the Commissioners are requested to say here.

/The Meeting adjourned and reconvened at 10.25 a.m./

The CHAIRMAN: Gentlemen, I have to apologize for taking so much of your time, but we are back ~~from our meeting~~ meeting and this meeting is open again. The Secretary has to make some announcements which are rather important to your material behaviour I believe.

The SECRETARY: I have just been asked by the authorities to announce that if anyone wishes to change currency they must do so with the Intourist representative in the hall of the Sovetskaya Hotel today as no currency can be changed tomorrow.

The CHAIRMAN: Now I would like to go back to the point that we left unsettled yesterday, that is the review of the Scientific Committee's Report. I believe there will now be a motion with regard to the catch reduction. May I ask who will put this motion before the meeting?

Mr. F.H. CORNER (New Zealand): Mr. Chairman, I wish to move - and I have deposited a copy of this resolution with the Secretary - the following proposal. It relates to paragraph 8 (a) line 3. "For 15,500 read 15,000 in the pelagic whaling season 1955/1956 and thereafter 14,500". Consequently, in paragraph 8 (c) "14,000 shall read 13,500 in the pelagic whaling season 1955 and thereafter 13,000".

The CHAIRMAN: Thank you very much, Mr. Corner. Who would like to second this motion?

The Hon. James SINCLAIR (Canada): I will second that.

Mr. R.G.R. WALL (United Kingdom): I would wish to move an amendment, Sir. Substituting "15,500" for the figure "15,000". It will avoid making a reduction in the immediate forthcoming season and that is why I suggested substituting the figure "15,500" for the figure "15,000" in this proposal.

The CHAIRMAN: Thank you, Mr. Wall. Who is seconding this amendment?

Mr. R. ALEMAN (Panama): I will second that.

The CHAIRMAN: Excuse me, Mr. Wall, can you explain a little further what is behind your amendment. It is not quite clear under the wording in the Schedule.

Mr. R.G.R. WALL (United Kingdom): I am addressing myself to the resolution of Mr. Corner, Sir. Have I the wording correctly, that the new wording that Mr. Corner proposes is "15,000 in the pelagic whaling season 1955/1956" is that right?

Mr. F.H. CORNER (New Zealand): It is.

Mr. R.G.R. WALL (United Kingdom): "And thereafter 14,500" Well, I wish to propose that the whale quota remains the same in 1955/1956 as in 1954/1955, I am therefore proposing that for the figure of "15,000" we should substitute "15,500".

The SECRETARY: Which is already there.

Mr. R.G.R. WALL (United Kingdom): It may be already there, but it is the only way I can move my proposal in the terms of Mr. Corner's resolution.

The Hon. James SINCLAIR (Canada): For clarification, do I understand Mr. Wall's proposal--first of all Mr. Corner's proposal is in effect that we have a reduction of 500 in this year's quota and then 1,000 in next year's quota? Your amendment means in effect that we have no reduction in this year's quota, but 1,000 in next year's quota, and that is why it is necessary for you to do it the way you are doing it?

Mr. R.G.R. WALL (United Kingdom): That is correct, Sir.

The CHAIRMAN: That makes it clear, thank you so much. It has been seconded by Panama, has it not?

Mr. R. ALEMAN (Panama): Yes.

The CHAIRMAN: Gentlemen, we would like to take this to the poll.

The SECRETARY: I am asked by the Chairman to put this resolution to you in the form of an amendment in the first instance. May I just record Mr. Corner (New Zealand) duly seconded by the Canadian Commissioner moved that in paragraph 8 (a) line 3 of the Schedule "For 15,500 read 15,000 in the pelagic whaling season 1955/1956 and thereafter 14,500, consequently in paragraph 8 (c) "14,000 shall read 13,500" in the pelagic whaling season 1955 and thereafter 13,000."

The SECRETARY: To that resolution there has been moved an amendment proposed by Mr. Wall (United Kingdom) seconded by Mr. Aleman (Panama) which seeks to remove the proposal of "15,000" and therefore, Mr. Wall's amendment will read, "For 15,500 read 15,500, in the pelagic season 1955/1956, and thereafter 14,500. Consequently in paragraph 8 (c) "14,000" shall read "14,000" in the pelagic whaling season 1955/1956 and thereafter 13,000".

Dr. A. KODAKI (Japan): The amendment makes my position very awkward, and so I should like to move that for 15,500 read 15,000, without saying any year, that is to say, this will remain 15,000. Accordingly, of course,

we have to change paragraph 8 (c). I propose this because we are going to open the sanctuary for the coming season and we may see the result of scientific study and there may be some new elements which may come up for our future consideration. So, without committing ourselves about future reduction in the year after, I should like to propose simply the reduction of 500, but that does not mean only for the coming season, it will be continued.

The CHAIRMAN: I see what you mean, Mr. Kodaki.

The Hon. James SINCLAIR (Canada): May I raise a point of order? Mr. Kodaki's amendment, I think, is out of order because the same result can be achieved on Mr. Corner's amendment by deleting the latter part. We agreed upstairs to have the vote in two parts, first of all on the proposal for the 1956/1957 quota. If that were defeated then what is left of Mr. Corner's motion is exactly what Mr. Kodaki wants: that the quota be 15,000 from now on.

Mr. F.H. CORNER (New Zealand): I agree that the result could be achieved in two ways, either by voting on my proposal in two parts, or it might be considered equally simple perhaps to do as Mr. Kodaki suggests, which is an amendment in effect. If Mr. Kodaki were willing to propose as an amendment to my resolution that everything after the word "15,000" in my proposal be deleted and if everything after the word "14,000" in paragraph 8 (c) were deleted, that would be one way of this amendment being inverted.

Dr. A. KODAKI (Japan): It would be split up into two parts. Then that would make my position easier.

The CHAIRMAN: That would meet your case?

Dr. A. KODAKI (Japan): Yes.

The Chairman: Thank you very much, Dr. Kodaki.

The SECRETARY: May I just raise a question before putting the amendment to the poll. If we are going to take the two legs of this resolution separately, I take it you would wish the second to be put first. Would Mr. Corner agree, therefore, that the resolution I have to poll on is "For 15,500 after the season 1955/1956 read 14,500"?

Mr. F.H. CORNER (New Zealand): Mr. Chairman, I think the voting might be more orderly if Mr. Kodaki were willing to propose as an amendment to my resolution that all words after "15,000" be deleted and in the consequent proposal that all words after 14,000 be deleted, if the vote on that amendment succeeded.

The SECRETARY: You cannot omit all the words after "14,000" you must have the "13,000".

Mr. F.H. CORNER (New Zealand): In the first sentence, all words after "15,000", in the second sentence, the consequential sentence, all words after "14,000".

The SECRETARY: You must have the "13,000" mentioned.

The Hon. James SINCLAIR (Canada): I would remind Mr. Corner there is already one amendment, Mr. Wall's amendment, and that is why I say it is much simpler to take Mr. Wall's amendment as such and vote on it. If it carries, then we will vote on the motion as amended. If it is defeated, then we will take Mr. Corner's amendment in two parts, we will take the second part first and if that is defeated we are right down to Mr. Kodaki's proposal.

The CHAIRMAN: So I hope we now know what we are voting for. I would request the Secretary to call the poll on the amendment by the British Commissioner, that means that the "15,000" reads as "15,500". All in favour say 'yes'.

The SECRETARY: Gentlemen, I think I have Mr. Wall's amendment which has been seconded by Mr. Aleman, and it is that in paragraph 8(a) of the Schedule, line 3, "For 15,500 read 15,500 in the pelagic whaling season 1955/1956 and thereafter 14,000, consequently in paragraph 8(c) 14,000 shall read 14,000 in the pelagic whaling season 1955/1956 and thereafter 13,000".

Now that is, I think, the amendment, and I propose to poll the Commission on that amendment before coming to the substantive resolution.

Australia	No
Brazil	Not present
Canada	No
Denmark	Not voting
France	No
Iceland	No
Japan	Not voting
Mexico	Not voting
Netherlands	No
New Zealand	No
Norway	No
Panama	Yes
South Africa	Abstain
Sweden	No
United Kingdom	Yes
U.S.A.	No
U.S.S.R.	No

That is lost by 11 votes to 2, 2 not voting and 1 abstention.

Now Gentlemen, the amendment having been lost, I propose to put Mr. Corner's substantive motion which reads, "Paragraph 8(a) line 3 For 15,500 read 15,000 in the pelagic whaling season 1955/1956 and thereafter 14,500, consequently, in paragraph 8 (c) 14,000 shall read 13,500 in the pelagic whaling season 1955/1956 and thereafter 13,000.

Now I am going to put this in two parts. The second part will in fact be the resolution in these terms: "for 15,500 read 14,500 after the pelagic whaling season 1955/1956 and then consequentially in paragraph 8(c) for 14,000 shall read 13,000 after the pelagic season 1955/1956. Mr. Corner, have I read the second part of your resolution aright?

Mr. F.H.CORNER (New Zealand): Well, I hope that is so, Mr. Secretary.

The SECRETARY: "For 15,500 read 14,500 after the pelagic whaling season 1955/1956 " and then consequently 14,000 will be reduced to 13,000 only after the season 1955/1956.

The Hon. James SINCLAIR (Canada): In essence what we are voting on now is that there be a reduction without mentioning what is going to happen this season. We say in the season after there is going to be a reduction of 1,000.

The SECRETARY: In the season 1955/1956.

Dr. J.M.MARCHAND (South Africa): 500 is it not?

The SECRETARY: 1,000, but nothing this year at the moment.

The CHAIRMAN: Is there any confusion about the second part of the motion of Mr. Corner's? If it is clear, can we put it to the vote now?

The SECRETARY: I will now put the second part of the substantive motion of Mr. Corner's: "For 15,500 read 14,500 after the season 1955/1956," and the consequential is "For 14,000 read 13,000 after the 1955/1956 season.

I will now poll the Commission on the second part:

Australia	Yes
Brazil	Not present
Canada	Yes
Denmark	Not voting
France	Yes
Iceland	Yes
Japan	No
Mexico	Not voting
Netherlands	No
New Zealand	Yes
Norway	Yes
Panama	No
South Africa	Yes
Sweden	Yes
U.K.	Yes
U.S.A.	Yes
U.S.S.R.	Yes

Gentlemen, the result of that poll is that there were 15 voting, of those 11 were in favour, 1 no vote and 3 noes. Therefore, I declare that carried by the necessary three-quarters majority.

Mr. R. ALEMAN (Panama): I would ask you to repeat how many were in favour.

The SECRETARY: Eleven.

Mr. R. ALEMAN (Panama): It is lost by one, out of sixteen voting, is it not?

The SECRETARY: No, fifteen voted. I will verify that.

The CHAIRMAN: The motion is carried, gentlemen.

The SECRETARY: Now I come to the first part of Mr. Corner's proposal, in line 3 of Article 8 (a), "for 15,500"

Mr. R. ALEMAN /Panama/: Three-quarters of 15 is a little over 11, so I think you need 12 votes according to parliamentary procedure. I would be glad if Mr. Sinclair would clarify that matter.

The Hon. James SINCLAIR /Canada/: I have never heard of people who were not voting included in voting lists before. Mexico and Denmark said they were not voting.

The SECRETARY: You are quite right, I should not have recorded "no vote" as a voter.

The Hon James SINCLAIR /Canada/: That is quite right.

The SECRETARY: I should not have recorded "no vote" as a voter, so there are actually only 14 people voting of which there were 3 noes.

The Hon James SINCLAIR /Canada/: 11 - 3.

The CHAIRMAN: That is right.

The SECRETARY: The substantive motion I put before you is "for 15,500 read 15,000 in the pelagic whaling season 1955/1956; 14,000 in the consequential paragraph shall read" "13,500 in the pelagic whaling season 1955/1956". If that is understood, I will take a poll on that first part.

Australia	Yes
Brazil	Not present
Canada	Yes
Denmark	Not voting
France	Yes
Iceland	Yes
Japan	Yes
Mexico	Not voting
Netherlands	No
New Zealand	Yes
Norway	Yes
Panama	No
South Africa	Yes
Sweden	Yes
U.K.	No
U.S.A.	Yes
U.S.S.R.	Yes

14 votes recorded, of which 3 were "no". Therefore that is carried by 11 to 3. I declare the motion carried.

The CHAIRMAN: I think the situation is now clear, gentlemen. We have two motions carried: one dealing with the direct reduction of the catch in the coming season, and the other effecting a reduction of the catch in the 1956/1957 season.

Gentlemen, may I now call your attention to Item 16/b/, paragraph 7/a/, line 3, for "21st January" read "1st February".

The SECRETARY: Gentlemen, you have heard what the Chairman has said. It is now proposed to deal with the amendment to the Schedule, for "21st January read 1st February". May I have a proposer?

Mr. G. JAHN (Norway): I propose that.

Mr. F.H. CORNER (New Zealand): I second it.

The SECRETARY: That is proposed by Mr. Jahn of Norway and seconded by Mr. Corner of New Zealand.

Are there any amendments? There being no amendments, may I poll the Commission on this proposal which is that in paragraph 7 (a) line 3 of the Schedule for "21st January" read "1st February"

Australia	Yes
Brazil	Not present
Canada	Yes
Denmark	Not voting
France	Yes
Iceland	Yes
Japan	No
Mexico	Not voting
Netherlands	No
New Zealand	Yes
Norway	Yes
Panama	No
South Africa	Abstain
Sweden	Yes
U.K.	Yes
U.S.A.	Yes
U.S.S.R.	Yes

Of the 14 votes recorded there was 1 abstention, 3 negatives and 10 in favour.

Dr. A. KODAKI (Japan): I should like to remind the Secretary that it is not necessary to count the abstentions. We have already adopted Rule V in the Rules of Procedure. If we have three times as many as the negatives that will be carried.

The SECRETARY: Thank you Dr. Kodaki. "A three-fourths majority of those casting an affirmative or negative vote ...". So that the abstention does not count and it is therefore 10 'yes' and 3 'noes' and that gives you your three-quarters majority. I declare that resolution carried.

Mr. R. ALEMAN (Panama): Now many voted, because each time we have a vote I do not know how many voted and it is essential to know that.

The SECRETARY: I did mention that.

Mr. R. ALEMAN (Panama): You said 14 at the beginning, and now it is 13.

The CHAIRMAN: Because one abstained from voting.

Mr. R. ALEMAN (Panama): I know that abstentions do not count as votes. There was only one abstention.

The SECRETARY: So that brings the total down to 13. I am sorry, I thought I made that clear.

The CHAIRMAN: Excuse me, gentleman, do you mind if we have a break for tea? Are you in favour of that, or not? Would you like to go on? We could have a twenty-minute break and then go on. I do not think that we have such complex questions to face as these which we have just overcome. There is one important question on which the Secretary would like to speak.

The SECRETARY: There is one matter on which I must receive the instructions of the Commission. We now have the Technical Committee's Report to consider, but you will remember you decided at a previous plenary that a Press release would be issued in more general terms than previously, but you added that the Press release must come before the Commission. I cannot possibly bring a Press release before the Commission when I do not know with any certainty at this moment what they are going to decide on certain matters. Nevertheless, I have drafted a Press release which I have had to alter, and I am wondering whether at the end of the session especially as I am being worried every day by Reuter and other Press representatives - whether you would allow me to read my rough draft to you and let the details be settled by myself and the Chairman.

Mr. R.G.R. WALL (United Kingdom): Sir, another method of dealing with this in the new circumstances which I would suggest for consideration is that you, Sir, should nominate two or three Commissioners to sit down with the Secretary for an hour this afternoon and we will delegate to them the responsibility for the Press notice.

The SECRETARY: That has been done in the past, but I am only thinking of time.

Dr. J.M. MARCHAND (South Africa): I will second Mr. Wall's proposal.

Mr. G. JAHN (Norway): I support that, too.

The CHAIRMAN: Is there general agreement that this Press release can be taken in this way; that we get a small ad hoc committee, of Certain Commissioners, with the Secretary to battle the final wording of the Press release after the meeting has closed. Are there any objections? (Agreed)

The CHAIRMAN: May I suggest Mr. Sinclair, Mr. Corner and Dr. Kellogg to join the Secretary and myself to settle the final wording of this Press release. I take it there are no objections and that you are agreed upon this? (Agreed)

Well gentlemen, as is of course quite correct, I should also like to invite, one of the Russian Delegation, perhaps Mr. Babayan, to join us in settling the final wording; if the Russian Delegation would like to nominate somebody else, that is, of course, all right, but I should like to ask Mr. Babayan to join us.

Mr. K.E. BABAYAN (U.S.S.R.) (Spoke in Russian) (Interpretation): I think it would be better to put Mr. Tveryanovich on because he knows English.

The CHAIRMAN: Thank you very much, Mr. Babayan for your kindness, We certainly accept your proposal of course.

Well, now I should like to have the tea break.

(The Meeting adjourned for tea)

The CHAIRMAN: Please will the meeting come to order. Before dealing with the items which are left on the Agenda, I should like to tell you that the beautiful boxes are a present from His Excellency Minister Iabkov. He requested me to tell you that if anybody has been overlooked and has not, what I would call, a surprising present, it is only an oversight. I am sure you will join with me in expressing our thanks for this wonderful gift; later on we will do it in a better way. But the gifts before us are so surprising that it is difficult to find the right words to express our appreciation for these beautiful things.

The SECRETARY: /Made some announcements/.

The CHAIRMAN: I should now like to go on with the items which are left on the agenda. I believe the first important question before us is the consideration of the report of the Technical Committee. May I call upon the Chairman of the Technical Committee to introduce this?

Mr. R.C.R. WALL /United Kingdom/: Sir, before I do that may I say that I have an Amendment to the Schedule to propose? I would ask you whether I should do that now before we leave the subject of amendments to the Schedule.

The CHAIRMAN: I think we will deal with your amendment first.

Mr. R.G.R. WALL /United Kingdom/: The proposal I have relates to what I was saying at the opening Plenary meeting concerning what we may call the North East Pacific amendment about blue whaling which we adopted last year. I understood that the Commission were then prepared to allow me to bring forward a proposal now. My proposal is that the Commission should resolve that sub-paragraph /2/ of paragraph 4 of the Schedule be deleted.

Dr. J.M. MARCHAND /South Africa/: I second that.

The CHAIRMAN: We have before us the deleting of sub-paragraph /2/ of paragraph 4 of the Schedule. This is seconded by South Africa.

Mr. H.S. DROST /Netherlands/: Mr. Chairman, would it be possible to read that paragraph to us?

The SECRETARY: If I have the paragraph right - Mr. Wall will correct me - it is 4 /2/:

"It is forbidden to use a whale catcher attached to a factory ship or to a land station for the purpose of killing or attempting to kill blue whales for a period of 5 years in the North Pacific Ocean between 20° North Latitude and 66° North Latitude eastward of a line running south from 66° North Latitude along the meridian 168° 58' 22.69" West Longitude to 65° 15' North Latitude; thence southwest-ward along a great circle course to the intersection of 48° North Latitude and 180° Longitude to 20° North Latitude".

I think Mr. Wall has it in mind to cancel the amendment made last year dealing with the prohibition of the catching of blue whales in the Pacific. It is one of the two amendments which I circulated to the Commission in the form of a sheet to insert in the book. Personally I shall be delighted to see it go, because actually the description of the North Pacific Ocean is not quite correct.

The CHAIRMAN: Are there any further remarks upon this? May I request the Secretary to take the poll.

The SECRETARY: I have read the amendment of the Schedule which is to be cancelled. It has been proposed and seconded; if you have the matter clearly before you, perhaps I may poll the Commission straight away.

Australia	Not voting
Canada	Yes
Denmark	Not voting
France	Yes
Iceland	Abstain
Japan	Yes
Mexico	Not voting
Netherlands	Yes
New Zealand	Abstain
Norway	Abstain
Panama	Abstain
South Africa	Yes
Sweden	Abstain
United Kingdom	Yes
U.S.A.	Yes
U.S.S.R.	Yes

Leaving out the 'no votes' and leaving out the abstentions, there were eight voters and they were all 'yes', so I declare that motion as carried.

The CHAIRMAN: I will call upon Mr. Wall again, not for an amendment this time, but to introduce the report of the Technical Committee.

First of all, may I call for the reception of the report?

The SECRETARY: Strictly speaking this has to be received by the Commission. May I have a proposer?

Mr. R.G.R. WALL (United Kingdom): I move that the report be received by the Commission.

The Hon. James SINCLAIR (Canada): I second that.

The SECRETARY: Those in favour? That is carried.

Mr. R.G.R. WALL (United Kingdom): This is a somewhat long report and unless you ask me, I am not proposing to read it paragraph by paragraph, but I shall attempt to deal with each proposal section by section.

There is nothing on the first paragraph. The first item is that of the refrigerated ships, paragraph 2. The point here is that, as the Commission will remember, a refrigerated ship is at present a factory ship for the purposes of the Convention. The Technical Committee are not satisfied that the arrangements should be left just like that, but that any refrigerated ship is subject^{to}/the same inspection provisions as any factory ship. They agree that the protocol proposed by the Depository Government should be recommended to the Commission as being the way in which to get the legal situation right. After the protocol has

to get the legal situation right. After the protocol has been accepted and ratified it would be possible for the Commission to make whatever provision it wished about inspectors on ships used for refrigeration or salting. They might be exactly the same provisions as for factory ships, or they might be much less.

First of all we need the protocol and the Committee recommend that the Commission should ask the Depository Government to provide for our consideration a protocol which would add to Article V (I) of the Convention a new subsection (i) - methods of inspection. The actual words are given near the top of page 2 of the report.

The CHAIRMAN: I think we must take a vote upon this. I should like this recommendation to be seconded.

Mr. G. JAHN (Norway): I second that.

Dr. A. KODAKI (Japan): Mr. Chairman, my understanding is that until such time as this proposed protocol be accepted, the stipulations applying to factory ships would not be applied to the ships for the purpose of refrigeration or salting. Is my understanding correct?

The CHAIRMAN: Yes, I also understood it in that way, but perhaps we can get some clarification from the Chairman of the Technical Committee on their views.

Under our rules, of course we have the inspection on board the real factory ships.

Dr. A. KODAKI (Japan): Yes, Mr. Chairman; I meant to say that such ships for specific purposes would not be considered as factory ships until such time as this proposal is accepted; but we need not comply with all the regulations regarding factory ships in the case of refrigerated ships. So we shall continue the present practice in respect of such ships for the purpose of the refrigeration and salting. There are many stipulations regarding factory ships; if we have to comply with them it would create various difficulties, which would operate against the full use of these ships for whaling.

Mr. R. G. R. WALL (United Kingdom): The legal position, as far as it is now known to us, is that any refrigerated ship which performs any processing of the whale, not just any refrigerated ship but one which performs ^{the} processing of the whale, is legally a factory ship. Therefore, if I may suggest it, the Commission can hardly do otherwise than admit the position until the proposed protocol is made and signed. It would seem to me that what happens in the meantime is a matter for individual governments having any refrigerated ships which process whales. But as a Commission, I doubt if we could go further at this moment.

The CHAIRMAN: I agree with you. I think that is clear to Dr. Kodaki now.

I think we can take the poll on this question of requesting the Despository Government to add a protocol to the Convention. May I request the Secretary to take that poll about the proposal made by the Technical Committee?

The SECRETARY: The proposal that I put to you now is that the question of refrigerated ships be dealt with by a protocol which the State Department should be asked to draft. As they have already made a draft in connection with helicopters, I shall approach the State Department in the same way as I did in the other case, and they will be responsible for drafting a protocol dealing with this subject for our consideration. May I ask the Commissioners if they agree with that proposal to say, 'Yes'.

Australia	Yes.
Canada	Yes
Denmark	Not voting
France	Yes
Iceland	Yes
Japan	Yes
Mexico	Yes
Netherlands	Yes
New Zealand	Yes
Norway	Yes
Panama	Yes
South Africa	Yes
Sweden	Yes
United Kingdom	Yes
U.S.A.	Yes
U.S.S.R.	Yes

That is carried unanimously with one country not voting.

The CHAIRMAN: May I call once again upon the Chairman of the Technical Committee for a further introduction of the report.

Mr. R.G.R. WALL (United Kingdom): A point has been put to me on this last question. May I raise it now.

Does the Depository Government remit this protocol, the wording of which we have suggested, to other governments or to the Commission?

Dr. Remington KELLOGG (United States): It is my understanding, in talking with our legal section, that the wording that is approved here will be submitted for signature by the Ambassadors of the respective countries, and then to their parliaments for ratification.

The CHAIRMAN : That makes it clear.

Dr. Remington KELLOGG (United States): It seems to me that your wording should be corrected: that is, the draft that is approved by this Plenary session should be returned to the Department of State for the necessary action by the Treaty Division which will consist of inviting the Ambassadors of the Contracting Governments to use their plenipotentiary powers to sign and refer back to their parliaments for action and ratification.

The SECRETARY: May I explain, for the benefit of the Commissioners, that in a precisely similar case where we were asking the State Department as a Depository Government to function, we asked

them to deal with helicopters and in my letter we made a brief suggestion as to how it might be done. Actually they have accepted that suggestion. In submitting this proposal to the State Department I should, of course, first discuss it with our legal adviser so that I do not make any wrong suggestions. Subject to that, we leave it to the State Department to produce a document.

Dr. Remington KELLOGG /United States/: If I have understood the Secretary correctly, he proposes to remit the draft of last year back to the State Department.

The SECRETARY: There is no last year's draft on refrigerated ships.

Dr. Remington KELLOGG /United States/: We are talking about helicopters.

The SECRETARY: I thought we were talking about refrigerated ships.

Mr. R.G.R. WALL /United Kingdom/: As I understand the position, it would be this: last year we dealt with helicopters but we did not know precisely what sort of amendment to the Convention ^{was} required. We, therefore, asked the Depository Government to be good enough to prepare a draft for our

consideration. However, with the present proposal about refrigerated ships we are suggesting to the Depository Government an actual form of wording to be added to the Convention. We are, therefore, a year ahead of where we were with helicopters. Therefore, I suggest the procedure need not be quite the same.

Dr. Remington KELLOGG /United States/: As a matter of fact, our Treaty Division suggested this wording and suggested that it be tied to the present protocol to eliminate unnecessary work. It is a specific proposal.

The SECRETARY: Mr. Chairman, could we not deal with the question of helicopters when we come to it under the Technical Committee's report? I have all my instructions on the subject of helicopters; I know exactly what to do with the State Department and this is another subject for protocol.

The CHAIRMAN: I am in favour of the proposal by the Secretary, that we deal with one question at a time. We are now dealing with refrigerated ships, and let the helicopters go for a bit.

Mr. R.G.R. WALL /United Kingdom/: I wonder if we could leave the helicopters out. I quite agree with the

Secretary on this. Could we deal with this amendment to the Convention which also links up with the next section of the Technical Committee's report dealing with independent observers? We shall see that the same amendment to the Convention would cover both the refrigerated ships and the independent observers. I do feel that if we could deal with them separately and ask the Depository Government to propose this simple amendment direct to the governments we should be further on.

The CCHAIRMAN: I quite agree. You would like them all to be covered by one vote?

Mr. R.G.R. WALL /United Kingdom/: We could, Sir, if you wish me to deal with independent observers next.

The CHAIRMAN: It is up to the Commission to decide upon this. To make it quite clear it would perhaps be better to keep them separate in the question.

The SECRETARY: Mr. Chairman, I am sorry to intervene but I want to be clear about this. I understand we are asking the State Department to make a protocol on a variety of subjects. Having got that protocol we shall then be able to amend the Schedule, but I do not think there is any idea of doing it all in one. We have got to have a protocol enabling us to deal with helicopters. We have a protocol to deal with the Norwegian proposal and one to deal with refrigerated ships, both of which involve an inspection addition. Having got that, we then proceed to amend the Schedule, but I did not know there was any proposal to try and amend the Schedule and have a protocol all in one.

Mr. R.G.R. WALL (United Kingdom): All I am suggesting, Sir, is that for the present we take these things separately, that we vote on refrigerated ships and whether we have a protocol; that we then vote on independent observers and whether we have a protocol. That protocol would provide for an amendment which would cover both the refrigerated ships and the independent observers. Later on we shall come to helicopters when we may or may not decide to carry this proposal for a protocol about helicopters further, but I would suggest that we keep them quite separate.

The Hon. James SINCLAIR (Canada): I would point out that we have already had a vote on refrigerated ships, so what we should do now is proceed to the next item and have a vote of that.

The CHAIRMAN: It is up to the Chairman of the Technical Committee to give a further presentation of the report of his Committee.

Mr. R.G.R. WALL (United Kingdom): May I then turn to "Independent Observers", paragraph 3 of the Report? The salient point here is that the representatives of all the countries possessing factory ships in the Antarctic agreed in principle that an independent observer should be provided on each factory ship in addition to the two inspectors appointed by the flag country. The Committee were not able to carry the matter further at their meeting because, at

the Plenary meeting at the beginning of this week, it was agreed that this matter could not be the subject of decisive action at our present meeting. But if the Commission agrees with the Committee's recommendation I think the Depository Government could then be asked to carry the matter further, and in fact the amendment which we have suggested under "Refrigerated Ships" would enable the Commission at a subsequent meeting to carry further the appointment of independent observers.

The CHAIRMAN: Thank you, Mr. Wall. There is a proposal before the meeting; is there a seconder?

Mr. G. JAHN (Norway): I second.

The CHAIRMAN: Mr. Jahn is seconding the proposal which has been moved, so I should like to request the Secretary to take a vote.

The SECRETARY: Gentlemen, the proposal I am asked to poll is that the State Department of the United States should be asked to prepare a Protocol which would enable the Committee to deal with the observer question raised by Norway.

Mr. R.G.R.WALL (United Kingdom): I think what it comes to is that if the Depository Government will accept the Commission's proposal to

add to Article V(1) the additional words"(1) Methods of inspection", and if it will bring that Protocol to the attention of the governments, and if that were all done before our next meeting, then at our next meeting the Commission could consider further the substantial question of whether to appoint independent observers to the factory ships.

The CHAIRMAN: Mr. Wall's proposal has been proposed by Mr. Wall and seconded by Mr. Jahn. I will now poll the Commission.

Australia	Yes.
Canada	Yes
Denmark	Not voting
France	Yes
Iceland	Yes
Japan	Yes
Mexico	Yes
Netherlands	Yes
New Zealand	Yes
Norway	Yes
Panama	Yes
South Africa	Yes
Sweden	Yes
United Kingdom	Yes
United States	Abstain
U.S.S.R.	Abstain

That is unanimous as far as the voting is concerned. I declare that motion carried

Mr. R.G.R. WALL(United Kingdom): Paragraph 4 of the Report deals with the "Existence of Other Bodies Concerned with the Regulation of Whaling". It deals particularly with the Whaling Convention which Peru, Ecuador and Chile have made between themselves and under which they have made whaling regulations for an area of water in the South Pacific.

The Committee came to the conclusion that they could not really make any recommendation or proposal to the Commission on this problem. They considered whether there was any possibility of adjusting this Commission's regulations or of getting the regulations of the other body adjusted so that the two bodies might, so to speak, come together with uniform regulations.

They also considered whether these countries might conceivably be drawn into our Whaling Commission. But on the first point the Committee felt that they could not make any proposals for what we have called the mutual adjustment of regulations. On the second point individual representatives who spoke doubted the likelihood of getting these countries into our body, except perhaps Chile. The Netherlands representative felt that we could not hope to do anything very effective until the International Law Commission's work had been finished and the General Assembly of the United Nations had considered all these matters of fisheries conservation as well as the question of territorial waters at its session in 1956. We therefore remitted this matter back to the Plenary Session with those remarks.

Dr. A. KODAKI (Japan): As you will see in the Technical Committee's Report, there is no immediate prospect of mutual adjustment of the regulations with those governments, nor of their joining the International Whaling Commission.

The situation in the South Pacific will indeed be grave and unless some international organisation takes a decisive step to stop such flagrant acts by those governments before too long, acts which are entirely incompatible with the prevailing principles of international law, the practice may become an established precedent. In view of that, and in consideration of the views expressed by Mr. Drost of the Netherlands, I would like to propose that the Commission should approach the United Nations before its General Assembly is held in 1956 to remind them of the Commission's grave concern with this matter, and also to request an appropriate and effective action based on international justice, where this Commission and the individual countries concerned have so far failed in spite of their repeated endeavours.

Will you please support this proposal, Gentlemen, keeping in mind that this is the only practical means left at present for the Commission and for the realisation of the purposes of the Whaling Convention in the South Pacific?

The CHAIRMAN: Thank you, Dr. Kodaki.

Gentlemen, we now have a new proposal before us from the Japanese Commissioner. Are there any further comments upon this proposal?

Mr. G. JAHN (Norway): I second that.

The CHAIRMAN: Mr. Jahn of Norway seconds that, so we now have to take a vote. The proposal means that the Commission takes action through the United Nations to establish a link between our Commission and the Commission that is acting in the South Pacific which is based upon the co-operation of three Latin-American countries.

Mr. G. JAHN /Norway/: I did not understand it in that sense. I understood the Japanese proposal to be that we should go to the United Nations on the question of the 200-mile frontier line in order to say that it was of importance from the Whaling Commission's point of view that that should be stressed and a result obtained.

Dr. A. KODAKI /Japan/: It is no use individually approaching the countries concerned. It is much better that some international organisation should take more effective steps. However, that seems to be very difficult before the International Law Commission takes any decision in the matter, but we may very well approach such organisations as the United Nations and put forward our grave concern.

The CHAIRMAN: About whaling or about something else?

Dr. A. KODAKI /Japan/: Yes, because this question has an important bearing upon whaling as well.

The CHAIRMAN: The proposal is before the meeting and has been seconded.

Mr. F.H. CORNER (New Zealand): I have no objection to this proposal but at present I would have to abstain if a vote were taken, because I am not sure of the procedure that would be followed in bringing this matter to the United Nations and the various further actions involved. I am not sure whether one would bring it to the General Assembly as the Commissioner of Japan suggests, or whether it would be best to proceed to the Economic and Social Council. I am not sure whether the Commission as such can bring a matter to the attention of the United Nations, or whether only an individual country can bring a matter to the attention of the United Nations, and so on. I see the merit of the proposal, but I do not see the procedure clearly and I could not vote for it.

Dr. A. KODAKI (Japan): I do not insist on approaching the United Nations General Assembly directly. It may be that we should approach the Secretariat, or there may be some special organisation attached to the United Nations. So it is up to the Secretary of the Commission to take appropriate action in the direction I suggested.

The CHAIRMAN: We have to post a letter, is that right?

The SECRETARY: Before the Chairman asks me to put this to the vote may I be quite clear as to the letter I am to write? It is to deal not only with the question of the two-hundred mile limit which has been claimed, but also with the fact that there are several Whaling Commissions, or at least one other Whaling Commission which is not like ours but has been formed by three countries who have consequently attended our meetings. I gather both those problems are to be visualised in the letter I am to write.

Mr. G.JAHN (Norway): I do not think it is wise to include the United Nations in the last question. They have nothing to do with the Whaling Commission, and you know there are some bodies in the United Nations - F.A.O. for instance - which like to take everything from us and deal with it. I do not think it is wise.

Mr. R.G.R.WALL (United Kingdom): I think that I may be on the opposite side to Mr. Jahn on this question, regrettably so. As I understand it, the General Assembly of the United Nations will be faced next year with draft sets of articles from the International Law Commission dealing with several subjects, but two of them will be the breadth of territorial waters and the set of fisheries articles dealing with fisheries conservation, and fisheries conservation includes whales. I think, therefore, from the angle of the interests of the General Assembly, one might approach them on both matters.

The other point I would make is that I really do not see that this Commission as such has anything to do with territorial waters. We have everything to do with the conservation of whaling resources, and if we make an approach to the United Nations I would feel that we should confine ourselves to the conservation of whaling resources and in what ways the existing arrangements may be inadequate, from which we draw the conclusion that all these countries should be within this Commission.

I feel that if we are to make any approach it should be on that subject.

The CHAIRMAN: Thank you, Mr. Wall. I am quite in agreement with the remarks made by Mr. Wall. I believe that this Commission, as it stands now, has nothing to do with the regulation of territorial waters. In fact we are dealing with whaling. I also think it would be rather a doubtful procedure to send a letter and to express our fears about the situation in the waters mentioned without any facts in hand. We only have the statistics; we do not have any data about stock and that kind of thing. So I think we have to be careful about the manner in which we compose a letter as suggested by Dr. Kodaki.

Dr. A. KODAKI (Japan): I am sorry that I have to disagree with Mr. Wall, but if these countries claim such extensive territorial waters and carry out such regulations within such vast waters it will certainly affect whale stocks. As I have already said, this question of territorial waters has an important bearing upon the conservation of whale stocks.

The CHAIRMAN: We have to put this to the vote. It has been proposed and seconded and we have had some further remarks

The Hon. James SINCLAIR (Canada): I would like to state the Canadian position on this. We feel that this is a matter for the individual countries, as far as territorial waters are concerned, to make their representations to the International Law Commission, which is the body which has been set up to handle this matter.

As far as the question of making representations on conservation is concerned, I find it rather difficult to understand how a body which is not under the United Nations should refer matters to the United Nations. I think you can rely on the fact that, as far as this two-hundred mile question in South America is concerned, the U.S.A. with their trouble with tuna clippers down there, and Panama with their trouble with whalers down there, are already taking as effective action as can be taken under other agencies.

The CHAIRMAN: That seems to make it clear that in fact it is rather difficult to act upon the proposal of the Japanese Commissioner. It is indeed rather doubtful whether it would be wise to put this proposal for further action to this Commission. Since it would be very easy for the United Nations to reject it it might be better for us not to deal with it.

Dr. A. KODAKI (Japan): It has been moved and seconded. I do not mind if I fail in my endeavour, but we should follow the procedure.

The CHAIRMAN: Then we will follow the procedure and not waste any more time.

Mr. G. JAHN /Norway/: When I seconded this resolution I thought that it was necessary to do everything in our power to impress upon the Legal Commission of the United Nations that the extension of these territorial waters is against the freedom of the seas and may hit not only the whaling industry but, when they have other regulations than we have, we can know nothing about the whale stocks in those waters, and those are the same whales which are coming up in the Southern winter time and will be caught there. It is of very great importance to our whaling in the Southern seas. But after having heard the discussion I understand that you think it is not appropriate for this Commission here to make any recommendation in that sense, and I withdraw my support.

The CHAIRMAN: Would anyone else like to second the Japanese proposal? If not I must come to the conclusion that it has not been moved.

Dr. KODAKI /Japan/: I withdraw that.

Mr. R.G.R. WALL /United Kingdom/: The next item, paragraph 5, is the Report of the Scientific Committee and the Technical Committee's observations thereon. In so far as the Technical Committee made any recommendations on matters touched upon by the Scientific Committee they have already

been dealt with either in a previous Plenary or in our meeting upstairs this morning, and I think no further comment or action is needed on this section of the Report.

Mr. G. JAHN /Norway/: There is only one question as to whether, in our meeting this morning with the Commissioners in which we discussed the sanctuary in the Pacific sector, the vote was taken in the legal manner or not and whether it was moved or seconded when we voted upon it. If that is not so we must take another vote on it now to bring it into formal order.

The CHAIRMAN: Would you like to propose that yourself?

Mr. G. JAHN /Norway/: I move that we take another vote on it.

The CHAIRMAN: Are you moving the proposal, Mr. Jahn?

Mr. G. JAHN /Norway/: Yes.

The CHAIRMAN: Thank you. Is there a seconder? Mr. Wall of the United Kingdom seconds.

The SECRETARY: It has been represented that the original vote on the opening of the sanctuary for a period of three years - that is paragraph 5 of the Schedule - was irregularly dealt with, and it has now been proposed by Mr. Jahn and seconded by Mr. Wall that, in order to put that right, that paragraph should be omitted or rendered ineffective for three years. It is now desirable to poll the Commission in favour of that deletion or that

Australia	Yes
Canada	Yes
Denmark	Not voting
France	Yes
Iceland	Yes
Japan	Yes
Mexico	Not voting
Netherlands	Yes
New Zealand	Yes
Norway	Yes
Panama	Yes
South Africa	Yes
Sweden	Yes
United Kingdom	Yes
United States	Yes
U.S.S.R.	Yes

That is carried unanimously with two countries not voting.

Dr. A. KODAKI /Japan/: I am sorry, I misunderstood. I thought we were repeating again the voting for the withdrawal of the stipulation regarding the North Pacific. Would you please put in the record that I have abstained?

The SECRETARY: Yes, you had a reservation before, Dr. Kodaki.

Mr. R.G.R. WALLY/United Kingdom/: Perhaps I was not listening for a moment but I just wanted to be sure that we have now voted on the substantive question, not on the proposal as to whether we should take another vote. We voted on the substantive question that the sanctuary be dropped for three years?

The SECRETARY: Yes.

Mr. R.G.R. WALL (United Kingdom): Section 7 deals with the use of helicopters and other aircraft. Briefly the general sense of the Technical Committee was in favour of carrying on with the draft Protocol which the Depository Government has prepared subject to two suggestions for its amendment which are not of great consequence. There was, however, the exception that the Soviet representative felt that there would be no need for a Protocol at the present time and that is dealt with in the concluding paragraph of this section of the Report.

The CHAIRMAN: Are there any comments upon this paragraph of the Report, Gentlemen?

Mr. R.G.R. WALL (United Kingdom), May I propose that the Depository Government be asked to prepare a Protocol and consider, if they would be good enough, the two suggestions for its amendment which have been made, and then lay the Protocol before the other governments for signature?

The CHAIRMAN : Is there a seconder?

The Hon. James SINCLAIR (Canada): I second that.

The CHAIRMAN: I will request the Secretary to take the poll.

The SECRETARY: May I say a word? I do not want there to be any misunderstanding. We have already asked the United States Depository Government to prepare a Protocol, which they have done. What I take it Mr. Wall has now proposed, seconded by the Canadian Commissioner, is that we now ask the Depository Government to proceed to a conclusion, but putting in certain amendments which we think are desirable into their Protocol.

Mr. R.G.R. WALL (United Kingdom): The United States Government will in fact deal with all these matters in a Protocol, but we first have to carry this proposal.

The SECRETARY: This is that we shall ask the United States to proceed with a Protocol as regards this one thing, helicopters.

Australia	Yes
Canada	Yes
Denmark	Not voting
France	Yes
Iceland	Yes
Japan	Yes
Mexico	Yes
Netherlands	Yes
New Zealand	Yes
Norway	Yes
Panama	Yes
South Africa	Yes
Sweden	Yes
United Kingdom	Yes
United States	Yes
U.S.S.R.	Yes

That is carried unanimously with one not voting.

The CHAIRMAN: Now come to the next item.

Mr. R.G.R. WALL (United Kingdom): Section 8 deals with Whale Marking. The Committee decided to leave this to Plenary Session and we have in fact dealt with the matter, so nothing arises.

Section 9 deals with Infractions. In sub-section (a) there is a record of facts and a statement about an infraction which is being considered and looked after by the government concerned. I think there is nothing for Plenary Session to do on this.

Sub-section (b): The Netherlands representative raised a point about lactating and milk-filled whales, and the Committee wish to seek an expression of opinion on the subject from the scientists in Plenary Meeting. It may be that the Netherlands representative wishes to raise this matter here.

The CHAIRMAN : Is there any comment from the Netherlands Commissioner?

Mr. H.S. DROST (Netherlands): I said that there was no uniformity in stating if milk-filled or lactating whales were caught. Some countries cut the milk glands, and others do not, and I think that should be uniformly regulated.

The CHAIRMAN: Thank you, Mr. Drost. Are there any further comments? Can this be dealt with perhaps in the coming meeting of the Scientific Sub-Committee to find out what views are held? Would that be the best way to deal with it at this moment?

Dr. N.A. MACKINTOSH (United Kingdom), If you wish, Sir, we could take that up in the the Scientific Committee. We did in fact talk a little about it yesterday in an informal way when we were dealing with the progress reports on research, but I do not think I could say that the Committee has any special view at the moment. I think it would be better to take it up for fuller discussion.

The CHAIRMAN: Thank you very much. Is that agreed, Gentlemen? (Agreed).

Mr. R.G.R.WALL (United Kingdom): Sub-section (c) deals with what one might call a domestic matter. I do not think Plenary need be troubled with it.

Sub-section (d) concerns an alleged infraction which is being looked after by the Commissioner of the country concerned, and the Commission will be advised through the Secretary. I think again there is nothing for us to do in Plenary.

Sub-section /d/, again there is nothing for Plenary.

Sub-section /f/, the Committee recommend that, for the sake of clarity, an additional column for lost whales should be inserted in the Infractions Summary and, further, that a separate statement be prepared annually showing the number of infractions under each head for the preceding five years expressed as a percentage of the total catch. May I formally move that those suggestions be agreed to?

The CHAIRMAN: Is that agreed, Gentlemen, without a vote? I think we can take it that it is a technical question only /Agreed/. Thank you.

Mr. R.G.R. WALL /United Kingdom/: Sub paragraph /g/, the Committee recommend that a new paragraph be added to the Infractions Report /Form B/ for the purpose of recording and explaining any whales taken outside the season. May I so move?

The CHAIRMAN: Can that also be agreed upon?

Dr. A KODAKI /Japan/: I second.

The CHAIRMAN: You second that? Can we take it that is agreed unanimously? /Agreed/ Thank you.

Mr. R.G.R. WALL /United Kingdom/: Sub section /h/ deals with the question of permits issued by governments for taking whales out of season, and the Committee wish to stress the desirability of such permits being issued and notified in advance of the whaling season to which they relate.

I think, Sir, this is hardly a resolution, but I would ask whether the Commission agree with this recommendation?

The CHAIRMAN: Does the Commission so agree? /Agreed/
Thank you.

Mr. R.G.R. WALL /United Kingdom/: Sub-section /i/ deals with the taking of whales improperly under the strict letter of the Convention. There were one or two cases in the last season where whales were taken as fenders in emergencies - which is strictly not permitted under the Convention; the answer to why this was done was that the ship was in danger, or life was in danger. The Technical Committee realized that special emergency involving safety at sea may arise which must overrule the strict letter of the Convention, but they recommend that in such cases whales should be taken as fenders only after consultation with the Inspectors on board the expedition concerned. Here again the question is whether the Commission would endorse the Technical Committee's view or would endorse that recommendation.

The CHAIRMAN: Are you in favour of the Technical Committee's recommendation? (Agreed) Thank you. That is agreed unanimously.

Mr. R.G.R. WALL (United Kingdom): There is nothing more, Sir.

The CHAIRMAN: Many thanks, Mr. Wall, for your introduction of this report; I think we should be glad that we have dealt with it so smoothly.

The SECRETARY: I am sorry to prolong the proceedings, but I gather from a word with Dr. Mackintosh that we must have broken up in a hurry yesterday when we were considering the Scientific Committee's report; but it was suggested, and I think accepted, that the Scientific Sub-Committee should again function next Spring. However, I did not hear any arrangements made as to who was to form the Sub-Committee; it was suggested it would be only scientists and I did not hear any suggestion as to whether Dr. Mackintosh as usual was to take the chair. Could those points just be settled, so that I should know where I am. Last year Dr. Mackintosh was to take the chair and to provide the agenda and to settle the place of meeting.

Mr. G. JAHN (Norway): I think that Dr. Mackintosh should continue to take the chair. I know of no one more competent to be in the chair than he.

The CHAIRMAN: I am in full agreement with your statement.

Mr. G. JAHN (Norway): Then it would be best to have the meeting in London.

Mr. H.S. DROST (Netherlands): I would like to propose that, if possible, this year the Scientific Sub-Committee meets before the Spring.

The CHAIRMAN : You would like to make a proposal of that?

Mr. H.S. DROST (Netherlands): No, if it is agreed I am quite satisfied, but I think this Sub-Committee deals with very serious matters and it should be started earlier.

Mr. G. JAHN (Norway): Must that not be up to the Chairman whether he has time to arrange the time for the meeting. We cannot settle that now.

The CHAIRMAN: No, I see the point, but I believe that Mr. Drost would like to indicate that we give this Sub-Committee enough time to consider the serious duties they have taken upon themselves, and he is only wanting to say that he is in favour of giving the Committee a free hand to act as they think fit.

The SECRETARY: Then I take it, Mr. Chairman, that Dr. Mackintosh will be Chairman, will produce the agenda, and will fix the place and time of meeting, with the same members, the same countries will be represented, just as before.

The CHAIRMAN: Are you in favour of that, gentlemen?

Dr. N.A. MACKINTOSH (United Kingdom): Would you like to consider which persons should attend the meeting now, who will decide who are the members?

The SECRETARY: The same countries as last year. Is it not better to leave it at that?

Dr. N.A. MACKINTOSH (United Kingdom): They will decide their own members.

The SECRETARY: Yes.

The CHAIRMAN: Is that agreed?

Mr. G.R.B. PATTERSON (Australia): I take it that you mean by that provided the country can send a scientist, not a representative.

The SECRETARY: That is the new element , a scientist.

Dr. N.A. MACKINTOSH (United Kingdom): One more point, Mr. Chairman, I do not know whether you would like again to consider which particular question should be remitted to the committee? Last year certain questions were specially remitted to the committee, but we were entitled to discuss anything we liked. At the moment I have got statistical questions relating to the catch and ^{mortality} alternative rates, and so on, the question of milk-filled whales, possibly minimum lengths, we probably want to talk about whale marking. I only mention these because if anyone else wants to suggest a particular subject it would be convenient to raise it now.

The CHAIRMAN: I think the best way to deal with this is for you to have a free hand to draw up your own agenda of the items you would like to deal with. I have the impression from the Scientific Committee's Report that they like to stick more closely to scientific questions than anything else. I do think it is up to the Chairman to make up his mind what he is willing to deal with in this sub-committee.

N.A. MACKINTOSH /United Kingdom/: Very well, Mr. Chairman.

The SECRETARY: Under Other Business the Secretary has a letter to report. I have in my hands a letter addressed to the Whaling Commission by the Bureau of the International Council for the Exploration of the Sea inviting them as usual to be present at the Annual Meeting at Copenhagen from 21st October to 1st November as observers. This is a regular procedure. May I suggest to the Commission, if I am not out of order, that we should be represented by our Chairman who is also a Delegate to the International Council and has attended many of the meetings. Would that meet the case?

The CHAIRMAN: Thank you.

I believe there is now only one item at the end of the Agenda that is /22/ Any other Business, and I should first like to call on the Observers if they wish to make any comments following discussions round the table here and following the activity of the Whaling Commission before I proceed further.

Dr. D.B. FINN /Food and Agriculture Organisation/: Mr. Chairman, first I would like to convey the thanks of the Director General of the Food and Agriculture Organisation to the Commission and to you for extending the invitation to us to act as an observer.

We have followed the work of the Commission since its inception, and we feel that the Commission is performing a very useful service, not only to industry, but to the - I might say - millions of people who are interested in their work, because you are essentially dealing with matters of food.

We would like to be of any help that we can. There was of course a remark that inferred that we would like to take the Commission over. I can assure you that this is not the case. Our hands are very full even with what we do try to undertake.

I would further like personally to thank the Russian Government and the scientists of the U.S.S.R. whom we are getting to know; and we then of course would welcome any communication that we can have with their very excellent work.

May I once again thank you, Mr. Chairman, for the courtesy and I do hope that a representative of the Whaling Commission will take part in our deliberations in November when we will deal with some of the questions which may be of interest to you.

The CHAIRMAN: Thank you very much, Dr. Finn, for your kind speech which we will keep in mind. Thank you, too, for your invitation to the Commission.

H.E. Leopold BRAVO /Argentina/: Concerning the twelve points of the Agenda, the Argentine Observer has fixed the position of the Government of the Argentine Republic about the sovereignty of the continental platform and the epi-continental waters. The position of the Argentine Republic and the Argentine Government has been set out in two letters that we have sent to the honourable Chairman of this Commission.

The CHAIRMAN: Thank you, your Excellency, for this introduction to the letter we have just accepted this morning and of which we have taken good notice.

Mr. N.R. BUGGE (International Association of Whaling Companies): I would like, on behalf of the International Association of Whaling Companies, which, as you know, has got a number of members - whaling companies from different countries - to thank you for allowing us to be present. As you know, we are also vitally concerned with collecting material and statistics that we furnish to the office at Sandefjord.

I should also like to thank the Soviet Authorities for all the kindness they have extended to me and to Mr. Vangstein who is a director of the Association. We have been extremely comfortable here and it has been very valuable to us to follow the work which you are carrying out.

The CHAIRMAN: Thank you for your kind speech.

Signor E. CACCIALUPI (Italy): I have nothing to say here. I will certainly inform my Government of what proceeded here and I would like to thank you; otherwise I have no comment to offer.

The CHAIRMAN: Thank you for your attendance at the meeting. I will now ask Mr. Sinclair of Canada to speak.

The Hon. James SINCLAIR (Canada): Mr. Chairman, as a member of the Commission I would regard it a great honour if I could move a vote of thanks to our Russian hosts for the excellent arrangements and the warm hospitality which we have received since we came here. I think every one of the delegates who

came from countries all over the world came here with great interest in other matters than whaling. We did want to see how the Russian people worked and lived. We have been amazed and delighted with the warmth of the reception, by the overwhelming hospitality, by the very excellent arrangements you have made for the holding of the Commission and the housing of the delegates. I think all of us have been delighted in every way.

This week in Geneva the Big Four are having their meeting at the summit to plan for a better and a more peaceful world. I am quite sure in the Whaling Commission, as well as discussing the future of whaling, the understanding that we have now got about the people of the U.S.S.R. will also help in building up better goodwill between our peoples. I think we shall all go back to our homes very grateful for the warm reception we have received from our hosts, the U.S.S.R. (Applause.)

The CHAIRMAN: Gentlemen, it is impossible for me to better the masterly speech made by the Canadian Commissioner, although I have put something on paper to express the thanks not only of myself personally, but also of the Commission. I have merely to omit everything I put on this paper because it has already been covered by the thanks expressed by the Canadian Commissioner. Nevertheless I should like to stress some points that he did not mention in his speech.

We are all greatly impressed by the way in which we have been received and overloaded by the wonderful books and boxes as remembrances of our stay here in the Capital of the Union of Soviet Republics of Russia. I am quite sure that these fine presents will serve as unforgettable souvenirs when we return home.

As was mentioned by Mr. Sinclair, most of us came here for the first time with a certain amount of curiosity. May I say I got the impression that the Russian delegation, acting on behalf of the Russian Government, was taking such good care of us that the only things they had to take care of were the members of the Whaling Commission. I do not believe they have no other troubles, but you got the impression that there was nothing more important to them than our being present here at this time.

The interpreters have done a wonderful job with their never-ending activity. We have also had very good support from the Secretariat, the staff in the background.

I hope the leader of the delegation of the U.S.S.R. will convey our warmest and deepest thanks to his Government for the excellent and unforgettable way in which we have been received in this beautiful city of this important country; everything has been impressive and unforgettable. It is not only a question of being polite; we have the real feeling that we have had such a wonderful and friendly time and that we are parting as good friends.

I should like to close now; we shall keep these last words in our minds while taking part in this wonderful excursion we still have before us to what I believe is the second capital, Leningrad. We are now looking forward very much to the next few days.

Gentlemen, if there is anything to add I think it should be to thank the Secretary who has done such a marvellous job this time and who has so very often nearly saved my life. I will now hand the microphone to our Secretary, Mr. Dobson, and I should like to thank him officially for the enormous assistance he has given me on this, my first occasion in the Chair. It was rather a warm Chair, I must confess.

The SECRETARY: The Secretary would just like to add his own personal indebtedness to the members of the U.S.S.R. and the three shorthand writers, who were brought from London, for the great assistance they have given. The U.S.S.R. have been quite indefatigable in helping us with the papers under very difficult conditions; I personally am very much indebted to them for all the help that we have received.

Mr. E.N.PAVLOVSKY (U.S.S.R.) (Spoke in Russian)
(Interpretation): Mr. Chairman, Gentlemen, the Seventh Meeting of the International Whaling Commission has concluded its proceedings today. In this connection, on behalf of the Soviet Delegation, I would like to express our gratitude to all Delegates and particularly to Dr. Kellogg, our old and esteemed Chairman, Dr. Lienesch, our new Chairman, Mr. Wall, Chairman of the Technical Committee, and

Dr. Mackintosh, Chairman of the Scientific Committee for their exceptionally able and efficient leadership over the proceedings which has enabled us to reach our objectives within such a short space of time.

The active participation of all Delegations in discussing the problems on the Agenda has contributed to this success. As a result, all the work of the Commission proceeded in a friendly atmosphere and was based on mutual understanding and the sincere desire of all Delegates to co-operate on an international scale in the interests of our common cause, that is the conservation and maintenance of whale stocks so that not only our generation but many, many future generations will benefit by these valuable natural resources.

It is now essential, Gentlemen, that the decisions here adopted, and the wishes here expressed, be successfully implemented in the sphere of further expansion of scientific research and in the practice of whale fishery. I would like to emphasize particularly, Gentlemen, the necessity for all of us to organize whale fishery so as not to deplete the whale stock but on the contrary to enable it to grow.

In order that we should be able to perform this mission, it is necessary to intensify to the utmost the scientific research in biological science concerned with whales and to use to the utmost whale raw materials on the basis of modern technology.

I should like to wish for more co-operation and better co-ordination of scientific research in biology, physiology and morphology of whales.

Our Soviet scientists have conducted, in co-operation with the workers of industry, a number of investigations that we find valuable. But we realize that this is insufficient and we are making every effort to ensure considerable expansion of scientific research in the Antarctic and North Pacific.

In conclusion, Gentlemen, I would like to express on behalf of the Soviet Delegation our appreciation of the fact that the Seventh Meeting was held in Moscow, the capital of our country; and for our part we have done everything in our power to ensure that the Seventh Meeting of the Whaling Commission is a success and that you could spend your free time pleasantly.

If there were some small shortcomings on our part in the preparation for, and holding of, the Conference, I would like to apologize to you. All members of the U.S.S.R. Delegation would like you to take away with you good recollections of our country.

Thank you, Mr. Chariman. Thank you, Gentlemen.

/applause/

The CHAIRMAN: Gentlemen, it is hard to say anything more than that the Delegation of the Russian Government has had an enormous and wonderful success in what it has tried to achieve. They have no reason to apologize for anything.

I should now like to bring this meeting to a close, parting as good friends. This is the end of the Seventh Meeting of the International Whaling Commission. Thank you very much for all the contributions you made towards the success of this Meeting.

/The Conference closed at 1.10 p.m./