

INTERNATIONAL WHALING COMMISSION

EIGHTH MEETING

Session of Monday, 16th July, 1956

In the Chair: Dr. G. J. Lienesch (Netherlands)

The CHAIRMAN: Will the Eighth Meeting of the International Whaling Commission please come to order.

Your Excellency, Gentlemen, I am glad to see so many of you around this table; and I would like to call your attention for His Excellency, Mr. Nugent, the representative of the British Government.

Mr. G. R. H. NUGENT (Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food): Mr. Chairman, your Excellencies, Ladies and Gentlemen, this is an honour to which I look forward with great pleasure. I have done it twice before and now I think already I know a number of you distinguished ladies and gentlemen here; and it is a great pleasure for me to see you here again, opening as I am today this Eighth Meeting of your International Whaling Commission.

On behalf of Her Majesty's Government I welcome you most warmly to London for this Meeting. I am sure that the Meeting will be a great success; and I hope that you will enjoy your visit to London, and that you will enjoy your stay in our country. If you gentlemen who come from other countries see a distracted air on the faces of the English Delegates in the next day or two, please do not think they are upset by the course of the Conference: if there is one subject which worries us even more than the conservation of whales it is the conservation of the Ashes! We are now in the middle of the Test Match against the Australians, let me explain for the benefit of our visitors, and we are still hoping very much that we shall beat them, but the matter is in the balance, and is a matter of great anxiety for all of us.

As well as your distinguished selves visiting this country, I see from the daily papers we have another distinguished visitor, Miss Marilyn Munroe. She has obviously come to England to disprove the saying of our great literary man, Dr. Johnson, he adjured us "never believe in round figures". Miss Munroe has obviously come here to prove that he was wrong. One has only to take one look at her to see the truth that round figures do exist - even without the assistance of the by-product of your industry which so often helps the ladies' figures!

To turn, Mr. Chairman, to more serious matters, I would like to congratulate you on continuing to maintain this International Whaling Commission. This, as I say, is your Eighth Meeting, and the existence of the International Whaling Commission is a great tribute to the good sense and the farsightedness of each one of the seventeen nations who subscribe to it. You have had the wisdom to recognize that with the tremendous

catching power of your modern whaling fleets the continuing existence of whale stocks in sufficient strength to make them commercially interesting is continuously in danger unless you take some effective measure to control that catching power. You have done this by establishing an international code of catching which you each one of you in your own national governments have encoded in the law of your countries to ensure that it will be effectively observed. And so each year you meet in this International Commission to review the progress of the work of the Commission, to review the trend of whaling stocks and to take the difficult decision of what should be the catch ceiling for the future.

I am sure that you would join with me in paying our respect and gratitude to the scientists for the tremendous work that they undertake in checking and surveying the behaviour of the whales, and so giving you reliable reports on the level of the stocks and the trend of stock, to advise you on what in fact is a safe ceiling for the catch.

This year once again you will have to decide what should be the catch ceiling for the future, and I think I would not be understating the situation if I said as the years go by this decision becomes not easier but more difficult. Inevitably it is so with the immensely strong catching capacity of your modern fleets.

In years gone by the catching of whales was a most hazardous affair. The odds on the survival of the whale were very much greater than those on the survival of the catcher. I have recently learnt of interesting records of very early whaling fleets centuries ago who observed the South American Indians, the Red Indians, practising whaling in those regions. Their technique was to paddle out their canoes, which were swift but very flimsy, until they were alongside the whale when the leader of the canoe stepped off onto the head of the whale and proceeded to thrust into one of the blow-holes of the whale a sharpened stake. Of course this considerably disconcerted the whale, and the stake was held there until the whale actually sounded. The Red Indian then sprang back into the canoe if he could; and each time the whale surfaced again the same process was followed, the idea being to prevent the whale breathing so that finally the whale was literally drowned. One can well imagine the convolutions and gyrations of the agonised whale trying hard to breathe and slowly being suffocated and drowned. What a hazardous business it must have been for the Red Indian involved in jumping backwards and forwards on his head each time he surfaced! I imagine, Mr. Chairman, if there had been any conservation measures in those days the Red Indians would have laid first claim to them!

Even when one looks at the perhaps better known records of Mr. Melville writing a hundred years ago, with those wonderfully graphic descriptions in Moby Dick, one sees that even then whaling was a very sporting event with the odds pretty even between the whale and the catchers. I quote from his book,

"40 men in one ship hunting sperm whale for forty-eight months think they have done extremely well and thank God if at last they carry home the oil of forty whales."

Well, of course, that looks absolutely nothing to you experts, but that was only a hundred years ago, and it does I think explain why Melville said then, "We account the whale immortal in the species, however perishable in his individuality."

That was only a hundred years ago, and today of course the situation is completely changed, modern whaling techniques having tipped the balance so that now whales in large numbers are only preserved by your most careful supervision. Indeed, in the Northern Hemisphere, although there are still a few whales about, they no longer exist in numbers which would be of interest to commercial whaling.

Even in the Southern Hemisphere, where you catch your whales now, you will I am sure agree that the stocks are shrinking dangerously. It is significant that the only whale which you now catch in considerable numbers is the fin-back whale which, in Melville's days was regarded as uncatchable because he swam too fast. But the other whales, the blue whale, the humpback and the right-whale, which were all plentiful a hundred years ago, are nowadays all in sadly depleted numbers.

Finally, Mr. Chairman, I am sure you would expect me to say just one word not only about the commercial and scientific angle, but the other consideration which I am sure you have in mind, and that is the moral consideration of the preservation of a species. All of us today are I think even more conscious than normally in this nuclear age that we live in a finite world where man commands great powers, not only to create things but to destroy them, particularly with the aid of nuclear power. We are all aware that whether we have creation or destruction rests ultimately on the decision of ourselves, human beings, an act of freewill. Each one of us has our responsibility to make sure that at any rate in our sphere of activity our contribution will be one on the side of creativeness rather than destruction.

In our sphere that we are talking about here, the sphere of whaling, we have the responsibility to ensure that we maintain the whaling stocks of the world, each one of us as far as we are able, so that at least there will be conservation. It would lie very heavy on the conscience of all of us from all our nations in this generation if we were responsible for the virtual extermination and destruction of the whales throughout the world. I know that that thought is never far from your minds, as I say, not only from the commercial point of view, but also from the moral one. I know that despite the immense difficulty of reconciling the commercial necessities with the huge sums of capital which you have invested in your great whaling fleets, despite the difficulties of reconciling that consideration with these scientific and moral considerations, you will manage once again, Mr. Chairman, in your Conference this time to achieve a successful balance.

Finally on a lighter note: by the time you reach tomorrow evening you will have been talking hard for two days and you will be feeling a little dry by then. So, I have the pleasure of extending to you the hospitality of Her Majesty's Government to join us at the Dorchester Hotel to take a little liquid refreshment with me. I greatly look

forward, Mr. Chairman, to seeing you gentlemen there, on one of those pleasant social occasions which go with these international conferences.

May I conclude then, Mr. Chairman, by offering you my best wishes for the success of your Conference dealing with this immensely difficult subject. If you do as well as you have done in the past I do not doubt that its end will be completely successful.

I have great pleasure in declaring the Eighth Meeting of the International Whaling Commission open.

The CHAIRMAN: Your Excellency, Gentlemen, may I on behalf of the Commission thank his Excellency very much for the fine address he has given us. I hope we will all keep in mind the important outlines that his Excellency has pointed out when we have our discussions in the next few days. We have a rather long Agenda and an important one too, so that it is important to bear in mind what has just been said by his Excellency in his address of welcome.

May I also thank his Excellency for the invitation he gave us to the party at the Dorchester Hotel. I think it will be to his convenience if I keep my introductory speech as short as I can because I know his Excellency, Mr. Nugent, has more on his mind than whaling - although I must confess he is an expert because I think he has read the right books on it. That is a very important question for all of us, that whaling is not only a question of getting the whales out of the sea but also of keeping as many whales in the sea to go on for as long as we can.

I thank his Excellency again for his warm address of welcome and I hope that we shall see him again in the near future support our aim to keep whaling as a world business for many years to come.

Mr. G. R. H. NUGENT (Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food): If you will excuse me now I will return to my labours. This is the pleasure with which I start the day, and now I have to begin my work.

(Mr. Nugent left the Conference room)

The CHAIRMAN: Before we go further, Gentlemen, I have to request the Press representatives to leave this Meeting. I take this opportunity of thanking them for the attention they have given to our Meeting; I would also tell them that at the end of our discussions we will release a Press Notice.

Gentlemen, I believe our Secretary has some announcements to make on the running of the whole Conference, so I ask your attention for Mr. Dobson for a minute or two.

The SECRETARY: Mr. Chairman and Gentlemen, there are one or two small points which I would like to announce which may assist you in your deliberations.

(The Secretary made some announcements concerning Conference arrangements.)

There is one small point on the Agenda, if I might just mention it at this stage. I am sorry that in the Agenda there was a misprint. Item 21 reads "Draft (to be circulated later) Eighth Annual Report for approval." That should be the Seventh Annual Report. I want to put it right now. The Seventh Annual Report is what you have before you.

(The Secretary read out a list of all the Members, Commissioners and experts.)

Mr. H. S. DROST (Netherlands): May I point out that there is an omission on the list of Delegations: Dr. Drion is one of our advisers.

The CHAIRMAN: Gentlemen, I should like to take this opportunity to say that it is a real pleasure for me to see a good many new Members in our Commission. Perhaps I may call it a kind of reunion which we appreciate very much, but I must confess that the "old-timers" if I may call them that, are still the backbone of the Commission.

I should like to welcome our former Chairman, Dr. Remington Kellogg, I am sure we are all very pleased to have him in our midst.

There is no need to stress again the importance and purpose of the 1946 Convention for the Regulation of Whaling. In this Meeting we have some very remarkable items on the Agenda and I ask for your serious attention in tackling these problems.

The first thing we have to do to open the discussion, I believe, is to approve the Agenda.

Dr. A. Remington KELLOGG (United States): I so move.

The CHAIRMAN: May I have a seconder, Gentlemen?

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

Mr. F. F. ANDERSON (Australia): I have an objection

to the Agenda, if it includes the circular letter issued by the Secretary dated, 7th May.

I do not think this is in order and it should not be included in the Agenda. I can give my reasons. The main Agenda was circulated on 1st May, 1956, the letter referred to, while quoting a cable from a Norwegian Commissioner, and also an extract from his letter, does not put forward any substantive or definite motion, and the last sentence of the letter is not understood. It would appear that the Secretary has attempted to read the Norwegian Commissioner's mind and put forward his own version of how it should be worded. The Secretary has no authority to attempt to interpret the mind of any Commissioner, and he certainly has no power to place items ^{proposed} ~~presented~~ by himself on the notice paper. No definite proposal has been submitted by the Norwegians on this matter and placing this item for discussion does not allow the Meeting to come to decisive action unless the new amendment is definite and the sixty days' notice required under Rule XII has been given.

Mr. G. JAHN (Norway): I do not understand the meaning The Whaling Association of Norway asked us if we could take up for discussion that an opening season for humpback whaling be placed on the Agenda, as a subject for discussion; so we sent a telegram before the Agenda was closed, which is the rule. Then we wrote a letter, which has been circulated to the Members of the Commission; and I cannot see that we should not discuss this question.

It is a question for the Scientific Committee to deal with as other questions on the Agenda concerning the ^{separation of} ~~separation of~~ whales and the season for taking whales. ^{CONSERVATION}

We have not, of course, given it a definite form. It is only a question which we think we might discuss here. Whether we lengthen it or do not lengthen it, whether it is given one day, two days or more depends on the discussion and the view of the Scientific Committee will of course be of very great importance to our decision. That is the only thing.

Personally I have not stated my views on it at this time, but I will wait and see what the Scientific Committee say about the question. That is the only thing. I do not think it is necessary to have a definite proposal on the Agenda. We must be able to take up questions for discussion. The Norwegian Delegation has not decided nor has it any proposal for the lengthening of time; we only raise the matter because the Norwegian whalers think it might be useful to lengthen.

Mr. F. F. ANDERSON (Australia): Mr. Chairman, may I point out that there is a definite amendment to the schedule suggested in this letter, and that is what I am objecting to. With all due respect to the Norwegian Commissioner, you cannot just place an item on the Agenda for discussion and then expect to get a decision out of it. You must give proper notice in order that the countries concerned can consider the matter and instruct their Delegates before they leave the country concerned.

The Circular reads:-

"It is accordingly proposed that the item "Open season for humpback whaling" shall be included in the Agenda at some appropriate point, but it will also be necessary as a precaution, to include an additional paragraph...."

The Secretary also says:-

"It seems clear that what the Norwegian Commissioner has in mind is an increase in the number of days (1st, 2nd, 3rd and 4th February) on which under Article 6 (3) of the Schedule, it is permissible in certain waters to take humpback whales in any year."

Now the Norwegian Commissioner says he only wanted the matter raised for discussion and probably to go to the Scientific Committee. I do not know who is right, the Norwegian Commissioner or the Secretary who ~~drafts this~~. I do not think ~~this~~ is in order at all. ~~drafted this~~ ~~it~~

The SECRETARY: The Circular to which Mr. Anderson refers was entirely my work, and I was endeavouring to interpret what the Norwegian Commissioner put to me in a letter. I certainly had the impression that he was asking the Commission to move an appropriate amendment to the Schedule. But, if Mr. Anderson will look at page 2, I did not suggest any actual amendment there between square brackets; and if, therefore, all the Norwegian Commissioner in fact wants is to discuss this matter, then possibly Mr. Anderson would allow the Agenda to be approved, subject to that omission.

Mr. F. F. ANDERSON (Australia): I disagree with the Secretary on ~~that~~ ^{the} matter. When you put a motion forward and you put square brackets it is my experience - which may not be as long as Mr. Dobson's, but it is still fairly general - that square brackets only mean that you can insert the requisite date or numbers as the case may be. But that is a definite paragraph which he has there and ~~he states that that~~ ^{it} has thrown it right open.

If the Norwegians only want to discuss this, I think what they should have asked for was that the Scientific Committee at its recent meeting should have examined it. They did not think about that at all; at the last moment they sent a telegram. We are situated 12,000 miles away and we are supposed to come here ready to argue on this basis. I say this is not in order and that the Norwegians cannot, in accordance with Rule XII in the Rules of Procedure, expect any decisive discussion on this.

"Rule XII - 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 in advance of the meeting at which the matter is to be discussed."

Certainly nothing ^{definite} has been put forward ~~and is not drafted to that effect~~. A discussion is not a motion ~~and is not drafted to that effect~~. It would appear that the Secretary did not consult the Chairman on this matter and therefore, ~~although~~ in accordance with the Rules of procedure, it could not be included in the order of business.

Dr. A. Remington KELLOGG (United States): Is not the simplest way out of this dilemma to delete this item from the Agenda and then the Scientific Committee can take it as a matter of business to discuss among themselves, as we have on many other items in the past.

The CHAIRMAN: Is that acceptable?

Mr. F. F. ANDERSON (Australia): Mr. Chairman, I am quite prepared to accept that, provided there is no decisive decision reached at this Meeting on this proposal.

The CHAIRMAN: So the Commission is in accord with Dr. Kellogg's idea to delete this item of the Agenda as it now stands, and also to delete the letter of 7th May, 1956.

With the exception of that part of the Agenda, can the Commission then agree on the acceptance of the Agenda? Are there any further comments on the Agenda? May I take it that the Agenda is accepted by the Commission? (Agreed) Thank you very much for that.

Gentlemen, I think we have now to make up our minds about the further procedure of the Commission, so we come now to the appointment of Committees. I should like to call on our Secretary to propose the appointment of the Scientific Committee and the Technical Committee.

The SECRETARY: I will now ask the Commissioners to state which countries should be represented on the Scientific Sub-Committee.

Australia - Yes, Dr. Chittleborough
Brazil - Not present
Canada - No
Denmark - No
France - Yes, Mr. Budker
Iceland - No
Japan - Dr. Omura
Mexico - Not present
Netherlands - Professor Slijper and Dr. Drion

It should be understood that any member of the Committee can bring other experts with him.

New Zealand - Mr. Corner
Norway - Dr. Ruud
Panama - No

South Africa - Dr. Marchand
Sweden - Not present
U.S.S.R. - Mr. Sleptsov, Mr. Kulikov, Mr. Tveryanovich
U.S.A. - Dr. Kellogg and Mr. Mellor
United Kingdom - Dr. Mackintosh accompanied by others.

That settles the Scientific Sub-Committee on which the following will be represented:

Australia, France, Japan, Netherlands, New Zealand, Norway, South Africa, U.S.S.R., U.S.A., and United Kingdom.

Now may I come to the Technical Committee.

Australia - Dr. Anderson and Mr. Crichton-Brown.
Brazil - Not present
Canada - Mr. Fraser
Denmark - No
France - No
Iceland - No
Japan - Mr. Nara and Mr. Kida
Mexico - No
Netherlands - Mr. Drost
New Zealand - No
Norway - Mr. Jahn
Panama - Mr. Aleman
South Africa - Colonel Goulding
Sweden - Not present
U.S.S.R. - Mr. Solyanik and Mr. Nasinovsky
U.S.A. - Mr. Taylor and Captain Adams
United Kingdom - Mr. Wall accompanied by others.

Mr. Chairman, may I take it that it is usual to record this Committee in our Report as one representative who has the right to take other experts. On this occasion sometimes other names have been given, but I propose for the purposes of the report to keep to one name, accompanied by other experts.

The CHAIRMAN: Is that acceptable? (Agreed)

The SECRETARY: That disposes of the Technical Committee, Mr. Chairman, and now you have yourself to nominate, under the Rules of Procedure, the names of the Finance and Administration Committee.

The CHAIRMAN: Gentlemen, we had on the Finance and Administration Committee last year as members representatives of the United States, South Africa and Norway, they were Dr. Kellogg, Dr. Marchand and Mr. Jahn. I believe Dr. Marchand has now been three times on the Finance Committee - is that not so? - and so I would suggest that Dr. Marchand be replaced by another representative, and I would decide that Mr. Erichsen be invited to take part in the activities of the Finance Committee; so that the Committee is Dr. Kellogg, Mr. Jahn and Mr. Erichsen.

(The Commission adjourned for coffee)

The CHAIRMAN: Will the Commission please come to order. We have dealt now with the first four items of the Agenda, and as this is a plenary session I believe it is as well to go over the whole Agenda and to split it up and see what can be dealt with in the different committees and what will be left for coming plenary sessions.

May I ask your approval to take first Item 5 of the Agenda? There will be no difficulty, I believe, in putting this matter in the hands of the Finance and Administration Committee to make up its mind and to recommend later to the plenary session.

Item 6, "Possible alteration of the date of the Annual Meeting, at present held in the latter half of July". That is a matter on which, I believe, everybody has something on his mind. Is it acceptable that all the Committees we have set up give their ideas on their time preference for the annual meeting of the Commission?

Mr. R.G.R. WALL (United Kingdom): On Item 6 I would only wonder whether it might be useful to have a short general discussion in the Commission before that subject is remitted to three committees. It might perhaps just focus attention on the one or two salient points on which any decision should be based.

The CHAIRMAN: That is quite acceptable to me. We must keep it in mind so that when we have covered all other items on the Agenda we must come back to this matter and have a general discussion on it.

Dr. J.M. MARCHAND (South Africa): I will second that, Mr. Chairman.

The CHAIRMAN: Item 7, "Report as to the Protocol prepared and circulated by the Depository Government for the amendment of the International Whaling Convention, 1946". As far as I know there has, as yet, been no Protocol circulated, so it is very difficult to deal with a Protocol that is not there.

The SECRETARY: I have had no reply since last October so that I am not aware what progress, if any, has been made in the preparation for the signing of the Protocol.

Dr. A. Remington KELLOGG (United States):
The proposed Protocol to the International Convention for the regulation of whaling stands as follows. In accordance with the request of the International Whaling Commission, as set forth in the letter of August 17, 1955, from the Secretary of the Commission to the Commissioner of the United States, the United States Government prepared a revised draft Protocol amending the International Convention for the regulation of whaling. The revised draft Protocol was transmitted to the contracting governments for

consideration by a circular note of October 5, 1955. The revised draft incorporates all changes which were proposed by the Commission and also contains certain changes in the preamble which are considered appropriate in view of the provision for amending Article V of the Convention.

The following governments have not yet indicated whether or not the draft Protocol is acceptable: Brazil, Mexico and Panama.

All the other contracting governments have indicated approval of the draft Protocol. Certain drafting changes of a non-substantive nature have been proposed. Such proposals have not been circulated to the contracting governments for consideration as it is possible that they may be withdrawn if no substantive changes are proposed.

At the time this was drafted the New Zealand and the U.S.S.R. governments had not indicated their acceptance, but I have now been advised that they have agreed. That leaves Brazil, Mexico and Panama.

The CHAIRMAN: That makes quite clear what the situation is at the moment. We have still to wait a while. I take it that we shall also get the adherence of the countries nominated by Mr. Kellogg. At the moment I do not think we can deal with it any further.

I would like to move over to Item 8 of the Agenda, "Discussion as to the Norwegian 'Observer' proposal. (see also Item 20)".

Mr. R. ALEMAN (Panama): With respect to the report just made by Dr. Kellogg, I would like to state that I understand the Minister of Agriculture, Commerce and Industry from Panama is awaiting the next meeting of the Legislative Assembly to submit this amendment as to the Protocol of the International Whaling Convention. The International Whaling Convention was ratified by our Parliament so, in accordance with our procedure, the protocol must be considered and approved by the Assembly.

The CHAIRMAN: I will now move over to Item 8 of the Agenda. I think this is a subject that must be discussed in the Technical and Scientific Committees; it has to do with both Committees. Is that acceptable? Is there any comment on this question?

Mr. G. JAHN (Norway): I think it should be discussed in the Technical Committee.

The CHAIRMAN: Only?

Mr. G. JAHN (Norway): I think it is more for the Technical than for the Scientific Committee. If you like to discuss it in the Scientific Committee I am not against it, but I think it is more a technical matter.

The CHAIRMAN: Is that agreeable?

Mr. H.S. DROST (Netherlands): I agree with Mr. Jahn.

The CHAIRMAN: I felt we should deal with this in the two committees, and I also think there is some finance connected with this question. So perhaps it is a good thing to get the view of the Finance on this. It could perhaps be deleted for this year because it is not yet certain whether we shall start straight away. Are there any comments or do you want it to stay in the activities of the Technical Committee?

Mr. H.S. DROST (Netherlands): Not to the Finance Committee?

The CHAIRMAN: Yes.

Mr. H.S. DROST (Netherlands): All right.

Dr. N.A. MACKINTOSH (United Kingdom): Is there any objection to us discussing observer proposals, if some scientific point is raised?

in the Scientific Committee

The CHAIRMAN: No, Sir. I believe we can take it that both committees can give their views on this question, but the majority of importance is on the side of the Technical Committee.

Item 9, "Report by the special Scientific Sub-Committee". That is quite clearly a matter to be dealt with by the Scientific Committee.

Item 10, I would say that the same applies to this.

Item 11, "The question of advancing the opening of the Baleen Whale season in any waters south of 40° South Latitude". In my view, that is a question which is connected with the interests of both committees. It is equally a scientific question and a technical question.

Mr. R.G.R. WALL (United Kingdom): I wanted to make the same point in relation to Items 9 and 10, that if the Technical Committee should find points that they would like to discuss on these two items they may do so.

The CHAIRMAN: It is impossible to prevent any Committee from discussing anything here.

May I ask for further comments on the proposal?

Mr. F.F. ANDERSON (Australia): I think on previous occasions we have allowed these matters to be discussed in a joint meeting of the Scientific and Technical Committees. I think that may be the best way out of it. Each one can bring forward then to the joint meeting what its proposals are and put something definite before the plenary session.

Mr. R.G.R. WALL (United Kingdom): I certainly do not object to a joint session of the two Committees, but it is an advantage if the Technical Committee can first find out if there are points they would like to raise.

Mr. F.F. ANDERSON (Australia): I think the two Committees can work on it and then afterwards if we have a joint meeting we can bring those points forward.

The CHAIRMAN: So it would be acceptable to you, Mr. Wall?

Mr. R.G.R. WALL (United Kingdom): Yes, thank you.

The CHAIRMAN: Are there no further comments on the Items on the Agenda up to number eleven?

I now move on to Item 12, "Review of the 1955/56 season's catch". That is a question obviously raised by Mr. Vangstein, I believe.

The SECRETARY: May I just say a word here? We are very much indebted to Mr. Vangstein for these papers, a number which he sent direct and an additional number which he sent by other means. They have just arrived, so I can now circulate to everybody who has not already got one, a complete ~~document~~ dossier.

The CHAIRMAN: I believe later on we can have the situation of the presentation of these figures by Mr. Vangstein in the plenary session. I prefer to split up the Agenda before we go back to the plenary session to deal with Items that are open for the plenary session.

Item 12 stands open now for the plenary session.

Item 13, "Blue whale unit limit for 1956/57 and thereafter". That, I believe, can be dealt with in both Committees. No comment?

Item 14, "Infractions". That is a point for the Technical Committee.

Item 15, "Correspondence between Norwegian and Panamanian Governments already circulated". That is a question which also has to be dealt with in a plenary but I do not know whether it is necessary to deal with it. Are there any comments on Item 15?

Mr. G. JAHN (Norway): I think we ought to mention it in our deliberations, but not at this time.

The CHAIRMAN: It is another question for the Committees.

Mr. G. JAHN (Norway): There is the possibility of combining this with the question of observers, but I think we could take it up in the Technical Committee.

Mr. R. ALEMAN (Panama): With respect to Item 15 of the Agenda, I wish to point out that my Government feels that this Commission is a Commission of delegated powers and those powers are as specifically stated in the Convention. We do not feel that it is within the powers of this Commission to enter into a discussion of a diplomatic claim that is being handled through regular diplomatic channels between the two countries, particularly when one of those countries takes this matter to a private court of law and have settled this question in a private court of law. However, if the Commission feels that this matter should be discussed here, I would recommend that it be referred to the Technical Committee. Similar matters in the past have been referred to the Technical Committee.

Mr. G. JAHN (Norway): I should like to make a declaration. He says that this is settled, that the Norwegian Government has settled this question with Onassis. That is not the case. It is the Whaling Union private companies which have settled this, and the Government has had nothing to do with it at all. We did not know anything about it until we saw it in the newspapers. We have no connection with that arrangement at all; the Norwegian Government has not.

Mr. R. ALEMAN (Panama): I would like to call the attention of Mr. Jahn to the fact that I have stated that this matter is being handled through regular diplomatic channels. The second observation I made about this having been taken to a private court, however, is very pertinent, because the Norwegian Government from the very first moment made it very clear that it was presenting this complaint on behalf of the Norwegian Whaling Association. That fact is stated in each one of the notes of the Norwegian Government, and if that party on whose behalf the Norwegian Government had presented the complaint - the diplomatic complaint - chose to go to a private court of law and chose to settle this matter separately, the point, I think, is very pertinent.

Mr. G. JAHN (Norway): It is quite true that the Norwegian Government has had correspondence with the Panamanian Government, that is right, but we knew nothing at all about the settlement between Onassis and the Whaling Associations. That is something private. That is what I would like to underline.

Mr. F.L. CORNER (New Zealand): Assuming this matter is discussed by the International Whaling Commission - and I would assume it is a matter that can be discussed - I think it is one that should be taken in a plenary session. It is hardly a technical matter, and it is one, I think, which affects the whole operation of the Whaling Commission, which goes to the very heart of its activities, and I think the discussion should be on record.

Mr. F.F. ANDERSON (Australia): We think it should be discussed in plenary session in order that a complete record be made.

Mr. R. ALEMAN (Panama): I would like to point out that the reports of the Committees are open for discussion in plenary session, so I do not see why they should not now refer this matter to the Technical Committee; then the matter will be open for discussion. I do request that the matter be referred to the Technical Committee.

The CHAIRMAN: Is there a seconder for this proposal of Mr. Aleman?

Dr. A. Remington KELLOGG (U.S.A.): I will second that.

The CHAIRMAN: We will have to take a vote on this. I will request the Secretary to take a vote.

The SECRETARY: The Chairman asks me to poll the Commission on the question as to whether or not Item 15, "Correspondence between Norwegian and Panamanian Governments already circulated" should be referred to the Technical Committee. I will ask each Commissioner to say 'yes' or 'no'.

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

The Chairman agrees that this is a matter which does not require a two-thirds majority, therefore it is a simple majority that will carry the poll. I report that there are five 'no's' and four 'yes's', so that I declare the Motion as lost. The matter therefore presumably will continue to be discussed, or discussed later at a plenary session.

The CHAIRMAN: I would like to finish this splitting up of the Agenda and then we shall know exactly what is left for the discussion in plenary sessions.

I should like to call your attention to Item 16 of the Agenda, "Prohibition of the taking of blue whales in the North Atlantic. (Report on the position as regards the objections lodged by Iceland and Denmark)". Is it possible to get any action at this moment from both countries which I have just indicated, Iceland and Denmark?

Mr. P.F. ERICHSEN (Denmark): With regard to the prohibition of the taking of blue whales in the North Atlantic, Denmark withdraws its objection and agrees the taking of blue whales shall be prohibited for a period of five years, provided that Iceland and Norway also agree that the taking is prohibited.

The CHAIRMAN: May I call upon Iceland?

Mr. Agnar Kl. JONSSON (Iceland): On behalf of the Icelandic Government I would like to state that the Icelandic Government is against any limitation as to the catch of blue whales in the North Atlantic. We have only one whaling station on a very small scale, but part of the catch of this whaling station consists of blue whales. Their figures, however, are very small but in spite of that fact, it means that much for this little station that they feel they cannot exist further if there is limitation to their catch.

Just to show you how little significance this must have on a general scale I would like to quote the catch for the three last years. In 1953 they caught only five blue whales; in 1954 they caught nine blue whales, and in 1955 they caught ten blue whales. This, as you see, is not very much, but if it were to be limited or prohibited it would be rather disastrous for the little station.

Therefore, as I first said, our Government is against any limitation.

Thank you, Mr. Chairman.

Mr. R.G.R. WALL (United Kingdom): I do not know whether we are disposing of this item now, but before it is disposed of I should just like to say a word. I am wondering whether we might perhaps ask the Scientific Committee if they would just look at this point about blue whales in the North Atlantic and the size of the present Icelandic catch in relation to the purpose and objectives of the recommendation when it was first made by the Scientific Committee. My memory, for what it is worth, is that the whole point of the Scientific Committee's recommendation was that the blue whale was at an extremely low ebb in the North Atlantic, that there might be almost a handful of animals left, and that if even a few were caught year by year it might make all the difference between finishing the stock for ever and perhaps having some hope of it in years to come. If that should be the position I would frankly hope from the United Kingdom side that the Icelandic Government might yet be prepared to reconsider their position in this matter, but it would help us if we could first of all have a new expression of opinion from the Scientific Committee.

Mr. Agnar Kl. JONSSON (Iceland): I have nothing against this matter being presented before the Scientific Committee. That goes without saying. We will see what that Committee has to say about it, but as to the question that there should be only a handful left, I have in the report which I have received from this Icelandic Whaling Station, that in spite of the fact that they have only caught so few whales in these last few months, as I have mentioned, they seem to have seen plenty of whales swimming around and it was due to the inexperience of the whalers that they did not get more.

Mr. P.F. ERICHSEN (Denmark): The catch was 161 whales. Of this number of whales only one blue whale was taken, and therefore the Danish Government is of the opinion that the question of prohibition of the taking should come into force. I would very much ask the Icelandic Government to report the position and to agree to the prohibition of the taking of blue whales.

The CHAIRMAN: Are there any further comments on this Item of the Agenda? Are you in favour of Mr. Wall's proposal to leave it to the Scientific Committee to give their views again? (Agreed) Item 16 moves over to the Scientific Committee for their views.

Item 17 of the Agenda, "Report by the Finance and Administration Committee".

Item 18, "Report by the Scientific Committee".

Item 19, "Report by the Technical Committee".

Those are three items for the plenary sessions coming later.

We can now move to Item 20. That means (a) goes out, and (b) and (c) also. (d), (f) and (g) of Item 20, I believe, are all going to the Scientific Committee, are they not?

Mr. H.S. DROST (Netherlands): Not (g)

The CHAIRMAN: (g) is out; (d), (e) and (f) only. Are there any comments on this question that the Scientific Committee deals with the second part of Item 20? "Amendment for the protection of blue whale stocks in the North Pacific Ocean (See item 10) and "Paragraph 7(a) third line for 7th read (1st) (See Item 11)". (Agreed)

We then get to Item 21, "Draft (to be circulated later) Seventh Annual Report for approval".

/Mr. R.G.R. WALL (United Kingdom):

Mr. R. G. R. WALL (United Kingdom): On Item 21, Mr. Chairman, at the risk of being thought rather a nuisance in suggesting an addition to our work, I should like to suggest that we have quite a small sub-committee to look at our draft Annual Report.

What is in my mind is this: the Report traverses the same ground as your Report of the Moscow meeting, partly in the same language, partly in a different language. Secondly, I should think that the order of the Report might be better if we had the more important things at the beginning instead of at the end. Thirdly, there are particular paragraphs where I feel that the wording might be improved, if the Secretary would allow me to say so. I am thinking of the paragraph, for example, which deals with the law of the sea and the question of the 200-mile limit.

The main thing is, ought we to continue having two Reports which are both covering the same ground? One becomes an appendix to the other, they are partly in the same language, partly in a different language. It does seem to me a little confusing. I should have thought we ought to look at that and see if we can adapt the Commission's Report so that it forms a preface to the Chairman's Report and does not say the same thing all over again.

I would, therefore, suggest that perhaps a few of us might look at it and see if we can do anything in that direction.

The SECRETARY: I am obliged to Mr. Wall because this Report has given me a certain amount of anxiety because of what I might call its sameness. I do largely repeat the lay-out every year. But Mr. Wall perhaps remembers that it was only two years ago that we decided to put in as an appendix the Chairman's Report which, by the time the Report is issued, is a year old. I do agree that it is very largely the same language as the Report.

One way to meet Mr. Wall's point, therefore, was to go back on our proposal and not reprint the Chairman's Report, which is rather old history. I would welcome a Committee to rearrange the Report and try to make it a little more exciting.

The point I want to put to the Commission now, if I may, Mr. Chairman, is that I should like to add a couple of appendices. One I should like to add from the beginning some very summary figures Mr. Vangstein supplies us, as are in the body of the Report. I should like to set them out in a table of eight years, nine years and ten years. That is the first thing.

The second point is that I think we ought to have a short appendix showing for each of the eight years, or whatever it is we have been in existence, the cost of the Commission. But there are a good many other points I am sure Mr. Wall has in mind, and we might make the Report more interesting. I do realise there is a large amount of repetition between the Report and the Chairman's Report. The only difference between the two is that the Chairman's Report I make a point of issuing within a few days of the Meeting being over, and the Annual Report cannot be issued for a year. I would welcome a committee, Mr. Chairman.

Mr. F. F. ANDERSON (Australia): Mr. Chairman, I support Mr. Wall, and I think the Annual Report could be made a bit more lively. Whales are usually dead when they are treated, so I suppose we feel a bit dead too.

I would point out that the Chairman's Report is the authoritative record of the meeting; that is most important. The Chairman's record must be the one that we go by. Therefore, we should have a certain amount of liberty with our Annual Report so long as we do not wander away from the truth too much. I think we could use different phraseology and we might diffidently, without criticising the Chairman's Report, which is only a factual record, make this a bit more of a salesmanship business and show people that the Whaling Commission does do more than just talk about how many humpbacks and so on have to be taken, that we have a broad mind on these matters and do take a keen interest.

Therefore I support that the Report of the Annual Meeting itself, signed by the Chairman, should stand as it is, but that the other Report which is printed afterwards - and, as the Secretary points out, nearly a year afterwards - should contain different terminology, ~~different facts~~, and be more interesting.

The CHAIRMAN: If there are no more remarks on this item, may I take it that there is a majority in favour of a small committee looking after the Annual Report and improving it? We have to make up our minds on this small committee and perhaps the best thing to do would be to think it over.

The SECRETARY: Mr. Chairman, if I might suggest an addendum to this, the same committee that looks over this Report might be the small committee that deals with the press notice at the end of this Meeting. I think that might be a saving of time.

However, there is a question I should like to ask. I am not quite sure what was in Mr. Wall's mind. Does he want this committee to revise this existing Report that has been presented to you, or is this for the future? I am only thinking of time; printers take a tremendous long time. I am not being lazy about it and if this has to be re-written then we shall do so if necessary.

Mr. R. G. R. WALL (United Kingdom): What I had in mind was that in the course of this week we might find two or three people who would have enough time to look at this and see if we could get an amended version of the present Report.

The CHAIRMAN: So we will combine both committees, the press committee and the ad hoc committee to deal with the Report. Is that your view, Gentlemen?

Mr. F. F. ANDERSON (Australia): I do hope you will

give us a bit more information than the press notice. The press notice is about the shortest thing on record.

The CHAIRMAN: We have improved that.

Mr. F. F. ANDERSON (Australia): I was not in Moscow. It must have been the effects of the entertainment.

The CHAIRMAN: We will do our best on the press notice anyway.

Gentlemen, the Secretary and I have just had a small discussion on this ad hoc committee and we have come to the conclusion that it would be a good thing to nominate this ad hoc committee straight away, otherwise it will be left in the air. We want some good authors to find the right style and to edit what they would like to have published.

May I request the following gentlemen to take part in this? Mr. Remington Kellogg, Mr. R. G. R. Wall, Mr. Corner. Are you prepared to edit the Annual Report and find an improved press notice? If there are no objections from those gentlemen, I take it they have accepted.

Dr. A. Remington KELLOGG (U.S.A.): Could I substitute Mr. F. Taylor for myself on that drafting committee? I am, of course, willing to serve, but ---

The CHAIRMAN: So long as it is only in your case; I hope all the members of the committee do not do the same. Nevertheless I hope that we can have the advantage of your advice, if the committee wants it.

That means we have dealt with question 21. Now we come to Item 22 of the Agenda, "Consideration of draft submitted by the United Nations International Law Commission of Provisional Articles concerning the Regime of the High Seas". May I ask our Secretary to give us some information on that.

The SECRETARY: Mr. Chairman, I would like to remind the Commission that on 24th August, 1955, we had a letter from the United Nations addressed to the International Whaling Commission with regard to a report of the International Law Commission covering the work of its Seventh Session held in Geneva from May to July 1955. I need not read the whole letter, but it ended up with this paragraph:

"It would accordingly be appreciated if you ..." - that is the Commission - "...would be good enough to communicate to the Secretary General before 1st February, 1956, any observations which your Organisation may wish to make on the said matter for

transmission to the Commission in time for its Eighth Session to be held in April 1956."

On receipt of that letter I at once communicated with the Chairman whom I had the opportunity of meeting at the beginning of October, and on his instructions I wrote the following letter dated 17th November, 1955:

"Sir, I beg to refer to your letter of 24th August and to say that I have now had an opportunity of discussing the subject matter thereof with the Commission's Chairman. With his concurrence I beg to inform you that the Report of the International Law Commission has been studied with interest and not least those paragraphs which deal with the breadth of territorial waters. The Commission refrained, however, from making any comments on this Report and the proposals contained therein, seeing that it appears to have been already sent to all the seventeen contracting governments whose representatives constitute this Commission and who may wish to comment upon the Report separately and individually."

I heard nothing more until I received a letter from the Royal Norwegian Embassy dated 13th April, 1956. In that letter I was requested as follows:

"The Norwegian Government would like in this connection to call attention to the fact that the International Law Commission's Report was sent to a number of organisations represented by observers at the International Technical Conference on the Conservation of Living Resources of the Sea held at Rome from 18th April to 10th May, 1955, and that the Law Commission stated that it would welcome the other organisations' observations on this matter."

Of course, the Norwegian Government were not aware that I had already sent a letter to the United Nations as I have read to you and as directed by the Chairman. I was asked to put this Item on the Agenda in the first paragraph of the letter from the Norwegian Embassy and I accordingly put it on the Agenda in the form of Item 22.

On 10th July - that is only six days ago - I received a letter from the Norwegian delegation to the International Law Commission. I will read the whole letter:

"This is to inform you that this Delegation today, in accordance with the request from the Royal Norwegian Ministry of Foreign Affairs, under separate cover, airmail printed matter, has sent you fifteen copies of the following documents of the International Law Commission:"

Then is set out three drafts which are apparently the upshot of the original discussion by the Law Commission. I was not requested to do anything with them. I put this Item on the Agenda as I believed I should, although I believed, in the light of the letter sent at the Chairman's direction, that this was not a matter which really vitally affected this Commission as a Commission. I have not distributed the fifteen copies and indeed I have not distributed the original because I knew it had gone to all the Contracting Governments concerned.

Mr. G. JAHN (Norway): I think this affects this Commission very much. We have an International Convention and whether there should be a Convention or not I do not know, but should there be a Convention which would affect this Convention in some cases, then I think it is the duty of this assembly to make some statement on it. We must consider it and if it is in some sense an improvement on the present Convention, if it becomes a Convention, it goes further than this Convention does. There are some points there to which I think we should draw the attention of the U.N. This is a convention of the living resources of the sea. They talk about fish but whales in a way are different animals and there might be some small points to which we wish to draw the attention of the U.N. Commission. If we do so, this will be circulated as an appendix to their proposal and will be brought up before the assembly in the United Nations. It might then happen that they will change something order to reach the aim so far as whales are concerned, whaling stocks and so on.

It also concerns the whaling industries in the different countries. It depends on how the different paragraph in the new convention - if it becomes a convention - will be formed. I think it is of importance that we should look into the matter. You have said that the different governments have formed their opinions about this, but as a Commission we represent a Convention which is already formed. We hope to stress some points from our point of view which can be taken into consideration when this Convention is concluded. I believe many countries were not even aware of the present Whaling Convention.

Mr. F. H. CORNER (New Zealand): Mr. Chairman, I agree with the Commissioner of Norway.

Could I ask, is it a fact that the Secretary, under the direction of the Chairman, has already replied to the International Law Commission saying that this Whaling Commission is not interested in the matter referred to it? Secondly, has the correspondence been circulated to the Commission? Thirdly, if it has not been circulated, could we have it as soon as possible at this Meeting?

The SECRETARY: The answer to Mr. Corner is that the letter has been written at the direction of the Chairman, as I read it, but it has not been circulated.

Mr. F. H. CORNER (New Zealand): Am I right in thinking that a letter has been sent on behalf of all the countries in this Commission without being referred to the countries on whose behalf certain opinions are given?

The SECRETARY: That is so, but I have no doubt the Chairman was bearing in mind that the report we received from the United Nations had been freely circulated to all the people as far as we know who are members of our Commission and other Commissions.

Mr. F. H. CORNER (New Zealand): That is members of the International Law Commission.

The CHAIRMAN: Yes.

Mr. F. H. CORNER (New Zealand): But only seventeen governments are members of the International Law Commission. I think New Zealand is not, for one.

Mr. R. G. R. WALL (United Kingdom): Could we first of all have the operative part of the letter read again, because, whereas Mr. Corner was asking whether the letter said that we were not interested, ^{as I think I heard,} ~~the Law Commission were.~~ I think the answer was that the Commission as such - not the governments represented on the Commission - had no observation to make on the Seventh Session Report, which would not imply to my mind lack of interest. Could we just be quite clear what was said, Sir?

The SECRETARY: May I read again - I did not read the whole of the letter, but I will read the whole of it now, which I have received from the United Nations.

Mr. F. H. CORNER (New Zealand): Would it save time, Mr. Chairman, if the actual document were circulated, and then we would have something substantial to talk about at our next Plenary meeting?

The SECRETARY: I have read a letter which has not apparently been understood and, as I am technically responsible to you, I am entitled to read it again. Here is the letter from the United Nations, dated 25th August, 1955.

"Dear Sir, I am directed by the Secretary-General to draw your attention to the report of the International Law Commission covering the work of the Seventh Session held in Geneva from 2nd May to 8th July, 1955. A copy of this report..."

then the number is given

"is attached for your convenience. The report is a document running into sixty-one pages. The report contains in Chapter II a number of provisional articles concerning the Regime of the High Seas, including article 24 on the right to fish and articles 25 - 33 on the Conservation of the Living Resources of the High Seas. The latter articles are also reproduced in the preamble annex to Chapter II."

I did not read that paragraph before.

"The International Law Commission at the above-mentioned session decided to communicate Chapter II with the Annex to the organisations represented by observers at the International Technical Conference on the Conservation of Living Resources of the Sea held at Rome from 18th April to 10th May"

That was a conference at which this Commission was represented.

".... and to invite them to submit their observations on Articles 24 to 33 and the preamble referred to above. It would accordingly be appreciated if you would be good enough to communicate to the Secretary General before 1st February, 1956, any observations which your Organisation may wish to make on the said matter for transmission to the Commission in time for its Eighth Session to be held in April, 1956."

That was from the United Nations and I did not circulate that document to anyone, having been informed that it had gone to the relevant sources.

I finally wrote to the Chairman and saw him in October. Then on his instructions I wrote this letter:

"The Secretary General, United Nations; Sir, I beg to refer to your letter of 24th August and to say that I have now had an opportunity of discussing the subject matter thereof with the Commission's Chairman. With his concurrence I beg to inform you that the Report of the International Law Commission has been studied with interest and not least those paragraphs which deal with the breadth of territorial waters. The Commission refrained, however, from making any comments on this Report and the proposals contained therein, seeing that it appears to have been already sent to all the seventeen contracting governments whose representatives constitute this Commission and who may wish to comment upon the Report separately and individually."

There was no rejection of it there.

Mr. G. JAHN (Norway): The Commission as such has not studied this and has not expressed any opinion on it. The Chairman and the Secretary have expressed an opinion, but the Commission as such has not expressed an opinion.

The CHAIRMAN: That is quite true.

Mr. Agnar Kl. JONSSON (Iceland): Mr. Chairman, may I be allowed to make some comments on this matter from a practical point of view? As has been said in the letter which has just been read to us by the Secretary, the matter under discussion in the Law Commission has been referred to all the governments represented at this meeting. They have undoubtedly, if they so wished, already commented on this matter.

Now what would be the practical point of taking this matter up here? We would discuss it, as representatives of our governments have already done at another place. As we all know, there are nearly as many proposals put forward as there are representatives on the Law Commission. Would we here be likely to change anything? Would it not be the just the same over again here, and what would the result be? How could this Meeting make any report at all? I just ask you, would we be able to do it here? I do not think so. I think the undoubted conclusion is that we cannot do it. Why then waste this time? That is what I should like to ask you, Gentlemen, from a practical point of view.

Mr. G. JAHN (Norway): I do not know whether you are aware of the last report. I have gone through it and I do not have the impression that there are so many opinions as there are members. They have agreed upon the most essential thing unanimously. I got the report two days ago from Geneva and I think it showed real interest and great importance. Even if we say that we have no observations and we agree upon it, this Commission as a Commission, representing the whaling industry and the whaling interest in the whaling industry all over the world, should be acquainted with it at this Meeting.

I propose that it should be referred to the Technical Committee, who may set up a little sub-committee to go through it and form an opinion, say that is good and so on, and place it before the Commission as such. When my government wished to have it discussed here, it was because they would not give a definite answer on the Law Commission's proposal before they heard what the Whaling Commission said about it, because it also concerns whaling. Whaling is also part of the resources of the sea. If you study it more closely you will find that it concerns the whaling industry's work.

Mr. Agnar Kl. JONSSON (Iceland): Could I make one more comment on this? I know, of course, that this matter has a great importance for the whaling industry, but I have no doubt that experts from the various countries which have been dealing with this matter, have also observed this question. I have no objection to this matter being referred to such a committee if the majority of the Delegates here wish to do so, but, as I have said before, I cannot quite see that this will have any practical effect. I do not know whether I have misunderstood what has been said here before as to what the Norwegian Delegation said last, but I was under the impression that the letter from the Law Commission dealt with the results of the meeting last year, not the meeting now. I have not had a chance of studying the report of this last meeting, but certainly at the meeting which was held in Geneva in the spring of last year there were a great many different opinions. That is what I thought we were being asked to comment on now, but not on the last meeting held quite recently in Geneva.

Dr. A. Remington KELLOGG (U.S.A.): Has the meeting any objection to studying the International Law Commission's report with a view to seeing the effect on the Whaling Commission's progress? But this is not the same as passing judgement on the Report of the International Law Commission. There are two different items. When we study the effect of the provisions in the report on our programme, we do not pass judgement on the content. That is a matter for governments.

Mr. R. G. R. WALL (United Kingdom): Mr. Chairman, the United Kingdom would have no objection to a discussion on the lines Mr. Jonsson and Dr. Kellogg have suggested in the Technical Committee, if that is desired by other member countries. But on a point of fact, what has been mentioned here this morning is the Seventh Session report of the I.L.C. This year the I.L.C. have had their Eighth Session and that ended on the 4th July. The I.L.C. have now adopted finally their report as I understand it, and it is going direct to the United Nations for debate in the General Assembly next autumn or winter. I think, therefore, we should be clear, if I am right - and I believe this is right - that there is no question of any government or any body saying anything more to the International Law Commission on this subject. That is finished. The next stage is for governments to make their opinions known in the General Assembly on the final proposals of the International Law Commission. I think if we have a discussion, we must realise that it is on that basis we are having it.

Secondly, if we are having a discussion, it would be extremely helpful to have the Eighth ~~Commission's~~ ^{Session} report, which I myself for one have not seen. If we are to discuss it in the Technical Committee could somebody provide a copy of the Eighth Session Report, so that we know what we are talking about?

The SECRETARY: We have fifteen copies.

Mr. F. F. ANDERSON (Australia): I agree with Mr. Wall. As many of us here were present in the meeting in Rome, and now the International Law Commission has made practically its final report for the consideration of the Assembly, I do not think any good is going to come out of any discussion here. It is too late to make any recommendations to the International Law Commission and I think that all that was asked for before really were comments on the results of the meeting. The Secretary, with the authority of the Chairman, has submitted a letter to that effect, that no action would be taken by the Whaling Commission. I do not think any action can be taken now. I think we would be very badly advised at the moment to go into the rights and wrongs of the items in that particular report.

Mr. G. JAHN (Norway): I do not agree, Mr. Chairman. Even if the Law Commission has finished, they would have the right to express their opinion on the facts which affect our Commission and on the whaling as such. It is a very good thing to have that before we assemble. It is much better that we should say something about it than that it should come from a single government, for it would then be lost.

Dr. A. Remington KELLOGG (United States): Mr. Chairman, there are some Commissioners here who I feel sure will now feel that they ought to report to their own government on what was the attitude of the Commission on this item. It is agreed that it is a matter for governments to take up with the United Nations. Each of the governments represented here may be advised of what the view of the Commission was. The Commission may make no reply direct to either the United Nations or anyone else; their own governments can.

Mr. F. H. CORNER (New Zealand): Is it agreed that the correspondence will be circulated? I should like to consider this point of the Secretary, at the direction of the Chairman, speaking on behalf of the Commission in this matter. I think it would help if we had the actual documents.

The SECRETARY: Mr. Chairman, I am anxious to help Mr. Corner and all the others Members of the Commission, especially if I have persuaded you into a line of action which possibly was a little high-handed. I did that, however, entirely in the belief that all the people concerned were already in communication with the United Nations. The letter from the United Nations can, of course, be circulated, and the Chairman's reply, but I only have one copy of the actual report. It is now out of date, so to speak, but I can of course let the Technical Committee this afternoon see copies of the new report, of which the Norwegian Delegate to the International Law Commission has sent me fifteen copies to arrive on Saturday. That, of course, can be done.

Mr. G. JAHN (Norway): We have ten more, with those you have that makes twenty-five.

The SECRETARY: A copy could be sent to each Commissioner.

I should like to say, Mr. Chairman, while I have the chance, that I am extremely sorry if we have acted irregularly here, but I believe there were special circumstances which justified it, knowing that all the people concerned were being consulted from a different angle.

Mr. Y. NARA (Japan): Concerning this question, Japan is not a member of the United Nations International Law Commission, so officially we should have nothing from them. If possible we wish to agree to Dr. Kellogg's proposal that the Commission ask the International Law Commission - I mean this Commission - to have their report sent to the individual governments of this Commission. In this way all the Members of this Commission could have the opportunity of studying it.

The CHAIRMAN: We now have twenty-five copies in the Meeting, so I think we can save you from asking for it from the International Law Commission. We have copies here. You will get one which will satisfy your need for the moment.

Mr. Y. NARA (Japan): Yes, for the moment, but could the Commission ask the International Law Commission to send their reports to all of the members in this Commission officially as otherwise we should never have been notified of the report according to official rules.

The SECRETARY: Mr. Chairman, may I make it clear that the latest report was not one from the International Law Commission but was apparently a private letter from the Norwegian Delegate on the Commission. We have had no communication with the International Law Commission; the original letter we had was from the United Nations. This latest letter - we discussed it among ourselves here - it seems to me is a private letter and signed by the private delegate, Johan Cappelen, who is the Norwegian Delegate on the International Law Commission; he has sent it out to us, and I very much doubt whether the governments concerned have yet had it.

Mr. F. F. ANDERSON (Australia): This did not come from a nation represented on the Commission or from a United Nations authority. By what right do we receive letters from people who are not actually members of this Commission?

Mr. R. G. R. WALL (United Kingdom): I think actually it goes a little further than that. First of all, no country has Delegates on the International Law Commission, the members are there in a purely personal capacity. Secondly, to my knowledge, there is not a Norwegian on the Commission. May we hear from whom the letter has come?

The SECRETARY: These latest copies have come from the Delegation de Norvege, dated Geneva 10th July, 1956 and it is signed, sending us these three documents - one of which is the draft report of the International Law Commission covering the work of its Eighth Session - it is signed "Johan Cappelen, permanent delegate," that is permanent Norwegian delegate, at least as I take it. We are not asked to do anything with it.

Mr. G. JAHN (Norway): The Norwegian Ministry of Foreign Affairs has asked to get copies and send copies here in order to make it easier for us to take up that point which we have asked to be put on the Agenda. That is the only thing, it is only to help different Members here to know what they are talking about. We are not so formal that we should know exactly; and if you have got a document which helps you,

I would not go into whether it is right to send copies or not.

The CHAIRMAN: I think that perhaps we have now had sufficient discussion on this very important Item on the Agenda, Item 22, but it is not quite clear if there is much support for the views of the Norwegian Delegate. To make things a little clearer I should like to propose that we take a vote on this Item to decide whether to delete it from the Agenda.

Mr. G. JAHN (Norway): I made a proposal to send it over to the Technical Committee.

Dr. J. M. MARCHAND (South Africa): Is there a motion in front of this Meeting to delete it?

The CHAIRMAN: Yes.

Dr. J. M. MARCHAND (South Africa): Has it been seconded, Mr. Chairman?

The CHAIRMAN: Not yet.

Dr. A. Remington KELLOGG (United States): Has it been proposed?

The CHAIRMAN: I should like to propose it.

Mr. P. F. ERICHSEN (Denmark): I should like to second that proposal to delete it.

The CHAIRMAN: It is so moved from the Chair, and seconded by Mr. Erichsen from Denmark. Are there any further amendments to this proposal?

It has been proposed by Norway, I believe, to refer it to the Technical Committee, but I think that is a different matter. Are you prepared to take a vote now?

Dr. J. M. MARCHAND (South Africa): Have we a seconder for the Norwegian proposal, Mr. Chairman?

Dr. A. Remington KELLOGG (United States): I second it.

The CHAIRMAN: The amendment is to move it over for consideration by the Technical Committee.

Dr. A. Remington KELLOGG (United States): Which takes precedence?

The CHAIRMAN: May I ask the Secretary to take a poll on the amendment.

The SECRETARY: Gentlemen, it is proposed that Item 22 should be deleted from the Agenda. It has been proposed by the Chairman and has been seconded by Mr. Erichsen of Denmark. To that there has been an amendment moved, proposed by Mr. Jahn of Norway, seconded by Dr. Kellogg of the United States, that the matter should be referred to the Technical Committee in accordance with ordinary procedure.

Mr. G. JAHN (Norway): Mr. Chairman, on a point of order, I proposed that first, before you came with your proposal, but you had not taken it up and then you asked whether it was seconded.

The CHAIRMAN: I must apologise for that. So we turn it over.

Dr. A. Remington KELLOGG (United States): So we take the amendment first, according to parliamentary procedure.

The SECRETARY: The substantive Motion...

The SECRETARY: The substantive Motion was moved by Mr. Jahn of Norway seconded by Dr. Kellogg, that this matter - Item 22 on the Agenda - be referred to the Technical Committee. To that, there is an Amendment proposed by the Chairman and seconded by Mr. Erichsen of Denmark, that the Item be struck off the Agenda. In accordance with ordinary procedure I take the Amendment first, that is that Item 22 be struck off the Agenda. May I ask each Commissioner to say 'yes' or 'no'.

Australia - Yes

Mr. H.S. DROST (Netherlands): Is this the proposal of Mr. Jahn for which we are now voting?

The CHAIRMAN: It is a Motion to delete Item 22 from the Agenda. A proposal has been moved to submit it for consideration to the Technical Committee, but the Amendment comes first in the rules of procedure.

The SECRETARY: You are voting now on whether this should be eliminated from the Agenda.

Australia - Yes
Brazil - Not present
Canada - Yes

Mr. P.F. ERICHSEN (Denmark): I have nothing against this question being taken up by the Technical Committee, but I would prefer that it be deleted from the Agenda altogether.

The SECRETARY: May I continue?

Denmark - Yes
France - Yes
Iceland - Yes
Japan - No
Mexico - Yes
Netherlands - Abstain
New Zealand - No
Norway - No
Panama - Abstain
South Africa - Yes
Sweden - No
U.S.S.R. - Yes
U.S.A. - No
U.K. - No

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

The SECRETARY: The result of the poll is that there are 8 'yes's', 6 'no's' and two abstentions. This is a matter of a plain majority and therefore the 'yes's' have it, the Amendment is carried and I now move that as the substantive Motion, that this be eliminated from the Agenda.

Mr. R.G.R. WALL (United Kingdom): May I simply explain, Mr. Chairman, that my vote would have been 'yes' if this had been a matter of this ~~Committee~~ ^{Commission} or the Technical Committee taking into account the whole of this Report and discussing the general principles and the law of the sea, and a great deal else, but my vote was 'no' because I think it might have been useful in the Technical Committee and this Commission to look at the International Law Commission's Report in order to see what effect it might have on whaling as such, and whether this Commission ~~was~~, ~~or~~ wishes to draw the attention of the several governments concerned to any technical points that may be peculiar to whaling which have a relationship or a bearing to this Report. Because I think that might have been useful I voted as I did.

Mr. F.H. CORNER (New Zealand): I should also like to explain my vote by accepting exactly the statement that has been made by the United Kingdom Commission, and to say further that I think it would be an abdication of this Commission's responsibility to dismiss this matter when this body had certain collective experience from the aspect of whaling.

The SECRETARY: May I now move this as a substantive Motion? I will now take the poll on the substantive Motion.

Dr. A. Remington KELLOGG: (U.S.A.): Is it necessary to go to the substantive Motion now that the Amendment is carried?

The SECRETARY: Dr. Kellogg, you and I always want to have a short cut, but I remember Mr. Corner called my attention at a meeting that I had not moved a substantive Motion, which I think is correct, but I do not think it is necessary.

Mr. F.H. CORNER (New Zealand): We have considered this very summarily, we have not even had documents placed before us, they were not circulated before we discussed this, and I think the extra two minutes of thought we have now had, even without documents, might help the Commission to make up their minds in a different way if we had the substantive Motion vote.

The SECRETARY: I will poll the Commission on this as a substantive Motion.

Australia - Yes.

Mr. A. FRASER (Canada): I am not clear on the question.

The CHAIRMAN: Mr. Drost of the Netherlands has something to say.

Mr. H.S. DROST (Netherlands): I do not understand what we are voting on now.

The CHAIRMAN: The question is now clear, we have just dealt with the Amendment and we now deal with the Motion as it stands as a substantive motion.

The SECRETARY: A Motion was put before the Commission by Mr. Jahn, seconded by Dr. Kellogg, that this matter - Item 22 on the Agenda - should go before the Technical Committee. To that an Amendment was moved from the Chair, seconded by Dr. Erichsen that the Item should be struck off the Agenda. We have just voted on the Amendment as you have to take the Amendment first. That Amendment was carried by 8 'yes's' to 6 'no's'. As a matter of strictly correct procedure that Amendment now has to be put as a substantive Motion. Therefore you have to be asked to vote on it again.

The CHAIRMAN: Is that clear? Is there no further misunderstanding?

The SECRETARY: Is everything clear?

Australia	- Yes
Canada	- Yes
Denmark	- Yes
France	- Yes
Iceland	- Yes
Japan	- No
Mexico	- Abstain
Netherlands	- Abstain
New Zealand	- No
Norway	- No
Panama	- Abstain
South Africa	- Yes
Sweden	- No
U.S.S.R.	- Abstain
U.S.A.	- No
U.K.	- No

The result of the poll is 6 'no's' and 6 'yes's'.

Dr. A. Remington KELLOGG (U.S.A.): Mr. Chairman, I would like to raise a point of order. I think under Parliamentary procedure the Chairman cannot put forward a Motion, and for that reason I would like to say that the first proposal should be thrown out.

Mr. A. FRASER (Canada): Mr. Chairman, I think this would be a good time, if you do no mind, to entertain a proposal that we adjourn.

The CHAIRMAN: That would be my idea, so you could then make up your minds at lunch time how to deal further with this question. I think if you try to settle this matter before lunch you will get a very late lunch. I think it would be better if we adjourned for a couple of hours. I should like to move that we convene again this afternoon as a plenary session, so that the Committees will meet later. I would suggest that we should meet again at 3 p.m. After a short plenary session I would be in favour of getting a start on the Committees. Perhaps we could meet in plenary session for one hour and after that we could move over to Committee sessions.

Mr. G. JAHN (Norway): Before we adjourn could you not distribute the documents and ask them to look at paragraphs 25 to 33. That is all that is necessary; it does not take very much time. It would help clear the minds of many of the delegates.

The CHAIRMAN: The copies will be distributed now.

(The Commission adjourned for lunch)

The CHAIRMAN: Will you please come to order.
Before we start, Mr. Dobson has some announcements.

The SECRETARY: (Announcement regarding invitation
by Her Majesty's Government)

The next point is this: Document 5, which has been circulated, is the folder for which we are very much indebted to Mr. Vangstein, containing the statistics for the year. Would anyone tell me if they have not got that folder, as I would like them to have it at once.

Dr. A. Remington KELLOGG (U.S.A.): You mean one for a Delegation or one for each member.

The SECRETARY: I do not know if I have got enough, there may be one or two short; I am trying to fill as many gaps as I can. Some of these were sent out by post before the meeting.

The CHAIRMAN: The meeting is open again, and we have to deal with Item 22 of the Agenda, the consideration of the draft submitted by the United Nations. May I call for any comments from the Commission on how to act on this Item of the Agenda?

The SECRETARY: May I remind the Commission that the terms of Item 22 are exactly as they were when I was requested to put it on the Agenda. It refers to the Seventh Report of the Law Commission.

I now find that when I got the letter from Norway I obtained a number of copies of that Report, some from the United Nations and some from elsewhere, and I had intended to circulate it. The latest letter from Norway, of course, refers to the Eighth Report, but copies of both are available. However, the Agenda only refers, of course, to the Seventh

Mr. H.S. DROST (Netherlands): We start again on the same point. I should like to delete this point from the Agenda.

The CHAIRMAN: Thank you, Mr. Drost. Is there anybody who would like to second this proposal of Mr. Drost's?

Mr. A.N. SOLYANIK (U.S.S.R.): I second that.

The CHAIRMAN: Thank you so much, Captain Solyanik.

Are there any further comments or amendments? There are no amendments so the proposal shall stand to delete Item 22 of the Agenda. I should like to request the Secretary to take a poll.

The SECRETARY: Will those in favour say 'yes', against 'no'.

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

That resolution has attracted seven yeses and six noes, so it is carried by one vote, but there are three not present. That is carried.

The CHAIRMAN: It means that Item 22 is now? deleted from the Agenda.

Dr. A. Remington KELLOGG (U.S.A.): Could we now offer a resolution to consider the last Report of the International Law Commission,

The CHAIRMAN: Is that moved by you and proposed,

Dr. A. Remington KELLOGG (U.S.A.): I will make it a proposal if anyone wants to say anything.

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

Dr. A. Remington KELLOGG (U.S.A.): It is an entirely different Report. I further move that we defer a vote on that until people have had a chance to study the last Report.

The CHAIRMAN: You add that to your proposal, I see. So you would like to propose that we get a new poll on this Eighth Report of the I.L.C. and delay it for a couple of days so that we can have a chance to look at it and study it seriously.

Dr. A. Remington KELLOGG (U.S.A.): To give individual Commissioners a chance to read it.

Mr. H.S. DROST (Netherlands): I think that is probably not possible formally, because it has not been on the Agenda.

The CHAIRMAN: You are right but also wrong, because it is quite open on the Agenda. There are two drafts and it is not quite clear which draft has been indicated on this Agenda.

Mr. F.F. ANDERSON (Australia): May I draw your attention to the Agenda, it says "Tenth Session", these papers before us are the Eighth Session, at least two of them are. This Item is not on the Agenda.

The CHAIRMAN: It is proposed by Mr. Anderson of Australia that the Item just indicated by Dr. Kellogg is not on the Agenda. Is that proposal seconded?

Dr. A. Remington KELLOGG (U.S.A.): You could put it under Item 23 if it is not appropriate under 22.

Mr. H.S. DROST (Netherlands): Mr. Chairman, the letter of 7th May has been deleted from the Agenda because it was not put on the Agenda, and I do not see that we can now put some other thing on the Agenda, even under Any Other Business, otherwise this letter of 7th May could also be put under Item 23.

The SECRETARY: May I explain that the letter of 7th May involves an alteration of the Schedule, this apparently does not involve any alteration. I am not saying it should go on, but I want you to realise that this was only received by us on Saturday. The other one involves an amendment of the Schedule and has to have 60 days notice.

Mr. F.L. CORNER (New Zealand): A decision has been made to remove Item 22 from the Agenda, could we not leave it at that? If, in the meantime, the Secretary could circulate the copies of the document, well, we could talk about this Item under Any Other Business, and anybody else who wants to make comments can do so, and we could just leave it until then.

The CHAIRMAN: Does that satisfy the Commission?

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

The CHAIRMAN: The proposal of Mr. Anderson is not seconded up to now.

Mr. F.F. ANDERSON (Australia): All that I want to point out is that it is not on the Agenda. They support me in that because they want it discussed under another Item at a later stage. It does not say that the point I raised is wrong, I think I am right. There is no motion as far as I am concerned.

Mr. F.L. CORNER (New Zealand): If at the same time the Secretary circulates the Report of the Eighth Session, he could also circulate the correspondence between himself and the United Nations. I think it would complete the record.

The SECRETARY: That can of course be done, but I would remind Mr. Corner that before lunch you were all invited to collect a copy of the Eighth Session in the lounge. There were only twenty-five copies of it and I also understand there were something like that of the original one; they could be circulated too. They could then come up for consideration at the Technical Committee under Any Other Business. That would be the simplest thing, without any polling.

Mr. F.L. CORNER (New Zealand): It is not so much the actual reports by the International Law Commission I am interested in, though it is useful to have those and it would be helpful for them to be circulated, the particular thing I want recorded in the Commission's business and circulated as a document is merely the letter from the United Nations and the letter from our Commission back to the United Nations in connection with this document.

The SECRETARY: That is very simple.

The CHAIRMAN: That can be done.

Dr. A. Remington KELLOGG (U.S.A.): Under the Rules of Procedure, Order of Business Rule XII:

"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 in advance of the meeting at which the matter is to be discussed."

This does not involve any amendment to the Schedule.

The CHAIRMAN: That is quite correct, Dr. Kellogg, thank you.

The SECRETARY: I propose, in accordance with Mr. Corner's suggestion, to circulate the correspondence, the two letters, one from the United Nations and one back from the Commission, and copies of the Reports referred to. Both of them will be available to the extent which we have them.

I find I did ask the United Nations for 40 copies of the original ones and they could not supply; but if it might be left like that then the matter can be brought up at the Technical Committee under Any Other Business. I think we might leave it at that without any other formal polling.

The CHAIRMAN: Is that acceptable, Gentlemen? You will be supplied with these papers and it will be considered in the Technical Committee.

Mr. F.L. CORNER: Or in this session under Any Other Business? That is if anybody desires it.

The SECRETARY: That can always be done later on.

The CHAIRMAN: So that is settled now, Gentlemen.

I should now like to invite Mr. Vangstein to deal with Item 12 of the Agenda. He will deal with 1955/56 figures of the season's catch.

Mr. E. VANGSTEIN (Norway).....

MR. E. VANGSTEIN (NORWAY):

The Bureau of International Whaling Statistics has, as in previous years, prepared a series of statistical surveys of the catch in fields in and outside the Antarctic. This material will be found in the folders which have been handed round. The folders contain International Whaling Statistics Nos. XXXV and XXXVI. The former publication comprises the catch in fields outside the Antarctic in 1954, the latter the catch in the Antarctic in season 1954/55. Further, the folders contain a provisional issue of International Whaling Statistics No. XXXVII, covering operations in fields outside the Antarctic in the calendar year 1955 and some whaling statistics relating to the last Antarctic season.

Some of the members of the Commission have earlier expressed the wish to have the statistics presented to them before the meetings of the Commission. The reason for this was that it is difficult at the actual meetings to examine carefully the statistics.

On June 27th we sent the catch statistics for the last Antarctic season to all the Commissioners, on the basis of a list we received from Mr. Dobson. In order in some degree to limit the flood of paper we requested the Commissioners to bring with them to this meeting the said material. In the folders handed round now the statistics for last Antarctic season are therefore not included. The said statistics are, however, included in the folders distributed to the advisers and experts.

As the question of the date of future meetings is going to be discussed I should like to say that if the Commission wishes to have complete Antarctic statistics, the meetings cannot be held earlier than they are this year. I think, however, that the Commissioners have very little use for complete Antarctic statistics in connection with the meetings. A survey which shows the catch in the Antarctic broken down into species and areas should be sufficient. This we can do immediately after the close of the season, if the individual expeditions can furnish us by telegram with the necessary particulars. All the expeditions have done this in recent years, on the basis of which we have prepared surveys for the Scientific Sub-Committee.

In the fields outside the Antarctic the production in the calendar year 1955 amounted to about 519,000 barrels whale and sperm oil, which is a good 50,000 barrels less than in the calendar year 1954. This fall is due to the fact that "Olympic Challenger" which in 1954 operated off Peru and produced about 73,000 barrels oil, was not in activity there in 1955. I draw attention to the provisional issue of International Whaling Statistics No. XXXVII, where detailed information will be found. In this we have, as formerly, included a general map showing the situation of the various land stations and the fields where the pelagic expeditions have operated.

In the last Antarctic season 19 pelagic expeditions and 3 land stations took part in the operations. This is the same number of expeditions as in the season 1954/55. The 19 pelagic expeditions employed 257 catching boats as compared with 233 in season 1954/55. For season 1954/55 all the companies except the Soviet Union company and the Panamanian company entered into an agreement for a limitation of the catching boat fleet. The agreement was briefly to the effect that the large expeditions should not employ more than 13 boats. Attempt was made to get a similar agreement for season 1955/56, but without success. For this reason the catching boat fleet increased considerably. However, I may mention that for the coming season the companies have entered into an agreement for limitation of the catching boat fleet. All the companies have subscribed to the agreement except the Soviet-Russian, which has, however, been asked to do so. If the Soviet-Russian company signs

the agreement the catching boat fleet in the coming season will consist of 222 boats, apportioned between 20 factory ships. Japan is, as is known, sending a new expedition in the coming season in addition to "Olympic Challenger", which it has bought from Olympic Whaling Co. S.A.

The keen competition for the permitted number of whales has in recent years led to a great expansion of the catching boat fleet. The fleet is considerably larger than is required for taking the permitted number in the time at disposal. A large fleet of catching boats involves an irrational use of catching material and high running expenses. With a smaller number of catching boats the catch will nevertheless be the same. It is for this reason that the companies have entered into this agreement respecting a limitation of the catching boat fleet.

The taking of fin whales commenced on January 7th and of blue whales on February 1st. It was permitted to capture humpback whales only in the period February 1 - 4. The operations closed on March 4th, which made it the shortest season ever experienced in the Antarctic. The hunting of fin whales lasted only 58 days and that of blue whales 33 days.

The catch amounted to 14,874 units, which is 126 units less than the fixed maximum, 15,000 units.

The pelagic expeditions captured

- 1,611 blue whales
- 25,289 fin whales
- 1,432 humpbacks
- 276 sei whales
- 6,881 sperm whales.

This is about 550 blue whales and 600 fin whales fewer than in season 1954-55.

Of whales smaller than the stipulated minimum sizes there were taken

- 78 blue whales
- 362 fin whales
- 18 humpbacks
- 1 sei whale

according to the statements sent in. For blue and fin whales the figures are approximately the same as in season 1954/55.

Outside the official whaling period there were taken

- 2 blue whales
- 5 fin whales
- 4 humpbacks.

As is known, at the meeting of the Commission in Moscow in 1955 it was resolved to open the Pacific sector for pelagic hunting of baleen whales for 3 years. This sector has been closed in pursuance of international whaling agreements since 1938. Before that date there was in fact no considerable whaling in the Pacific sector. This sector, which we have designated Area I, comprises the region from 70° West and westwards to 160° West. In this area 3,681 units were taken, representing about 25% of the total pelagic catch of baleen whales. This resulted in a corresponding reduction of the catch in the old fields. In these (from 70° West and eastwards to 160° West) about 11,000 units were taken by the pelagic expeditions. In seasons subsequent to 1945/46 15,000 - 16,000 units have been captured in these fields and in the last seasons prior to 1940/41 20,000 - 30,000 units.

The majority of the Scientific Committee stated last year that the catch ought as soon as possible to be reduced to 11,000 units. The committee was aware that out of regard for the whaling industry such a reduction could not be effected immediately, but must be brought about gradually. The opening of Area I has had the effect that the taxation of the old fields in last season was reduced to about 11,000 units. The great question now is whether we shall get from Area I in the coming seasons as large a catch as this year.

In Areas II and IV the catch last season was approximately as large as the average in the postwar seasons. In Areas III and V on the other hand the catch last season was 1600, and 1400 units respectively lower than the average since the war.

In the material distributed, tables and graphs will be found which show the catch and production in each square and each 10° longitude sector in recent seasons. As will be seen, whaling was undertaken in all 36 longitude sectors in season 1955/56. In 6 of these sectors, two of which in Area I, the catch was, however, less than 100 units.

The average catch of blue whale units per catcher's day's work was last season 0.99. This is a rise compared with the previous season of 0.08 units. In Area I the average catch per catcher's day's work amounted to 1.16, as compared with 0.95 on an average in the other 4 areas. As already mentioned, the operations last season lasted 58 days. One of the causes of this short season is probably the opening of Area I. On the basis of the average catch obtained in Areas II to V the operations would have lasted 61-62 days. Further, it must possibly be reckoned that if all the pelagic expeditions had also this year been concentrated in the old fields, it would probably have resulted in a lower average catch than was actually obtained last season.

The average yield per blue whale unit for the pelagic expeditions was 121.6 barrels, i.e. 4.3 barrels more than in the preceding season. The highest average yield was in Area I, namely 135.8. In Area II the average yield was 127.5 barrels, while in the other 3 areas it varied from 106 to 114 barrels. When it relates to the yield in Areas I and II it must be noted, however, that in Area I about 100% more blue whale units were taken in the last half of the season than in the first half. This is due to the fact that some factory ships moved into Area I toward the end of the season. As the whales are fattest at the end of the season this has resulted in a relatively large yield in this area. In Area II, on the other hand, the catch in the last part of the season was somewhat less than in the first part, which has resulted in a relatively low average yield. If the distribution of the operations last season in Area II had been the same as in Area I, the yield in Area II would probably have been about 132 barrels, or approximately the same as in Area I. The average yield last season may therefore indicate that the whales in Area I are just as fat as in Area II. No certain conclusions can be drawn of course on the basis of the statistics for a single season. There may have been some special conditions in Area I last season which led to the high production figures.

The average size of blue and fin whales last season was the same as in the previous season. It may be mentioned, however, that the average size of the blue whale in Area I was lower than the average size in the other areas. In the case of the fin whale the average size in Area I was about the same as in Areas II-V. If the stocks of whales in Area I are entirely or partially separate tribes, these have not previously been taxed in any substantial degree. We should have expected therefore a somewhat higher average size of the whales taken in this sector, but, as will be seen, this was not the case. However, the percentage of immature fin whales is considerably lower in Area I, namely 17.9% as compared with 28.3% in the other areas.

The blue whale catch fell by about 550 animals. The blue whales in percentage of blue and fin whales amounted to 6% as compared with 7.7% in the preceding season. However, this decline is due to the putting forward of the opening date for taking of blue whales. In the period February 1 to March 4 the catch of blue whales relatively to the total catch of blue and fin whales amounted to 11.5%, as compared with 9.5% in season 1954/55. In seasons 1945/46 - 1951/52 the blue whale catch varied between 23 and 32% and in seasons 1931/32 - 1935/36 between 38 and 62%. From South Georgia 3 blue whales were caught. It may be mentioned that in the season 1926/27 3,689 blue whales were caught.

On the 4 days in which hunting of humpback whales was permitted, a total of 1425 animals was processed. Of these, 824 were taken in Area IV and 467 in Area V. In Areas I and III 134 were taken in all. It is, as is known, not permitted to hunt humpback whales in Area II. In the last three seasons the hunting of humpback whales has been restricted to 4 days. According to the reports received there were captured on these 4 days a total of 2519 humpback whales in the said 3 seasons. This gives an average per season of 840.

The catch for the 3 land stations on South Georgia last season was approximately the same as in the two preceding seasons, 1,384.8 blue whale units were taken. The total catch in the Antarctic amounted therefore to 16,259 units.

THE CHAIRMAN: Thank you very much for your attention.

The CHAIRMAN: Thank you, Mr. Vangstein, for your presentation.

Gentlemen, you have heard Mr. Vangstein present his report in a very clear way, are there any comments? You will get the full report in the Verbatim record. I believe the Scientific Committee will deal with the figures of the report as it stands now.

Mr. R.G.R. WALL (United Kingdom): As regards your last remark, Mr. Chairman, that the Scientific Committee will no doubt be considering this report and will be giving us their advice about it, I would ask whether the Scientific Committee will especially give us their advice on the figures and arguments on pages 21 and 22.

Page 21 deals with the question of the average size of the different species of whales, from which it appears that when you adjust the presentation of the figures in order to make them comparable over recent years, the average size of blue and fin is now lower than at any time in the past. On page 22, on the sexual maturity of the whales, apparently the percentage of immature whales, both blue and fin, is again higher than in any past season.

These points just struck me when I was reading the document, and I should like to know whether the scientists see any special significance in the addition of last season's figures to the previous trend.

There is one other point on page 21, where Mr. Vangstein points out that Area 1, where you might have expected a somewhat higher average size of whales caught than in the other traditional whale^{ing} areas, does not have this higher average size, and I again wondered if the scientists were able to give us any explanation. I, for one, should be grateful for this. Thank you, Sir.

The CHAIRMAN: Thank you, Mr. Wall. Without doubt the Scientific Committee will review these questions when they are studying the discussions in committee, and you will get the results in the other sessions.

Dr. N.A. MACKINTOSH (United Kingdom) I think I can say we shall be very glad to discuss these matters, but we cannot guarantee to give a firm answer to these problems.

The CHAIRMAN: Thank you so much, Dr. Mackintosh.

Before we adjourn the Plenary Session I believe our Secretary wishes to make some announcements.

The SECRETARY: (Announcement regarding meeting of the Scientific and Technical Committees. Also arrangements

for the Finance Committee)

Dr. N.A. MACKINTOSH (United Kingdom): May I ask one question for guidance, On this question of humpbacks and the number of days fishing for the humpbacks, I understand that that is deleted as an Item for any amendment of the Schedule.

The CHAIRMAN: Yes.

Dr. N.A. MACKINTOSH (United Kingdom): But I had the impression from one or two speakers that they might like us to discuss it and give an opinion. Is that so, or not? I am not quite sure.

The CHAIRMAN: Yes, Dr. Mackintosh, that is quite right, as you say, because under Any Other Business you can consider all problems concerning whaling, without touching the Schedule, so to speak. You can have a free discussion under Any Other Business in that way. Will that suit you?

Dr. N.A. MACKINTOSH (United Kingdom): Yes, thank you very much.

Mr. R.G.R. WALL (United Kingdom): I was only going to ask if we are now going to break up into committee, may we know the programme for tomorrow? Is there a Plenary session tomorrow?

The CHAIRMAN: No Plenary tomorrow. When everything has progressed I hope we can convene again on Wednesday afternoon in Plenary session. It will be about three or four o'clock, it depends on the discussions in the committees, I suppose.

The SECRETARY: I was assuming that Mr. Wall and the other committee would start again at ten tomorrow and would go on until they had finished. Therefore, I was not suggesting any Plenary tomorrow. There will be a Plenary on Wednesday. We have got to get these two committees out of the way and it may take some time.

The CHAIRMAN: Does that suit you, Mr. Wall?

Mr. R.G.R. WALL (United Kingdom): Yes, but I am

just wondering about the point of finishing before we have another Plenary. There is at least one Item of the Agenda on which I think you agreed that we might have a prior word in Plenary before the Committees took it; that is Item 5 or Item 6. I am not suggesting we do it now, but I think that was agreed.

The SECRETARY: The alteration of the date of the meeting?

Mr. R.G.R. WALL (United Kingdom): Yes.

The CHAIRMAN: Yes, that is quite right, Mr. Wall. Item 6 especially, the alteration of the date of the meeting should be discussed in the separate committees, also there is probably need for guidance from round the table at the Plenary session to get a more exact idea of what we have to do in the future.

Would it suit you if after tea we continued for a short while with the Plenary session to get Item 6 out of the way, and so get a fresh start tomorrow morning at ten with the committees?

The SECRETARY: The advantage of meeting at half-past four, say, and finalising the Plenary is that in this room we have the loudspeaker layed on, but the moment the Committees start we do not have it layed on. So it would be better, if it is convenient to Mr. Wall and Dr. Mackintosh, to have a Plenary at half-past four to finish this question, and start again tomorrow with the Committees at ten.

The CHAIRMAN: Is that acceptable, Gentlemen?
(Agreed) Then I adjourn the meeting until half-past four.

(Tea Break)

The CHAIRMAN: Gentlemen, will the Meeting please come to order. The Plenary session is open, and we now have to deal with Item 6 on the Agenda - "Possible alteration of the date of the Annual Meeting". May I call for comments on this Item of the Agenda.

Mr. A. KODAKI (Japan): I am speaking on behalf of Mr. Nara.

On this Item 6 there are three alternatives I understand. As to the meeting in April, we have to raise an objection to that. First of all we do not have enough data about the results of the catches in the previous season if we have the meeting in April; but apart from that we sometimes have to consult our inspectors or the industry's representatives before we come to this Meeting. Our people have a long way to go home and we should not have enough time to cope with it. Sometimes also we may want to bring our industry's representatives to this meeting but if it is held in April this is very, very difficult.

Also, from the budgetary point of view, I am afraid we cannot accept this because our fiscal year starts on 1st April and usually Parliament approves the Budget only at the last moment, that being midnight on 31st March. Then the actual appropriation of funds takes some time so that we cannot give you the number and names of our representatives who may be attending this Meeting. That is another reason why we cannot accept April.

Then as to the other dates: we should prefer to have a meeting about now or in September or October. But in case we have a meeting in September or October of course the regulations to be adopted by such meetings will not be applicable to the season immediately after so that they should apply to the season which will start in the following year.

I think that is all I have to say for the moment.

The CHAIRMAN: Thank you, Mr. Kodaki.

Mr. R. G. R. WALL (United Kingdom): I think last year I was the one who first inflicted this matter on the Commission by raising it in an informal way at our Meeting in Moscow. There were some expressions of opinion then made and it was agreed I think that we should consider the matter as a formal motion this year. We were therefore anxious to put it in the Agenda for this Meeting.

The reasons that we raised this matter were these. Firstly, that we have felt, as I think Mr. Kodaki has just said for Japan, that when we meet in July we have not ideally as much time to study the catch data for the preceding year as we should like, more especially when the Delegation has to travel. When we are at home in our own country we have time. If we have to go to another country then the data is not with us in sufficient time to consult our industry before we have to go to the Meeting in July, and no doubt that is the situation of Delegations which have come to London this time.

But more important than that from our aspect is that by meeting in July the fate of the Commission's recommendations is not, or may not, be settled until even as late as November, and long before November the whaling industry have made all their arrangements for that season and indeed, of course, the fleets are on their way.

We feel in the United Kingdom that we should pay as much attention as we possibly can to the proper requirements of the whaling industry of our own and every country. This may not have mattered quite so much a few years ago when we were not changing the catch ceiling very often or by a very great amount, but in the last year or two we have been changing the catch ceiling and if the scientists are right in the advice they are giving us we may be changing the catch ceiling more drastically in the years ahead. The more we go in that direction, the more it seems to us only fair and reasonable to the whaling industries that if we are going to give them a hard fate they should know well in advance what their fate is going to be and not be at the mercy of such things until they have actually started committing their resources for a season and sending their ships to the Antarctic.

As between the two alternatives: April or September, or may we say the Spring and the Autumn, we ourselves would much prefer the Autumn for this reason above all, that if the Commission should meet in April we would think that it is really quite impossible for Mr. Vangstein - ably and quickly though he does the work of assembling these statistics - we would think it is impossible for him to give us by April in any year a sufficient picture of the season which has just ended. I should have thought that in the space of six weeks it is almost impossible to collate and collect the material, and then to have it printed and disseminated; that sounds too much to expect; and it does seem to us that for the Commission to meet in the Spring of the year without really knowing what has happened in the season which has just ended is not a very good arrangement.

The argument against our own solution of the Autumn is, I believe, the feeling that if the Commission meets in the Autumn obviously their recommendations cannot apply to the season which is almost immediately ahead and therefore there will be an intervening season and the Commission will not be able to act except in relation to a season fifteen months ahead. That is an argument I admit of which we should take account. But I would say this: on the other side. Firstly, that I think that the scientists own advice to us is that we should not, if we can avoid it, make sudden changes in the regulations; that we should try to have a sort of programme to which we are working and, if we are going on that sort of principle, I would think it would not matter so much if you are planning fifteen months ahead, because it may be that that is precisely what we ought to be doing any way.

The second thing is that if nevertheless there were a sudden catastrophe, a sudden change in the whaling situation, the Commission can always meet specially; and if there were a sudden catastrophe I would imagine that whatever the date in the year of our normal meeting we might have to meet specially in any event. Therefore, on balance, we in the United Kingdom would suggest that the meeting should be changed to the Autumn rather than to the Spring; but having said so much, if there should be a strong feeling in the Commission the other way we shall go along with the April meeting, but in preference to a meeting in July and we would prefer ourselves to meet in the Autumn.

The CHAIRMAN: Thank you, Mr. Wall. Are there any other comment on this Item on the Agenda?

Mr. G. JAHN (Norway): I have listened to the arguments from the United Kingdom and in many respects I agree with them. September is not convenient if it is necessary to take some immediate steps. We cannot expect the whales to prepare themselves for the season so that we get the information in September or October or something like that.

The Spring, on the other hand, is in many respects better. It is argued that the statistics will not be there at that time, but I think we can prepare the statistics even as early for this Commission as has been done for the meeting of the Scientific Committee, and I do not think that the International Whaling statistics will be of very much consequence for supplying the figures for only one year. If you could put the meeting in the latter half of the last days of April what difference would it make? You could get the same statistics as you have now. You could not print it, but it is not printed now nor is it for last season. But you could get it in the form in which you now have it, almost the same thing.

But it is another thing for Japan, that is a more difficult question which they have to settle with their Government. I recognise that.

The only thing I have against September is that if it is necessary to summarise, to take steps which we ought to apply to the coming season, we cannot do it when we take such steps in September. It is not possible to carry it through. The question is then for September in time to bring in new regulations for the coming season, and we shall have to wait for fifteen months? I do not think, however, that it is necessary to go down fifteen months; I hope it will not be necessary from 15,000 to 10,000. When do we have a season when we take 15,000 and then must go down and have the collapse of the whaling industry and we cannot indicate it any more?

So to me it is not so important whether you take September or the Spring, but from the Norwegian point of view we prefer the Spring because even July is late for the coming season. I think the Spring or the beginning of May is the best and, as to the whaling statistics, I think we will get sufficient information at that time - the Scientific Committee get sufficient information - and I do not think that you go more thoroughly into the statistics than the Scientific Committee does. I do not have the impression that many of the Commissioners study international whaling statistics from beginning to end or read through. I think that is not the most important thing, the most important thing is their treatment of the figures and all other information by the Scientific Committee from the international whaling statistics. Last year I promised to look into it as to whether we could see from that the whaling stocks, the fin-whale stock, but in reality the international whaling statistics say very little about it. It may happen that it shows something but we can get very little evidence on fin-whales from the statistics, whereas we can for blue whales. When the fin-whales are as scarce as the blue whales it will show it, but up to now it has been very difficult to see it from those statistics

Dr. J. M. MARCHAND (South Africa): Mr. Chairman, Mr. Wall of the United Kingdom has covered the ground very thoroughly, I would say, on this matter, and we from South Africa feel exactly the same on this matter as those of the United Kingdom. I am afraid that I cannot quite agree with Mr. Jahn that the statistics are of no value.

Mr. G. JAHN (Norway): I did not say that. I have worked with this from the beginning, you know.

Dr. J. M. MARCHAND (South Africa): Perhaps I used the wrong word, but Mr. Jahn inferred that the statistics were not very important in the way which we would like to have them before we come to this meeting. I may say that in the Scientific Committee we hear that complaint all the time at every session, that people have not had time to study the statistics of the last season. On this particular occasion, I may say, as far as I am concerned, I got the latest statistics at about four o'clock on Friday afternoon. There was hardly time to study the statistics of the last season and come and sit in this Meeting. How anybody is going to get statistics in time even to have a cursory glance by April, I do not know. However, if the Meeting feels that they do not want to change from July, we would be prepared to keep July; if it were to be changed we would prefer to have September.

Mr. G. JAHN (Norway): I have not said that statistics were very unwelcome. They are very valuable for the catch of humpbacks, for instance; but what I have said is that you cannot, from international statistics, say anything definite about the stock of fin whales in that district; it is impossible so far as the statistics are concerned now. You cannot say this from the general statistics, you must have other information and what is in the international statistics of whaling. That is what I meant.

The CHAIRMAN: Has the Commissioner of the United States something to add to the discussion about a possible alteration?

Dr. A. Remington KELLOGG (U.S.A.): I think most of the points that we might have been prepared to raise, have already been raised.

Mr. G. JAHN (Norway): As I said, I do not stress the spring very much. I said that September was convenient if it were necessary to take certain steps. I am not against September; I think it is in some ways a better month than

April, but if it comes to the point that we have to make a sudden decision, then September will be too late. However, if that should happen, we could convene a meeting at another date, so I propose that we change to September. I do not like July; that is the only month when it is worth living in Norway.

Dr. N. A. MACKINTOSH (United Kingdom): May I ask a question from the Norwegian Delegation? How soon would they be able to get some information on, for example, length statistics for the whaling season? Would it be possible to have some by April?

The CHAIRMAN: Yes, the second half.

By that time

Dr. N. A. MACKINTOSH (United Kingdom): We have information on the catch; I am not sure whether we have it on the length statistics.

Mr. E. VANGSTEIN (Norway): It is impossible to have these lengths before the middle of July.

Dr. A. Remington KELLOGG (U.S.A.): In view of the fact that you cannot get length statistics until July, it seems to me that that would mitigate any consideration of having a spring meeting, because it is important to the Scientific Committee to have the figures on the lengths. I believe that it might be advisable to meet in the first week of October rather than September.

The CHAIRMAN: Therefore there is more than one possibility, but they all revolve round the normal date for the meeting, July. Every Delegation has made its observation, but it is not yet clear to me whether there is a majority in favour of some other date than the normal time for meeting, July. It seems to fit in quite well between other international meetings, but from what support there is for a change I got the impression that more people are in favour of moving to the fall than to the spring.

Dr. N. A. MACKINTOSH (United Kingdom): May I add something to what I said in explanation? The point I had in mind was that, according to the statistics which we have now seen, I gather from a rather rapid glance that there has been a slight fall in the average size of the blue, fin and humpback whales, if one takes those over a certain length. From the scientific point of view, I believe we shall think that that is not very significant in itself, but if, after next season, there is a further drop in the average size, it

may then be a danger signal, and if we had ^{also the} further evidence that the stock was falling in number, we might then think that the situation was getting rather serious. But if the next meeting were not until September or October, we should be able to do nothing until the season of 1958 to 1959. That is all I wanted to make clear.

The CHAIRMAN: That makes the position a little more complex I imagine.

The SECRETARY: Mr. Chairman, I take no part in this matter, but I did want to plead that if this matter is going to the Committees, it should go to the Finance Committee because, although it may be a very minor matter, an alteration of the date will have, I will not say anything more than, repercussions on finance and would make it easier for us to find ourselves without any money. I hope this matter will go to the Finance Committee. There may prove to be difficulties, but I am sure they can all be overcome.

The CHAIRMAN: This is only to get a general impression round the table, but it will be dealt with further in the Committees.

Mr. F. F. ANDERSON (Australia): We realise, of course, that the pelagic expeditions are the ones we want to watch very carefully, but I also think the shore stations have to be taken into consideration. July or the end of June suits us quite well, although it means that the industry's representatives must be away from their stations when they are actually working. This might not seem very important to the pelagic people, but it is important to the land stations. We are quite satisfied with July as it stands; we do not like the idea of extending to October, and if it is a choice between April or September, we would rather have September, because we realise that we would then have the figures. We are not using the reason why one distinguished member said he could not live in his country except in a certain month. As far as we are concerned, we would be coming into the winter away from the summer, and we would not like it very much. But that is our viewpoint, that we would rather have September than April, but we would preferably rather leave it as it is.

Mr. H. S. DROST (Netherlands): Having listened to all these comments, I should like to propose that we keep July.

The CHAIRMAN: That is another view, to stick where

we are.

I think, Gentlemen, we have had a full discussion on this question in this plenary session. We can leave it now for further consideration in the different Committees where the various opinions can be settled more definitely than has been the case here. It was not the idea to solve this problem at once. However it must be solved. Nearly every month has been mentioned round the table here, but on the whole the average seems to be July. Nevertheless, we must wait and see what can be brought forward in the three Committees.

I should now like to bring to an end this discussion on Item 6 of the Agenda and adjourn this plenary session for today. We have dealt with all the Items of the Agenda and allocated the relevant ones to the various Committees.

I will now adjourn this plenary session until probably Wednesday afternoon, depending on how the Committees get on. I hope that all the members nominated this morning to the different Committees, will take part in the discussion of their Committee tomorrow at 10 a.m., so that we can speed up slightly the proceedings of this Annual Meeting.

Thank you very much for this discussion. This session is adjourned.

(The Conference adjourned at 5 p.m.)

INTERNATIONAL WHALING COMMISSION

EIGHTH MEETING

Session of Wednesday, 18th July, 1956

In the Chair: Dr. G. J. Lienesch (Netherlands)

The CHAIRMAN: Will the Meeting please come to order. The second Session is now open, and I would ask your attention for some remarks from the Secretary, Mr. Dobson.

(The SECRETARY made announcements about a Cocktail party; and also various documents that had been distributed).

The SECRETARY: Mr. Chairman, I am desirous to let you know that His Excellency, the Mexican Minister, would like to make an announcement to the Commission in connexion with the signing of the Protocol with which you dealt yesterday.

The CHAIRMAN: May I call upon His Excellency the Mexican Minister to take the floor.

His Excellency the MEXICAN MINISTER: I have received instructions from my Government to announce to the Commission that Mexico accepts the Protocol proposed by the United States and is ready to sign in due course.

The CHAIRMAN: Thank you very much. We are very glad to hear this from your side as it is some proof that we can reach the conclusion we need. We need the support of somebody else as well but this is some progress. I am now certain that in a short time the Protocol will pass through all the Governments concerned and we will carry out the wishes of our Commission.

May I ask your attention again for the Secretary for a moment.

The SECRETARY: It has been suggested to me by the American Commissioner that if we can act as intermediaries or can help His Excellency in any way I shall be delighted to do so, but it is a matter between Mexico and the United States.

His Excellency the MEXICAN MINISTER: I understand that.

The CHAIRMAN: Well Gentlemen, we can now take the main item of this, I hope, short Plenary Session. There is then a lot of business before you to settle. We know quite well that there

is a good deal of responsibility upon the shoulders of the Chairmen of the Committees who have to make their reports to put before the Plenary Sessions.

This time we have before us Document XV dealing with Item 6 of the Agenda "Possible alteration of the date of the Annual Meeting". I hope you have all seen the contents of this Document XV and would like to give us your comments upon the reactions of the three Committees who have dealt with this question in their discussions.

Do you want to go through it quickly? Is there any comment on Document XV?

Mr. G. JAHN (Norway): Mr. Chairman, regarding this document we have before us, the position on the Technical, Scientific and Finance Committees is not the same, so that there are in reality three different standpoints.

It seems that all the dates are inconvenient, July is inconvenient, September is inconvenient and the Spring is inconvenient. We are having the Meeting in the latter part of July now. The English industry says it gives them very short notice. On the other hand, as has been stated by several Members, September gives good notice for the companies, but it may be inconvenient for other reasons.

I did not mention during the last discussion the question of observers. When it will be possible to have the new paragraphs in the Convention ratified we have to arrange for observers and if it is September it is too late.

Why not make some concession and say that the Meeting shall be held in summertime, preferably in the latter half of June? That would give the English industry more time. Most of the statistics are there and we do not run the risk of being in a very difficult position if something happens.

The CHAIRMAN: Thank you, Mr. Jahn. May I ask the Commissioners if they have any further comments?

Mr. R. G. R. WALL (United Kingdom): I notice, Sir, that the Scientific Committee in effect suggest that the meeting should be held in June or July. If the meeting were held in June I would not myself think that the argument which we have raised is very much affected, because if the meeting were in June the difficulty vis-à-vis the whaling industry is not very significantly changed from what it is if the meeting is held in July. Rather than change by just one month I would feel that you might just as well leave the meeting where it is; more especially because, if you do then advance the meeting by only one month, we are in great difficulties about the catch data for the preceding season which, when we have to travel to the meeting, are barely in our hands before we leave our countries. The June meeting would accentuate that difficulty, to my mind, without significantly assisting things from the industry's point of view. So, with all respect to this recommendation, I would feel myself that the real choice is still between the Autumn and

the Spring. But may I then ask a question ~~to~~^{of} the Chairman of the Scientific Committee: could he explain to us why the Scientific Committee think that a later date than July is not desirable? There are no reasons given here, and I should like to know what they are.

The CHAIRMAN: Perhaps Dr. Mackintosh would take this opportunity to make clear what is behind the Scientific Committee's recommendation.

Dr. N. A. MACKINTOSH (United Kingdom): I did not quite realize that this particular question would be raised now and I have not got all my notes with me, but I think I can tell you that the Committee was mainly influenced by the thought that if the Meeting were in the Autumn, and supposing we thought that some urgent steps were needed in relation to the whaling regulations, then it would not be possible to put anything into force until virtually a year and a half later.

There has been raised the possibility that supposing the statistics of the past season, which were ready say in May or June, were examined and we saw something which seemed to be a warning when taken with the general trend of the catches over the recent years, then possibly a special meeting of the Commission could be called; but we really wondered whether seriously that is practicable. It is perhaps not for the Scientific Committee to say whether they think it practicable or not, but in fact there are Members of the Scientific Committee who have experience of these things, and we had to take that point into consideration. We felt rather doubtful whether, in fact, people like the Commissioners here - who are all people with other matters to attend to as well - might find it exceedingly difficult if they were called to a special meeting. I think that was the main point which was in our minds.

We did also consider the possibility of a meeting in the Spring, but we felt that we did want at least to have some idea of what the recent season's catches were. We do not attach first-class importance to having the statistics in full, but it is important to know something about what has been going on and, all things considered, we thought it would be difficult to have it before the beginning of June.

I may have forgotten one or two points, but I think those are the main points.

Mr. G. JAHN (Norway): When I mentioned...

Mr. G. JAHN (Norway): When I mentioned the second half of June I thought we gave some concession to the British industry. I do not know whether the British industry is something different from the Norwegian industry, because those people do not complain.

The CHAIRMAN: Thank you, Mr. Jahn.
Are there any further comments, Gentlemen? It seems clear that we are speaking in terms of the middle of the year.

Mr. G. JAHN (Norway): I would make a definite proposal that the next Meeting be held in the latter part of June.

The CHAIRMAN: Thank you, Mr. Jahn, I think that is quite clear. Is this proposal seconded?

Dr. A. Remington KELLOGG (United States): I would second that.

The CHAIRMAN: That is seconded by Dr. Kellogg of the United States.

Mr. R.G.R. WALL (United Kingdom): Sir, with all respect, I am not sure that I quite go along with the viewpoint expressed by Dr. Mackintosh just now from the Scientific Committee. Their concern is that if we were to meet late in the year there would not be time, if a crisis had developed, to apply measures for the immediately following season. But I think, you see, that if we had a meeting in June or July we should, in effect, be in the same position because, on the assumption that a crisis had developed, this Commission would presumably be proposing that the blue whale unit ceiling should be reduced from 15,000 to, it might be, 12,000 or 10,000, because something really serious had happened. Then, you see, I believe that that recommendation might not be unanimously agreed within the Commission at the meeting in June or July, and anyway we would have to wait to see whether governments were going to accept it. Then the governments - at least my own Government for one - would be faced with the difficult situation that the catch might be reduced by one-third or something of that order, shall we say, and meanwhile the whaling expeditions would have made all their arrangements on quite a different basis. Without forecasting what my Government would do in such an event I would say that it makes it much more difficult for the Government to accept that recommendation when the whaling industry has already made plans and committed its resources on a quite different basis. I suspect that, in effect, you still might not get that recommendation in for the immediately following season, and that is why I suggest that we might, in the end, find

ourselves with the same result.

So, because of that, Sir, may I move an amendment to the Motion, namely that we should substitute a suitable date in September or October for July?

The CHAIRMAN: Thank you, Mr. Wall.

Now, Gentlemen, there is an amendment to the proposal. Perhaps it would make it simpler to deal with if the period in which the Commission should be convened in the Autumn could be stated by Mr. Wall himself, say September or October, something like that. It would be helpful if the Commissioner for the United Kingdom could give the date of the Annual Meeting a little more precisely. In that way we can make the amendment clearer. Otherwise, if we just say "the Autumn" that covers nearly three months, and I think it would be better if we could tie it down to September or October. I do not know whether there is any preference for September or October.

Dr. J. M. MARCHAND (South Africa): Could I make one comment at this stage? I would like to ask, would you please as far as possible refrain from using the term "Autumn". Some of us come from the Southern Hemisphere. Please mention months.

The CHAIRMAN: Thank you, Dr. Marchand for that clarification of the situation.

Mr. R. G. R. WALL (United Kingdom): Would you like me, Sir, to clarify my suggestion more exactly? I would say the last week of September or the first week of October.

The CHAIRMAN: Thank you very much, that makes it much clearer I believe.

So there is now an amendment before the Commission on Dr. Jahn's proposal, and the U.K. Commissioner proposed that the meeting date be the last week of September or the first week of October.

Mr. F. H. CORNER (New Zealand): Could I ask for Mr. Wall's opinion? I gather his concern is to avoid inconvenience to the various whaling industries if it should be necessary to impose a cut; so that along with his proposal for a September meeting would be the added proposal that any decisions taken by that meeting could not of course come into effect in the coming season. What if the meeting were still held in July - which seems to be the date most convenient to representatives - but if it were agreed that decisions at the July meeting did not come into effect in the coming year but only in the following season? I am not proposing this but I am wondering if that would meet all the difficulties and suit the convenience of the majority of the Commissioners.

The SECRETARY: I wonder whether I might help Mr. Corner. When it was proposed that there might be an alteration I jotted down for my own guidance all the various points that might arise, and I want the Commission to understand that if an alteration of the Schedule were passed at a Commission Meeting in the last fortnight of July it could not come into operation, even if we posted it the next day, until about 5th November - that is just in time. If there is an objection, as Secretary I have no alternative but to notify all concerned and it has to remain ineffective for another ninety days; that takes you to 5th February.

Mr. R. G. R. WALL (United Kingdom): May I answer the question which Mr. Corner has put to me through the Chair?

If we had a July Meeting on the understanding that anything then done should not apply until the season after the following one, much of my point would, I agree, be met. The only thing then would be that there would not have been full time to study the catch data for the preceding season. If you were to have a meeting in July but the measures were not to operate for eighteen months it would simply seem to us that you might as well have a little more time in which to study the data from the preceding season with your industry. But again, * if it is a matter of convenience that Commissioners find it easier to meet in July than in September we should be content.

* And on the assumption behind Mr. Corner's suggestion.

Dr. J. M. MARCHAND (South Africa): I wish to point out that there has been no seconder yet for Mr. Wall's proposal. Therefore, I shall take the opportunity of seconding this proposal that we hold the Meeting in the last week of September or the first week of October. But I want to make it clear that we in South Africa are not dogmatic about it; if the majority prefer July, we are prepared to go along with that.

The CHAIRMAN: Are there any further comments?

The SECRETARY: A motion has been moved by Mr. Jahn of Norway and seconded by Dr. Kellogg of the United States that future Meetings of the Commission should be held in the last half of June.

To that there has been moved an amendment by Mr. Wall of the United Kingdom, seconded by Dr. Marchand of South Africa, that the Meeting should be held either in the last week of September or in the first week of October.

With your permission, Sir, I propose now to poll the Commission on the amendment. May I make it quite clear that whichever of these motions becomes effective you will still have to instruct me under Item 24 of the Agenda as to the exact date on which I am to summon the 1957 Meeting.

Now may I poll the Commission on the amendment, which is that the Meeting should be held in the last week of September or the first week of October? Will those in favour say 'yes' and those to the contrary say 'no'.

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

Gentlemen, the voting has resulted in four against and three for the amendment, the remainder abstaining; so I declare the amendment as lost.

We now come to the substantive motion moved by Mr. Jahn of Norway and seconded by Dr. Kellogg of the United States that the Meeting should be held in the last half of June.

Mr. A. KODAKI (Japan): This may be

Mr. A. KODAKI (Japan): This may be strictly speaking against Parliamentary procedure, but if we change from the latter part of June there is not much difference in the effect on the industries. In that event, I feel that it would not be necessary to make any change at all. From an administrative point of view you may change the date, we have done so. Sometimes it is in the middle of July, sometimes the beginning of July. If it is possible for me to propose an amendment I should say that no change should be made as to the date of the meeting.

The CHAIRMAN: We have the Motion before us now, and we have to poll on it.

The SECRETARY: I think maybe we should poll the Commission on the substantive Motion that the meeting should be held at the end of June. May I ask you to say yes or no.

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

The result of that poll is 6 'yes's' and 4 'no's'. I declare the poll as carried, and the meeting in future will be in the last half of June, the precise date being settled separately at a later item on the Agenda.

The CHAIRMAN: Gentlemen, I think it is quite clear now that the meeting for next year will be held in the second half of June; the only question that is open now is Item 24 on the Agenda, as to the date, but that can be picked up later on, I think, if we consider it again in the coming Plenary Session.

The SECRETARY: I suggest we now settle the exact date, and that will clear the last item on the Agenda. I suggest Monday, June 17th, or Monday, June 24th; actually it has so transpired that we have always finished round about within the week.

Dr. J. M. MARCHAND (South Africa): I propose Monday, 24th June.

Mr. A. KODAKI (Japan): I second.

The CHAIRMAN: There is a proposal by Dr. Marchand that it should be the 24th. and this is seconded by Mr. Kodaki. May I take it that there is general agreement that the 24th June would suit you? I do not believe we need a poll for this minor matter, so we will take it that 24th June will stand as the opening date for the coming Annual Meeting of the International Whaling Commission in 1957.

The SECRETARY: I am recording that as agreed.

The CHAIRMAN: As we have no reports before us of the Technical and Scientific and Financial Committees, we come to the end of the items on the Agenda, but I should like to request the Commissioner of Norway, if he is willing, to say something about Item 15 on the Agenda, Correspondence between the Norwegian and Panamanian Governments; if he says he is not prepared to discuss it, it is all right of course, but he has the opportunity to explain something about it.

Mr. G. JAHN (Norway): I am not prepared to take it up at this moment.

The CHAIRMAN: Then we will keep it in mind for a later meeting.

I would like to call your attention to the fact that you have the verbatim report before you of the opening Plenary Session, and I would ask you to look for corrections, so that if there are any misprints you can point them out to the Secretary.

The SECRETARY: If in fact, Mr. Chairman, you are going to adjourn this meeting now, I think it would be desirable for you to inform the meeting of the next Plenary Session. We are working rather against time now, but we shall have some more documents circulated tomorrow morning. Would 11.30 tomorrow morning, after coffee, be all right for the next Plenary Session? We shall sit then continuously, as far as I can see, until we have finished. That, of course, is assuming you have all the papers.

The CHAIRMAN: Is that possible, Gentlemen? Does that give enough time for the Chairmen of the Committees to get their papers through?

Dr. N. A. MACKINTOSH (United Kingdom): I think that will depend to some extent on the speed of duplicating. We may be able to finish our meeting this afternoon, I hope so, if we are going to meet in committee again now; but it will take a little time to finish drafting the report, and I suppose the Committee will want to go through the draft before they are finally satisfied with it.

The CHAIRMAN: That is quite clear. I would like you to get sufficient time tomorrow morning to look over the draft reports of the different Committees, and it seems to me that it would be more convenient if we have the next Plenary Session in the afternoon at 2.30, so you have a full free morning to settle everything before the Plenary Session. Is that agreed, Gentlemen?

The SECRETARY: We shall do our utmost to have the papers ready tomorrow morning, but may I suggest that, even if you do not meet until 2.30 in Plenary, you should come here for coffee at 11.00, so that you can collect what papers are then available. I am assuming that that will be convenient, and that being so, may I say that I have asked for tea at 3.30.

I understand that Mr. Wall and his Technical Committee will meet immediately thereafter, and that means that we cannot have a meeting of the Drafting Committee until Mr. Wall's Committee has finished, because he is on the Drafting Committee. Also I would ask the Finance Committee to meet immediately after tea for a few minutes only in order to sign their report, which is now ready for them.

The CHAIRMAN: If that is clear, then I propose that we adjourn this meeting until tomorrow afternoon at 2.30.

(The Conference adjourned at 3.30 p.m.)

INTERNATIONAL WHALING COMMISSION

EIGHTH MEETING

Session of Thursday, 19th July, 1956

In the Chair: Dr. G. J. Lienesch (Netherlands)

The CHAIRMAN: Gentlemen, will the Meeting please come to order. The third Plenary Session of the Commission is now open.

The Secretary has to make some remarks before we can proceed, so will you please give him your attention.

(The SECRETARY made announcements about various documents that had been distributed).

The CHAIRMAN: I should like to proceed now with the next Item, which is the question of the Ad Hoc Committee you set up at the previous Plenary Session to consider the way in which the Annual Report might be changed. You want a more typical review I believe in the Annual Report; and I should like to request Dr. Kellogg of the U.S.A. to make clear to the Commission what has been done up to now by the Ad Hoc Committee.

Dr. A. Remington KELLOGG (United States): Mr. Chairman, as you have stated, the Ad Hoc Committee met this morning to consider the draft report now before the Commission and they have made the following provisional recommendations.

As regards the future, the format of the report should be substantially altered so as to make it clear, among other things, as to what the purpose of the Commission is, how they came into being and the extent and importance of the whaling industry, with considerably more figures.

The Secretary is to prepare a detailed lay-out for the future which will be submitted to the Chairman and Vice-Chairman of the Commission and to Mr. Corner who is here in London. If these future proposals are approved by this Sub-Committee, they will be circulated to the Commission and, in the absence of observations within a specified time, will form the basis for next year's report.

As regards the draft report now before the Commission, the Committee find it impossible at the present time to produce an entirely new draft, but they have endeavoured to improve by verbal and other amendments the existing draft. The Committee have not completed their work in this connexion, and will report again later.

The CHAIRMAN: Thank you, Dr. Kellogg, for your presentation of the first provisional report of this Ad Hoc Committee. May I ask the Commissioners if they have any comments on this report? So may I conclude that the Commission accepts that from the Ad Hoc Committee at the moment? That is to say that although perhaps during tomorrow we will have a new draft Annual Report before the Commission - so that we can take that into consideration in the Plenary Session - you accept the activity of the Ad Hoc Committee as set out now.

I think we can leave this item for the time being; we will get more details later.

May I then, Gentlemen, move on to the next Item of the Agenda? You have before you Document IX, the Report of the Finance and Administration Committee. May I request the Chairman of this Committee to present this Report to the Commission. I give the floor to Mr. Jahn of Norway.

Mr. G. JAHN (Norway): Mr. Chairman, is it necessary for me to read the whole Report, or have you all read it?

Mr. A. FRASER (Canada): May I suggest that we take the Document as having been read?

The CHAIRMAN: There is a proposal made by the Commissioner of Canada that the Document should be taken as read, so that we do not need to have it all over again. Can you accept that? Would somebody here second this proposal from Canada?

Mr. F. F. ANDERSON (Australia): I will second.

The CHAIRMAN: It has been seconded by Mr. Anderson of Australia, which means there is general agreement that there is no need to read it out at this Plenary Session. Is that acceptable to the Commission? (Agreed) So the Report of the Finance Committee is unanimously accepted without having a full presentation.

Now to get on to the Items of the Report: are there any remarks on paragraphs (1), (2), (3), (4)?

Mr. R. G. R. WALL (United Kingdom): I see, Sir, that the Committee propose that only £500 should be allocated to the whale marking against £1,000 last year. I have not yet myself had the opportunity of reading the Scientific Committee's Report, or of knowing what their recommendations may be, but does this square with the Scientific Committee's views, or what is the reason for reducing the allocation for the whale marking?

Mr. G. JAHN (Norway): Last year we could carry over more than £1,000, but this year only £700. You know, if something were to happen, if for instance some of the countries are delayed in paying their contributions, the Secretary would have no funds. It may be that sometimes it is necessary for the Secretary to visit you or to go to a conference in another country or something like that but he would have nothing, he would have no funds left. There is in reality no money in the budget to allow for things which may happen in the year. Therefore, we cut down the contribution from £1,000 to £500.

You must be aware that we have come to that decision under fire, but I take it up now. In reality we contribute only £150 to the Commission and that was settled in 1946. What is the value of £150 today? I think it is marvellous that you can draw up a budget with a balance as it is now; but more work may come up for the Commission in time to come, and I think even if we have propped, for instance, £150 for the coming year, we must really guard the contribution.

I would like to draw attention to the fact that some countries - for instance my own country - pay £150 - and Sweden, who has no whaling base or land station pays £150. We should in fact have a system where we took regard of how many floating factories or land stations each country has and made an amendment to the contributions from the countries, it need not be very much. If it were, for instance, £50 or so, it would help us very much. That is not to be decided at this moment, but I draw the attention of the Commissioners to that idea.

But as for this year, I do not think it will be wise to take from the £700 the sum of £500 because then he would only have £200 left. Then if two countries were not to pay up in due time, their contributions would amount to £200, and then there would be no funds to cover the expenses which might arise.

The CHAIRMAN: Thank you, Mr. Jahn. Are you content with the answer, Mr. Wall?

Mr. R. G. R. WALL (United Kingdom): Well Sir, as I understand it, the amount allocated to whale marking is being reduced because of the state of the Commission's funds and the alternative would be an increase in the annual rate of contribution. What concerns me a little is whether we should in fact reduce the amount allocated to whale marking as a matter of policy. What was the sum spent last year, Sir? Was it £1,000, or was it something less and, if we are allocating only £500 for this year, are we going to spend less on whale marking and is less whale marking going to be done? That, perhaps, is a matter rather to address through you, Sir, to the Chairman of the Scientific Committee. But before we take a decision on this I would like to know clearly where we stand in this matter in regard to whale marking.

The CHAIRMAN: Thank you, Mr. Wall. May I ask your attention for a moment for our Secretary.

The SECRETARY: May I just point out that if Mr. Wall will look at the financial statement which is under 3, you are asked to approve, on the recommendation you will see that £1,000 is there entered as having been spent on whale marking, or scientific research, but it was in fact on whale marking.

Mr. R. G. R. WALL (United Kingdom): Yes, well that answers one question; but the next question then is: are we going to do less whale marking in the coming year?

The CHAIRMAN: Thank you, Mr. Wall. Perhaps Dr. Mackintosh can give some indication of what is in the minds of the Scientific Committee.

Dr. N. A. MACKINTOSH (United Kingdom): I ought to start by saying that the £1,000 we were allowed last year has been spent almost entirely on the cost of whale marks. Whale marking involves the use of ships for which we have no money and for which we have been dependent on the generous help of the whaling companies. Now the position is that we have partly through British Government - through the National Institute of Oceanography - partly the Norwegian Government - through the State Institute for Whale Research - and several other Governments in one way or another have contributed to the cost of supplying whale marking equipment. We have ordered four thousand new marks to be ready for this year and £4,000 will be found in some way or another, partly by the N.I.O., partly by other Governments; and we have always regarded the contribution from the Commission's funds not as a limit to what we can do but as a very helpful contribution which relieves us and various Governments of the burden of supplying the whale marking equipment.

Now as far as I can understand the position it seems that the more the Whaling Commission can spare the more the cost is evenly spread over the different contributors, as it is possibly a little unevenly distributed. But it would be very difficult to say just how much one Government contributed and how much another does.

The CHAIRMAN: Thank you very much, Dr. Mackintosh. I think this information is quite well known and the question now is whether or not we are to have one hundred per cent whale marking.

Mr. R. G. R. WALL (United Kingdom): I understand that the amount of whale marking, and the number of whale marks provided, is not in fact going to be reduced in the next year but that somebody else is going to find the £500 by which the Commission is reducing its own budget. I am not very clear

who is finding the other £500, and that is really what I wanted to know.

The CHAIRMAN: Perhaps you are asking Dr. Mackintosh to disclose a secret. I mean to say, he gave the impression that there is not much more money necessary for whale marking than the Commission's contribution and so he has found it possible to fill the gap. Now the gap is a little bit wider and we have the impression that he wants more support from elsewhere to keep whale marking on the same scale. But I am not sure whether whale marking will be drastically restricted because of the fact that there is £500 less available from the Commission. There has been a slight diminishing in our efforts, but it is not a cut in whale marking because the Commission's contribution is cut down by 50%.

Dr. N. A. MACKINTOSH (United Kingdom): As far as whale marking next season is concerned, it will not be reduced on that account because the marks are already ordered and they have got to be paid for somehow. So we have got to find the money. But I would not guarantee anything about what will happen in the year after that.

The SECRETARY: I should like Mr. Wall to have his question answered, because I feel there are certain points here which I can deal with perhaps as finance is my special point. I think I am right in saying that this Commission have never seriously said they must have a sum in their estimates for whale marking; but two years ago it was found that we had a very large balance and Dr. Mackintosh's Scientific Committee said, "Can you spare any of it for whale marking?" and it was decided to use £1,000 of that balance for whale marking. One of the main reasons I do not think you realize is because Dr. Kellogg was being badgered by his Finance people in the United States to stop us carrying a large balance and, now we have got a small balance, they are asking us why we are not carrying more.

The estimate for next year, which is laid before you, is entirely my affair and nobody assists me with it. I have put down £500 because I thought Dr. Mackintosh would persuade us to have some more whale marking and I felt, in view of what Mr. Jahn has so clearly said, that we could not supply more than £500. As far as I am concerned, I would rather leave it in the balance.

The CHAIRMAN: Are there any further comments on this Item? If not, I should like to take the next Item on the Finance and Administration Committee's Report, paragraph (6). No remarks? (7), (8), (9)?

What is left is the final wording of the Report. Are there any comments on it?

Mr. G. JAHN (Norway): We have already settled that.

The CHAIRMAN: Yes, we have settled that. That is fine.

May I assume that we have unanimously approved the Finance Report?

Mr. F. H. CORNER (New Zealand): We have not approved every Item, have we? We have only received them; but we have to propose the whole Report. We do not agree with the last half of July, for instance.

The CHAIRMAN: We dealt with it on the Agenda, 24th June. It has already been approved in Plenary Session.

Would you like me to propose the acceptance of the Report and ask for a seconder and take a vote?

Mr. F. H. CORNER (New Zealand): I raise no objection.

The CHAIRMAN: Can it be accepted that this Report is unanimously agreed also? (Agreed) Thank you very much.

The next Item on the Agenda is Item 9, the Report of the special Scientific Sub-Committee. That has been dealt with by the Scientific Committee, and we now have before us a draft report which is Document X.

May I call upon the Chairman of the Scientific Committee to give a presentation of this Report?

Dr. N. A. MACKINTOSH (United Kingdom): I rather hope that this is the final Report because we went through the draft this morning and made ^{our} your final corrections on it.

Perhaps I should say first that we had a rather long agenda for this meeting and there was really more to do than was possible to discuss adequately from the scientific point of view in the time available. But I think we have covered the main points and have come to the decisions which we should have reached if we had had even more time.

27 The first point in the report is the catch statistics for 1955/1956. We thought these were material which it would really take a very long time to digest thoroughly and to make the most of them; it would need a very long study by several people in conjunction with other material. But from what we could see of them there were one or two points which we notice, or which we did not notice. For example, we did not notice any very outstanding changes in the general trend of the catches. That is to say, there were no changes which would indicate a very serious or abrupt change in the condition of the stock.

However, there were certain points. There was a slight reduction over all previous years in the average size of the whales taken, if one considers the whales over certain lengths. It does

not apply in quite the same way to the total number of whales taken; but if you take those over lengths round about sexual maturity then there is a slight reduction. We thought that was a point to watch next year, and if there were a further reduction it would be something of which we should take notice. As we say in our Report, there appears to be a slight increase in the proportion of immature whales. I am not sure that that is quite accurate because it applies rather to blue whales than to the rest.

The question of a comparison of the condition of the whales, or the sizes and so forth of the whales, taken in different areas, we thought was on the whole rather too complicated a question for us to discuss in an hour or two's work in the Committee. That is a matter which, in any case, would need to be examined in connexion with biological material collected, for example, in Area I, which is a thing we cannot deal with until we have a little more time and perhaps even data for more than one year. So we have no particular view on that point.

We then went on to discuss the relation between the stock of balæen whales taken off the coast of South America by stations, for example, in Chile, Peru and Ecuador, if there are any stations there - and I do not think there are - in relation to the whales in the Antarctic. Our opinion is backed by fairly good scientific evidence, at least by analogy with what we know takes place in other places. Our opinion is that they are of the same stocks taken off South America as are found in Area I in the Antarctic which is the eastern part of the former sanctuary area. So that whales taken in Area I are the same stocks as the whales taken off the ~~coast~~ of South America.

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^{to} The second point we made was that the South American States which are not part of the Convention appear, so far as we can understand, to have pretty well the same rules on, for example, minimum lengths, as are used by the Commission. I think there is a slight difference in the case of sperm whales where the minimum length applies to whales taken for local consumption as food. I should say that we have no information as to the length of whales taken pelagically off the coast of Peru, and we do emphasize again our view that the sperm whales taken, either there or in any part of the world, should have the minimum length of, I think, thirty-eight feet, which was adopted by the Commission, or at any rate some minimum length round about thirty-five or thirty-nine feet. It is a matter of very great importance that this should be observed. I believe it is thirty-eight feet for pelagic whaling and thirty-five feet for shore whaling, which is the Commission's rule. We have no information on the lengths of sperm whales taken off Peru of which there have been a considerable number.

I do not think I need say

I do not think I need say very much about the question of quotas for the species; it does not seem likely that that is a practicable thing to do, to prescribe definite numbers of each species which should be taken within the overall limit of pelagic whales in the Antarctic.

We had some discussion about milk-filled whales, and the Report of the Sub-Committee was generally agreed to, but we propose a slight change in the wording of paragraphs (c) and (d) in that part of the Sub-Committee's Report. I think one of the things we had in mind here was that possibly, as they were drafted in the Sub-Committee's Report, there might have appeared to be a slight discrepancy in the recommendation under (c) as against that under (d). So under (d) we re-worded and shortened the sentence rather in order to avoid the word 'blame' and simply said that it is admitted that lactating whales can be taken inadvertently. But the Committee does support the Sub-Committee's view that if a lactating whale should be taken, when it is taken up to the factory if it is observed to be lactating or milk-filled as the case may be, then no bonus should be paid for that whale.

usually
We would rather like to emphasize that we cannot recognize any difference between a lactating whale and a milk-filled whale. I myself have no idea what is intended to be the distinction between the two, but I rather think that it is readily understood that a milk-filled whale is one with a little milk in the glands and a lactating whale is one which has plenty of milk and is actually feeding a calf. But we think that so much depends on whether the calf has recently had a meal or not that it is quite impossible to draw any conclusions from the amount of milk in the gland. It is simply a question of whether milk is there or not, whether the gland is lactating or not, and we feel it is only that which can be the deciding point.

The most important matter we had to consider was the Antarctic catch limit, and that was far more fully discussed by the Sub-Committee than we could possibly really find time to do in the Committee meeting here, because the Sub-Committee met for four or five days and that was talked about most of the time. There was this point, however, that the Sub-Committee's views were largely based on a memorandum by Professor Ottestad which made calculations based on the rate of reproduction of the whales and calculations of the rate of mortality and the age composition of the stock which led to the conclusion that, unless there were originally a very much higher number of whales than we think is likely to have been the case in the Antarctic when whaling started, and unless there are at present something of the order of 350,000 to 400,000, then the stock must be declining. As far as we got in the Sub-Committee it could be argued that nobody knows what the number of whales actually is in the Antarctic, and it was only since this Sub-Committee met that we have been able to put forward some kind of rough estimate of the number of whales. The estimate is actually based on observations made before the war, an estimate of the number of whales in the Antarctic in the years roughly from 1933 to 1939, and we know that these estimates are rough estimates, you can even call them rather wild estimates; but we have found it exceedingly difficult, even by stretching all the possibilities to the utmost, to consider it possible that the stock was so large that, according to Professor Ottestad's calculations, there could be a stable stock. In other words, the estimates are something of a confirmation of Professor Ottestad's calculations

that the stock of fin whales is on the decline at the present time and has been for some time.

This was discussed at some length, and the discussion mainly centred around the method of estimating the number of whales, and one point which is put forward in the paper by myself and Mr. Brown refers to the number of whales counted within a mile of the Discovery II during the observations which she is making and on which these calculations are based. We assume that we see 80% to 90% of the whales which pass within a mile of the ship; that figure may be a little optimistic, but even if that number were reduced to 50%, and I myself think it is an impossibly low number, we would still get an estimate of the total stock which is below the number postulated by Professor Ottestad as being necessary for a stable stock at the present rate of catching. That was really the essence of our discussions.

As to the opening date of the season, the Commission will probably not regard that as a matter of very great importance, and we have put forward several points which, from the biologist's point of view, are against any change in the present date of the opening on 7 January.

Then we considered blue whales in the North Pacific and the North Atlantic. In both these areas this matter was discussed two years ago in considerable detail, and we noted that there was at least some restraint on the catches, both in the North Atlantic and the North Pacific. In the North Atlantic some countries still adhere to the Commission's decision to protect blue whales as far as their own whaling industry is concerned. In the North Pacific the Japanese, who have taken the largest number of blue whales in that area, have at least put limits and reduced the catches of blue whales in the North Pacific as far as the pelagic expedition is concerned. The Committee would, of course, be glad to see any further reduction, but I think I am right in saying that the general feeling of the Committee was that the blue whale stock in the North Pacific is probably in a rather healthier condition than in the North Atlantic. In the North Atlantic there have been whaling stations covering the greater part of the area in which blue whales are found for very many years; the numbers taken are less than they used to be, and the numbers taken now are very small indeed. The Committee would therefore hope that those governments which have not adhered to the decision to protect blue whales in the North Atlantic will reconsider that, and we hope they will do so in the future.

The question of gray whales taken by the U.S.S.R. in the North-West Pacific area was raised, and it has been suggested that since gray whales appear to be rather more abundant, as if the stock of gray whales had recovered a little in that region, possibly rather more efficient methods of taking them for the Aborigines in the Okhotsk Sea might be regarded as reasonable. But the Committee rather felt that before they expressed an opinion on this they would like to have a little more concrete evidence or some more definite sign that the stock really had increased, because we all know that the stock of gray whales in the North Pacific in the last twenty, thirty or forty years has been very much reduced. I think there is recognized to be some evidence that they have recovered a little anyhow, but before expressing an opinion on this we would like to have some more definite evidence that they have really recovered.

Item 10 in the Report refers to the "observer" proposal. We have suggested that supposing observers are appointed to factory ships it would be an advantage if they could do a little scientific work. I think our view is that on any occasion when an inspector is in a whaling factory, if he can do some biological work and collect some material and observations it is always an advantage. But we thought - I think I am right in interpreting the view of the Committee in this way - that if they are chosen only from countries which are entirely neutral, in the sense that they are countries which have no interest in whaling at all, the field of choice might be a little limited, but that if the field could be widened so that observers could be chosen at least from countries which have no interest in Antarctic whaling, there might be a little wider choice of suitably qualified people who would be suitable as observers and who might also have a biological training. I think that was the only point we wanted to make there.

I do not think I need say anything about the possible extension of the open season for humpback whaling because we hardly discussed it at all. If it is going to be considered at all it is really a matter which should be considered in more detail at a later stage. I would only say that, in the discussions we had, we rather felt that supposing the catching dates for taking humpbacks were lengthened so that more humpbacks could be taken, although it would take a little of the strain off the stock of fin whales, the result would be rather incalculable. It might be that if you gave one extra day there would be another thousand humpbacks taken - indeed some calculations were made that it could be very much higher than that - but I think in any case the matter needs further consideration.

On the matter of whale marking, I would only say that both the number of whales marked and the number of marks recovered are more than we had last year and the results this season are rather encouraging. At any rate things are getting better and better. But, all the same, the total number of whales marked is still not very high, and I think it is on that account that the Soviet representative on the Committee brought forward, I think in a very tentative way, this idea that perhaps the different countries engaged in whaling in the Antarctic should arrange to send a marking vessel to the Antarctic in order that a really large number of whales could be marked. Of course I think they, and all of us, realize that that is a matter which would involve very great expense, as well as all sorts of perhaps rather difficult arrangements. But the Committee agreed that if it were possible to do so they would very much welcome the increased number of whales marked, and I think that is all I can say about that now. We would like to say that we would very much welcome any opportunity to do more whale marking in the Antarctic next year on the same lines as before, and we would attach special importance to any marking that could be done in the sanctuary area, because so little has been done there before. I might add on my own account, although this was not mentioned in the Committee, that we would be very grateful if any factories working in the sanctuary area during the coming season would take special care to look out for marks which may be found in whales taken in the sanctuary area.

We have already mentioned the question of a contribution from the Committee's funds towards the cost of whale marking, and there I can only say that I am sure I can speak on behalf

of everybody who has any concern with undertaking whale marking if I say that we would be very glad of anything the Commission can spare.

Under "Other Research" we did not have very much time when we got to this point to discuss the research being carried out in different countries in any detail, but we did urge that this method of telling the ages of whales by means of the ear plugs - I am afraid I cannot explain that in detail to the Commission but the biologists will understand it - should be studied. Any arrangements which can be made to collect as many earplugs as possible from whales would lead to an estimate of the age composition of the stock, and that leads to many conclusions about the rate of breeding, the rate of mortality and the relation of the stock, and those are important things to study in any case.

I think we have already covered the date of the Annual Meeting.

As to a possible further meeting of the Scientific Sub-Committee before the next Meeting of the Commission, it was suggested that that should be left a little in the air, but that a meeting should be called if it really seemed that useful work could be done. On this point I think, according to the wording of this, it would be for me to call the Committee if, after consultation with everybody concerned, it seemed that the Committee could do useful work. But I think one has to consider the fact that some people have to come to these meetings from very long distances, which takes time, and then we meet for a week. It certainly involves me in quite a lot of work. I would like it to be left, if the Commission agrees, that we may decide on that point at a later stage when we can see whether anything really useful can be done.

Thank you.

The CHAIRMAN: Thank you very much, Dr. Mackintosh, for the very clear and pleasant way you have presented the Report of the Scientific Committee. I have no doubt that there will be differences of opinion over some of the items, but perhaps the best thing at this moment is to adjourn for tea, and after that we can make up our minds what we can do with this Report. So I propose now that we adjourn for half an hour for tea.

(Tea break.)

The CHAIRMAN: Will the meeting come to order?

We have just had the introduction of the Scientific Committee's Report from Dr. Mackintosh. May I now ask for any comments on this Report?

The Secretary will make some remarks clarifying one of the items.

The SECRETARY: Mr. Chairman, if there are no observations on the Report, I am assuming we may regard the Commission as having accepted it unanimously. But I want to call attention to the last paragraph, paragraph 15. I am assuming that in approving this Report, the Commission will leave Dr. Mackintosh as before, to call the Sub-Committee if he thinks it necessary, after consultation, to fix the time of the Sub-Committee, to fix the place of the Sub-Committee. It will be assumed that the same countries will be invited to send delegates: that is, Norway, Holland, France, U.K., U.S.S.R., Japan and Australia.

Mr. R. G. R. WALL (United Kingdom): Mr. Chairman, the Secretary was saying, as I understood it, that we are now approving the Scientific Committee's Report.

The CHAIRMAN: No, not yet.

Mr. R. G. R. WALL (United Kingdom): We are receiving the Report, that is all we are doing at the moment. We shall take the several items one by one.

The CHAIRMAN: You would like to take them one by one?

Mr. R. G. R. WALL (United Kingdom): We must take the several items under their proper headings. At the moment we are doing no more than receiving the Report.

The CHAIRMAN: Yes, that is correct.

Dr. A. Remington KELLOGG (U.S.A.): Mr. Chairman, I so move that Dr. Mackintosh be authorised by the Commission to call a meeting of the Ad Hoc Sub-Committee at his discretion with the countries as the Contracting Governments as read by the Secretary.

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

The CHAIRMAN: It is now proposed by Dr. Kellogg that it should be possible to hold a meeting of the Scientific Sub-Committee when necessary in the future, and that Dr. Mackintosh should arrange the place and perhaps also the time of such a meeting if it is necessary to convene it.

Returning to the observation made by Mr. Wall of the United Kingdom, it is in fact true that we have just received the Scientific Committee's Report. He proposed that we should now take it item by item, so that after discussing the Report it can be proposed for acceptance. May we do it in this way, Gentlemen?

I put before you the first three items. Are there any observations about them? I do not think so.

Mr. R. G. R. WALL (United Kingdom): Mr. Chairman, with respect, may I suggest that before we take the substance of the various items on the Scientific Committee's Report, we ought also to receive the Technical Committee's Report which deals with some of the same items. I should like myself - I do not know whether I am alone in this - to have these items taken under our Agenda. I mean, the blue whale unit and several of these items are on the main Agenda. ^{Chair}

The main point is that we ought surely to have the two Reports together, where the two Committees have dealt with the same items, so that we know and have received the views of both Committees on those items.

The CHAIRMAN: Gentlemen, I believe Mr. Wall's suggestion is acceptable to the Commission. Am I right?

That means that I have to call upon the Chairman of the Technical Committee to present the Report of that Committee to the Commission. May I call upon Mr. Wall?

Mr. R. G. R. WALL (United Kingdom): There were ten of the seventeen countries represented on the Technical Committee, and we have placed the Report before the Commissioners and Delegations.

The first matter dealt with was the date of the Annual meeting, in paragraphs 3 to 7. Apart from drawing your attention to the fact that the Technical Committee, on the whole, felt that the meetings would best be held in September, if the date of the Annual meeting is to be changed, I need, I think, say no more because the matter has, in fact, been settled in the Commission.

Paragraphs 8, 9 and 10 deal with the blue whale unit limit on the basis of the Scientific Sub-Committee's Report. Attention was drawn in the Technical Committee to the effect of the opening of the sanctuary in relieving the pressure on

the stocks of fin whales in the normal hunting areas. There was a view expressed by some representatives that that might well be an argument for maintaining the ceiling at the moment at 15,000, the present figure.

The recommendation of the Technical Committee is really contained in paragraph 10. The Committee recognise that the Scientific Sub-Committee had recommended a limit of 14,500 units. They were first of all very concerned that all countries should, in fact, be held to the same ceiling, and recommended accordingly. Then they found themselves unable to make any precise recommendation as to what the ceiling should be for next season, but felt that it should be considered in Plenary after the views of the Scientific Committee had been received.

The next matter was quotas for individual species, paragraph 11. The Committee felt that there are practical objections to any attempt to provide for quotas for the several species of baleen whale. They would not favour such a proposal.

The next subject was whale marking, paragraph 12. Very briefly the Committee say that they endorse the view of the Scientific Sub-Committee, that whale marking is necessary and should be continued within such limits as the funds available permit. I think we have, in fact, taken precisely that decision already.

Next there is the question of the wax plugs from the ears of whales, paragraph 13. The Committee recognise that the collection of the wax plugs is of scientific value, but they do draw the attention of the Commission to the fact that experience is limited so far, and that there may be practical difficulties about the removal of these plugs on any extensive scale, especially when whales are being caught in large numbers. That may well interfere with the present techniques, at least a great deal with the actual conduct of whaling operations. So the Technical Committee would propose that the wax plug collection should certainly continue, but within the practical limits that are necessarily fixed by not interfering unduly with the actual whaling operation; and a further point is that they would like to see arrangements made for the exchange of information about the development of techniques of the collection of wax plugs. Some countries may have devised techniques that are not generally known and an exchange of information would seem very desirable.

Paragraphs 14 and 15 ^{CONCERN} ~~are~~ the North Pacific gray whale. The Committee's view there was that they would first of all like to know what are the views of the Scientific Committee, which we have since received here.

On the protection of the blue whale stocks in the North Pacific, there was some discussion and the Committee eventually adopted a recommendation on the proposal of the Canadian Commissioner, that there should be a thorough scientific investigation into the state of the blue whale stocks in the North Pacific, and that the Commission should not take any decision before 1957, so that they might first of all have the result of that investigation before them.

The next subject was the advancement of the opening date for the baleen season in the Antarctic, and the Technical Committee understood that that proposal was not, in fact, going to be pursued and so they have no recommendation to make, ~~that the existing date should not be changed.~~

The Norwegian "Observer" proposal, paragraphs 18 to 23: the effective part of this section is paragraph 22. As we all know, effective action is not possible until the action on the Protocol is completed, and the Technical Committee are anxious that the Protocol should be proceeded with as quickly as possible and completed. They would like, through the Commission, to suggest that the Depository Government ^{should} arrange for the signing of the Protocol without awaiting the replies of the two remaining governments, which would presumably accede as soon as they could thereafter.

Therefore the recommendation to the Commission is that we should ask the Depository Government to take all possible steps to ensure that the Protocol is brought into force in time for the Commission to consider taking action on this "Observer" proposal at our next meeting in 1957.

There is finally in paragraph 23 a note that the Australian Commissioner expressed the view that the cost of any such scheme should be met by the Antarctic pelagic whaling countries themselves.

Infractions: the Technical Committee set up a special sub-committee to look into the infraction returns, and the recommendations of the sub-committee are given in paragraph 24. The views of the Technical Committee on those recommendations are contained in paragraph 25 and subsequent paragraphs.

I do not think, Sir, that I need take the time of the Plenary Session by going through this in detail at the moment. Perhaps Commissioners and Delegations would just like to read this without my attempting to make a precis of some rather numerous and technical points.

However, I would just draw attention to the discussion on lactating and milk-filled whales which is dealt with in paragraphs 31 and 32. It will be seen there that in general the Technical Committee endorsed the views of the Scientific Sub-Committee that no bonus should be paid where the whale is milk-filled or lactating, but they felt that there was some clarification required on two sub-paragraphs of the Scientific Sub-Committee's observations and, in fact, they have been clarified in the Scientific Committee's Report which is now before us.

On refrigerated ships, paragraphs 34 to 36, there was quite a discussion in the Technical Committee. It is a rather complicated situation, but the Technical Committee first of all feel that, while the Commission has been legally advised that the refrigerated ship is a factory ship within the meaning of the Convention, that may not make very good sense and may well prevent the use of refrigerated ships in the ways in which they can best be used to ensure the full and best utilisation of the whale. In fact, the Technical Committee feel that here is a question of substance into which the Commission should go. It is complicated by the legal position.

The Technical Committee were not quite clear, because we have no legal advice available, whether we should have to ammend the Convention itself in order to free the refrigerated ship in the way that the Technical Committee think it should be freed, or whether it may be possible to amend the schedule by the direct action of the Commission without actually amending the Convention itself. In either event we presumably cannot take any action at this Commission meeting because notice of any proposal has not been given. The Technical Committee, therefore, recommend that the Secretary of the Commission should be asked to seek the views of the Commission's legal adviser as to whether or not amendment to the Convention itself is necessary before the Commission could act in respect of the refrigerated ships as regards their definition as factory ships, and that the Secretary of the Commission might then circulate the advice that he has received so that we might all consider the position before our Ninth Meeting next year. Any delegation may then be in a position to make a proposal within the proper sixty days. Whether that proposal may be an amendment to the Schedule, or whether it may be a proposal that the Depository Government should be asked to prepare a Protocol for the necessary amendment of the Convention, we do not know. If there were any question of ~~new~~^{another} protocols, the Technical Committee would certainly feel that it should be a new Protocol, that we should not do anything which would interfere with the progress of the Protocol which is now in operation.

Finally, Sir, there was a discussion on the International Law Commission's Report which had been circulated with copies of the Commission's correspondence. The Technical Committee recognised that they were in no position to make any recommendations whatever ~~and further that they were not in a position to make any recommendations whatever~~ and further that they were not in a position to discuss the merits of the International Law Commission's proposals. What we understood we might do in the Technical Committee was to discuss the ways in which the International Law Commission's proposals might affect whaling. In paragraph 30 there is a summary of the points which were made in the course of that discussion, the purpose of which is clearly to draw the attention of the Commissioners, and through them their Governments, to the ways in which this Report needs looking at in connection with whaling affairs.

I should add, Sir, that as stated in paragraph 39, the Australian Commissioner objected strongly to the discussion taking place at all, because his view was that the whole of this matter was quite outside the Commission's jurisdiction. That is recorded at the end of our Report.

I have, in going through the Report, omitted one point to which I certainly should have drawn attention, that is paragraphs 26 to 30: the U.S.S.R. Commissioner gave the Technical Committee a most interesting report on the use of porous rubber fenders by Soviet expeditions in the Antarctic last season. The Committee were very interested to hear what had been done and they were very pleased that the Soviet Commissioner expressed his readiness to have copies of the drawings circulated through the Secretariat of the Commission and, I think, photographs of the equipment which had been used.

Thank you, Sir.

The CHAIRMAN: Thank you very much, Mr. Wall, for your introduction of this extensive Report of the Technical Committee. May I take it that the Commission will receive the Report?

We have before us now the two Reports of the Scientific and Technical Committees. I believe it is now a question of getting you observations of the views laid down in both Reports.

Do you agree, Gentlemen, that we should open the discussion by going through the items of the Scientific Committee's Report, and then you can compare the equivalent remarks in the Report of the Technical Committee?

Mr. A. FRASER (Canada): Mr. Chairman, would it not be desirable to go through the items on the main Agenda and refer from those items to the discussions on them in the three Committees that were set up by the Commission?

The CHAIRMAN: I am in the hands of the Commission. Is that acceptable to you, that we do it from the items of the Agenda? You are quite aware that you have received the three Reports?

Mr F. H. CORNER (New Zealand): I had no opportunity, when Dr. Mackintosh had finished his excellent presentation of the Scientific Committee's Report, to ask him directly any questions because we wanted to get on and receive the Technical Committee's Report also.

However, there is now one question I should like to address to Dr. Mackintosh as Chairman of the Scientific Committee. It is whether there was any general trend of opinion in the Scientific Committee as to what a desirable catch limit would be, that is a figure calculated purely on such scientific facts as may be available.

I ask this because I have a fear, which grows stronger at each meeting, that the Scientific Committee tends to temper its views by taking into account extra scientific considerations such as the effects of the reductions upon the industry, the possibility that governments may not accept, or may not be resolute enough to accept the limits which scientists might consider desirable. If this is so, if the scientists in our Committee tend to compromise, or to base their views and their recommendations on non-~~technical~~ ^{scientific} factors, I think this might be unfortunate, indeed it would be unfortunate, for the future of the Commission.

The International Whaling Commission is constructed in order to achieve the object of the Whaling Convention, which is to achieve a balance between killing and replacement rates of the whale populations. The Scientific Committee is expected to present whatever facts are available, however unpleasant these facts may be. The Technical Committee, by and large, can be

relied upon to take full account of the needs of the industry. It then becomes the task of Commissioners to reconcile the conflicting views presented to them by these two bodies and to work out some compromise, some balance.

If, however, the Scientific Committee modifies its recommendations as a result of assuming some of the mantle of the Technical Committee, and of the Commissioners themselves, then the balance of the Commission tends to be up-set and the decisions which it finally makes might well be unsound.

For these, reasons, therefore, I would like to ask Dr. Mackintosh, as Chairman of the Scientific Committee, if he would state for the benefit of Commissioners whether there was any general consensus of opinion among the scientists as to what specific catch limit is indicated by the facts, conflicting though they may be, which they considered.

/ The CHAIRMAN: Are you prepared

The CHAIRMAN: Are you prepared to start straight away, Dr. Mackintosh?

Dr. N. A. MACKINTOSH (United Kingdom): I will try to, Mr. Chairman. First of all, I think I ought to make one point clear, the Scientific Committee of the Commission is a body which is not entirely composed of scientists, though mostly so, but the main point is that they meet for rather a short time at these meetings of the Commission, and the scientific discussions are really thrashed out within the Scientific Sub-Committee.

Now, we have discussed this matter in the Scientific Sub-Committee this year, and we did last year, and we went into it when we had a good deal more time to cover the ground than we have had in the last day or so. At our meeting yesterday and the day before, we had a fairly long agenda, but we spent as much time as we could on this subject, but we felt it was essentially a question of whether we accepted the Sub-Committee's view, which had been argued and reported on in fairly considerable detail, and the only new subject on this particular point which we had to discuss was the estimates of the size of the stock. It is unfortunate, a matter for which I should apologise myself, that we did not have this ready in time for the meeting of the Scientific Sub-Committee.

Now the Sub-Committee's view was essentially the same as the view they put forward last year: that the stock of fin whales is declining. There is certainly a difference of opinion, I think perhaps no two of us have quite the same idea of how fast the stock is declining, but I think only one member of the Scientific Sub-Committee was prepared to dispute whether there really was a decline at all.

The point which we have made at the Sub-Committee meeting this year and last year was that there is no serious disagreement that the stock of blue whales has been seriously depleted, and we have taken measures to protect the stock of blue whales by putting the date of catching blue whales further back. Blue whales have, even so, been fewer in the catch when one compares the comparable period of catching over the years, so both on account of the shortage of blue whales and on account of the protective measures, there are fewer blue whales in the catch. For every one fewer blue whale we take, the overall limit allows for two more fin whales to be taken, with the result that the catch of fin whales has been going up rapidly in the last five or six years, and I think - I have to speak from memory at the moment - that last year, if not even the year before that, we pointed out that, at least if the fin whale stock is declining, we ought not to increase the catch of fin whales, but in fact by protecting blue whales which were the species that had the first priority of protection we are transferring the burden in a double degree on the fin whales. Therefore our view was that the catch of fin whales should at least be taken back to what it was five or six years ago. Please do not take the exact number of years as accurate because I would have to look that up. But I think I am right in saying that if we brought the catch of fin whales back to what it was a few years ago, we would take about 19,000 fin whales instead of 26,000, or 27,000, as we are doing now. To do this, and at the same time to give the blue whales the protection which seems to us obviously necessary,

it would probably be necessary to bring the total catch in blue whale units back to something of the order of 11,000 or 12,000 units. I hope that if I have not given quite the right figure somebody will correct me. However, I think the view of the majority of the Committee was to accept the views of the Sub-Committee that there should be if possible a small reduction during the coming year, and a larger reduction within the next year or two to, at the most, something like 11,000 or 12,000 units. That, at any rate, is what I feel myself, having discussed the matter with my colleagues in this Committee.

The CHAIRMAN: I think you have just made it quite clear to Mr. Corner what the Scientific Committee really had on their minds. Do you want any further information, Mr. Corner?

Mr. F. H. CORNER (New Zealand): Could I ask one other question? First, thank you for that very full reply. Could I ask why the immediate cut should be a small one and then substantial later? What were the scientific grounds for proposing such a small one now?

Dr. N. A. MACKINTOSH (United Kingdom): There I freely confess that we were influenced by matters which perhaps are not the affair of the Committee. On the other hand, we did feel that possibly we should consider what is practicable and not what we think ought to be done purely from the point of view of what is biologically desirable.

Mr. R. G. R. WALL (United Kingdom): Following up this interesting exchange, may I just put a supplementary question? When the Chairman of the Scientific Committee says, as I understood him, that the majority of the scientists feel the fin whale catch should be kept at a figure of 19,000 or 20,000, I think that was the figure he gave, would that 19,000 or 20,000 figure apply to the whole of the Antarctic, or would it apply to the Antarctic less the sanctuary area? I just want to be quite clear on this.

Mr. N. A. MACKINTOSH (United Kingdom): Mr. Chairman, I am not quite sure whether I can speak on behalf of all the members of the Committee on this particular point, but I myself would certainly regard this as applying to the whole of the Antarctic, because I think that in general in our estimates of the condition of the stock and numbers of whales, and so on, we have been thinking of the Antarctic stock as a whole. I quite see that the effect of whaling is affected by the fact that the sanctuary has been opened, and it may make a difference, whether one is catching whales in the whole circle of the Antarctic or whether one cuts out a fifth of it, or whatever the sanctuary area amounts to.

The CHAIRMAN: Has the Commission sufficient information on the questions just put before it? May I then move over to the original idea of taking the items of the Agenda dealt with by the different Committees?

I believe, Gentlemen, that we now have to deal with Item 10 of the Agenda. We have dealt with the first six items, Item 7 is still open for discussion, "Report as to the Protocol prepared and circulated by the Depository Government for the amendment of the International Whaling Convention, 1946." Item 8, "Discussion as to the Norwegian "Observer" proposal", there is something in the reports.

The SECRETARY: Mr. Chairman, may I just mention that I am given certain instructions with regard to the Protocol, not the Protocol which is now in preparation, but the new one. I am afraid that for the life of me I cannot understand what we are asking. We seem to be asking for legal advice, which we have already had, and which has been conveyed to the United States two years ago. Could Mr. Wall help me on that?

Mr. R. G. R. WALL (United Kingdom): Gladly, Sir, but it really does not arise under Item 7, it arises under Refrigerated Ships. I suggest that we take it under Item 20 (b).

The CHAIRMAN: Are there any observations with regard to Item 8 of the Agenda? There are some remarks about this item in the report of the Scientific Committee and the Technical Committee, but I do not think we have to take any action at the moment on this item. Can we dispose of Item 8 now?

Then we get Item 10, "Protection of blue whale stocks in the North Pacific Ocean". That has been dealt with in both the Reports of the Scientific and Technical Committees. Are there no observations? This item is Item 7 in the Scientific Committee's Report, and Item 16 in the Technical Committee's Report. May I take it that we have finished with this item?

Dr. E. F. DRION (Netherlands): I do not quite see in this Report of the Technical Committee that the Japanese Government has taken steps in 1955 to limit the annual catch in the area to 70 blue whales only. We heard in the Scientific Committee's Report that it was only the pelagic catch and not the total catch. I do not know if that is quite clear here.

Mr. A. KODAKI (Japan): I think the explanation is not quite sufficient, I would say that this 70 blue whale unit is for the North Pacific, pelagic whaling in the North Pacific.

The CHAIRMAN: Does that answer you, Dr. Drion?

Dr. E. F. DRION (Netherlands): Yes, thank you.

Dr. N. A. MACKINTOSH (United Kingdom): I am not sure that this is quite cleared up yet. I understood that this was 70 blue whales in the pelagic catches, not blue whale units surely?

Dr. A. KODAKI (Japan): No, blue whales.

Dr. N. A. MACKINTOSH (United Kingdom): That is quite apart from the shore stations from which no particular limit, we gather, has been imposed?

The CHAIRMAN: That is quite correct, Dr. Mackintosh.

Mr. H. S. DROST (Netherlands): Then I think we should make a change in the Report of the Technical Committee and add there that it is the pelagic whaling, as it is not in there now.

The CHAIRMAN: It is up to the Commission to change the wording in these reports. Do you wish that under Item 16 of the Technical Committee's Report we should add the word 'pelagic'?

Dr. A. KODAKI (Japan): Yes. I think we should say, "limit the catch for the pelagic whaling in the areas concerned to 70 blue whales only".

The CHAIRMAN: Is that agreed, Gentlemen? Is the question clear now?

Dr. N. A. MACKINTOSH (United Kingdom): Before we leave this point about blue whales in the North Pacific, I am afraid I have not had time to read this very carefully, but I gather that the proposal is that there should be further research on the blue whale stock in the North Pacific in order that the Commission could reconsider the matter at this time next year.

From my own experience of this kind of research, Mr. Chairman, it is a rather tall order. It is a very difficult thing to find out how many whales there are, how the stock is getting on, and so on. Is it proposed to publish something fairly soon? May I say at once that all of us in the Scientific Committee know that the Japanese authors have been getting on with some very progressive research on whales in the North Pacific, but do they expect to have some really concrete information for the Commission next year? I should think they are doing very well if they do. Or would they, perhaps, like a little longer?

Dr. A. KODAKI (Japan): Mr. Chairman, it is very difficult to say when we shall come to a definite point; but the Canadian Commissioner has already proposed that this should be handled in the meeting next year, so we shall do our best to collect all the data for the discussion at the next meeting.

The CHAIRMAN: Thank you very much. We cannot expect more of you than your best. I hope you will have some results for the next Meeting. Of course, we cannot predict what will happen in the meantime. I understood that the Chairman of the Scientific Committee was asking you whether you had the need of more time, but I understood that you were prepared to bring before the next Plenary Meeting in 1957 some data, if they are available.

Dr. A. KODAKI (Japan): Mr. Chairman, we publish the results of our investigations almost every year. We have already published the results in the official gazette and we will continue to do so. That is what I mean. If such a discussion does take place next year, certainly we shall show you everything we have done.

The CHAIRMAN: Is that what you want, Dr. Mackintosh?

Dr. N. A. MACKINTOSH (United Kingdom): Yes, thank you, Mr. Chairman. I hope it did not seem in any way any suggestion of criticism of the progress of research, because we have already had some very interesting papers; and, indeed, the Soviet authors are we know also doing some research on the whaling in the North Pacific.

The CHAIRMAN: Item 11. on the Agenda is out. As far as I understood we have seen in the Technical Committee's Report that the original proposal of this Item is withdrawn, so there is no trouble about this question.

Now we come to Item 12 in the Technical Committee Report, the question of the review we have had from Mr. Vangstein. I do not think there is any need of further discussion of this Item which is also covered by the Scientific Committee's Report.

Does anyone wish to make any remark with regard to Item 12? I take it that it is accepted? (Agreed)

Then I move on to Item 13 on the Agenda - Blue-whale unit limit for 1956/1957. You now have before you the Report of both Committees with regard to this question. Do you think it would be a good idea to sleep on a decision about this question? A good many of the Members present have a pleasant obligation before them, so it might be more convenient to deal with some smaller items on the Agenda so that we can adjourn, say, in 20 minutes. It seems to be wiser to drop this Item until the next Plenary and take some of the smaller items instead. Is that acceptable to the Commission?

So we now go to Item 14 of the Agenda - Infractions. This is also in the Technical Committee's Report. Would anyone like to make any observation with regard to the content of the Report of the Technical Committee, with regard to infractions?

Mr. R. G. R. WALL (United Kingdom): Sir, as Chairman of the Technical Committee, I think it is perhaps my duty to ask the Commission to consider the recommendations which are contained in paragraph 24 (a), (b) and (c) of the Technical Committee's Report.

The CHAIRMAN: You have all the Items before you, Gentlemen, (a), (b) and (c). Can you agree to the recommendations in these three Items of the Report?

Mr. H. S. DROST (Netherlands): Yes, I agree.

The CHAIRMAN: There seems to be no problem about this. Do you agree that we have now dealt with Item 14? (Agreed)

Item 15 - Correspondence between Norwegian and Panamanian Governments already circulated. Does anybody wish to make an observation on this Item?

Mr. G. JAHN (Norway): On Item 15 of the Agenda, Correspondence between Norwegian and Panamanian Governments, copies of this correspondence have been sent to all Governments, Members of the Commission, and I do not consider it necessary to go further into it as you have all seen the correspondence, which is still not closed, as the Norwegian Government up to now has not received an answer to its last note. I only wish to state that the information received by the Norwegian Government was of a nature that it found it to be its duty to communicate it to the Panamanian Government and all other contracting

parties. As you will appreciate, we do not know the ultimate result of the correspondence between the Norwegian and Panamanian Governments but, whatever may be the outcome, occurrences like this make it evident that it is essential to elaborate a system of international observers on the factory ships.

I wish to add that we are very glad to learn from Mr. Aleman that the Panamanian Government intends to sign and ratify the Protocol amending the Convention, and that he is in favour of establishing a system of international observers on all factory ships.

I only ask the Commission to take note of the correspondence between the Norwegian and the Panamanian Governments and, at the same time, emphasize the necessity of elaborating a system of international observers.

Mr. R. ALEMAN (Panama): Mr. Chairman, according to accepted and well-established principles of international law, any given government may, if it is satisfied that it is necessary to do so, take whatever action it may consider necessary and convenient to protect the interests of its subjects and citizens.

Therefore, we do recognize and very much respect the right of Norway to present a complaint of the nature of the one that we are considering.

I have no doubt that the two governments involved - through their Foreign Offices - will handle this matter in a satisfactory way that will in all respects be adjusted to the principles which friendly nations should follow in settling their differences.

We share the point of view of the Norwegian Delegation regarding the future presence of international observers, and we sincerely believe that the adoption of such measures will prevent any further misunderstanding which might arise.

The CHAIRMAN: Gentlemen, I think that clarifies the matter well. It would perhaps be a good thing for us to clear away too.

Perhaps we can deal with one more Item on the Agenda on which I believe we have already touched in the Plenary Session.

Dr. A. Remington KELLOGG (United States): Mr. Chairman, the United States wishes to record its observation that Item 15 of the Agenda points out that the Commission's enforcement system is capable of improvement so that the actions of the whaling inspectors will be far less likely to be called into question. The observers scheme proposed for the Commission's consideration would prove extremely helpful in this regard.

Mr. R.G.R. WALL (United Kingdom): There are just a few words I would like to say for the United Kingdom: we have followed with interest and concern the correspondence which we now have under consideration. We have been very glad to hear the statements which have been made in these last few minutes, and we, for our part, would very much agree with the conclusions which previous speakers have just drawn as to the relevance and importance of the "observer" proposal in this ~~Conference~~ context.

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

We have a few minutes before we adjourn and I should like to take up Item 16 on the Agenda, "Prohibition of the taking of blue whales in the North Atlantic", the Reports from Iceland and Denmark. Are there any further observations?

Mr. P.F. ERICHSEN (Denmark): I should like to ask, Mr. Chairman, whether you have heard anything from the Icelandic Government as to the reconsideration of their point of view with regard to the prohibition of the catching of blue whales.

The CHAIRMAN: Thank you, Mr. Erichsen. I have no further information, Gentlemen, but perhaps there is a possibility that we can get something. May I request the Commissioner for Iceland if he can add anything to what he has already said?

H.E. Agnar Kl. JONSSON (Iceland): I have nothing to say in addition to what I said at the first Plenary Meeting. I have noted what has been said about blue whales in the North Atlantic during the Committee's Report, but I have no comment to make.

The CHAIRMAN: Thank you very much. If there are no further observations from anybody else on this Item I think we can consider that we have dealt with it.

(United Kingdom)

Mr. R.G.R. WALL: We have at the moment, as I understand it, certain recommendations from the Scientific Committee expressing the hope that governments which have felt unable to agree will, nevertheless, reconsider their decision. I would like to suggest that we should adopt that as a recommendation by the Commission, or whatever the correct wording is. We should express the hope that governments will, in fact, reconsider their decision in view of the opinions which the Scientific Committee has expressed.

The CHAIRMAN: I see your point, Mr. Wall, but do

we take the recommendation of the Scientific Committee as it is expressed now under 8?

Mr. R.G.R. WALL (United Kingdom): I would suggest that the Commission should associate themselves with this hope - or whatever may be the correct term. But we should not leave it in the air as something from the Scientific Committee on which we say nothing.

The CHAIRMAN: May I get the opinion of the Commission on this point?

H.E. Agnar Kl. JONSSON (Iceland): May I just add that in what I said before I meant to express the same views as have now been expressed by Mr. Wall. I think we can take what is said in the Report here as a recommendation to our governments. That is all I have to say about this.

The CHAIRMAN: Is this the feeling of the Commission?
Are you content about that, Mr. Wall?

Mr. R.G.R. WALL (United Kingdom): Yes, quite content.

The CHAIRMAN: Thank you, now we have dealt with Item 16. We have already dealt with 17, so that leaves us to deal with the rest of the contents of the Reports on the Agenda which have not yet been covered. That means that we have to get the approval of the Commission on some paragraphs of those Reports, and the question of Item 13 is still open.

So I would now like to adjourn this Plenary Meeting and we can deal with this further tomorrow.

After discussion it was agreed that the Commission should meet tomorrow at 10.30 a.m.

(The Conference adjourned at 5.15)

INTERNATIONAL WHALING COMMISSION

EIGHTH MEETING

Session of Friday, 20th July, 1956.

In the Chair: Dr. G. J. Lienesch (Netherlands)

The CHAIRMAN: Will the Meeting please come to order. I should like to apologize for the fact that, through unavoidable circumstances, it was impossible to convene earlier.

I should like to take up again the Items on the Agenda so far as we have not dealt with them, with the exception of Item 13 of the Agenda, 20.(d) deals with "Blue-whale unit limit". We think that we have to consider this question further and can manage it in the afternoon Plenary Session. I should like to make it clear that we have to meet again this afternoon at three; I hope that in the meantime we shall have sufficient time left to deal with other items on the Agenda.

As you are aware, we take the discussions of the different Committees in relation to the Items of the Agenda. That means in effect that Items 18 and 19 of the Agenda are being considered at the same time as we are speaking about the other items, with the exception again of the question of catch limit which I think it best for us to keep for the final Meeting.

I would like now to move on to the open Items and take 20 with all the other parts under it, (a), (b), (c), (d), (e).

About the "Observers", we have the views of both the Scientific and the Technical Committees. Would you like to make any further comments with regard to Item 20 (a)?

Mr. G. JAHN (Norway): Mr. Chairman, it is not necessary to go into this question at this time because we shall have to wait for a very long time until we discuss the different things concerning observers.

But I would like to draw attention to the fact that when seniority is mentioned here it only says that he has the right to lodging and food and so on as a senior officer, he is not an officer as such but he has to have accommodation, etc., and it is only that which is meant. In order that there shall not be any misunderstanding there, I repeat he is not an officer as such, he is not a military man or anything like that and he has no standing on board as an officers, but it is only to underline that he shall be treated in the manner of an officer in the matter of nourishment, accommodation and so on.

The SECRETARY: May I explain to Mr. Jahn, Mr. Chairman, that the words that appear under "Observers" were words which he said to me himself, and requested me to put them into fuller English. I did show them to our Legal Adviser; but, of course, if this matter comes up in the future and we have to move an amendment to the Schedule we will go into it again and study the wording carefully. This is only a very tentative draft.

Mr. G. JAHN (Norway): Mr. Chairman, I think although the English will know what is meant by a senior officer, there may be other countries which are not aware of the expression.

The CHAIRMAN: Are there any further remarks with regard to Item 20? Can I take it that you agree that we have dealt sufficiently with Item 20 (a) so that we can dispose of it?

Then I would like to move on to 20 (b) "Refrigerated Ships". In the Report already referred to, you have before you the Committee's observations and their remarks. Is the Commission willing or likely to take action upon the Reports of those Committees? In the Technical Report you will find under Item 34 and onwards that this is discussed under the heading "Refrigerated Ships".

The SECRETARY: Mr. Chairman, I would like you to look at paragraph 36. I do not know whether this is the proper time to stress it, but I am not at all sure under 36 what exactly the direction to the Secretary is, because we have already asked the United States Government to include in their Protocol some provision which would enable us at all events to alter the Schedule for the purpose, say, of putting one inspector on a refrigerated ship. I would like a little more guidance, possibly I might be allowed to discuss this with Mr. Wall outside, as he is Chairman of this Committee.

Mr. R.G.R.WALL(United Kingdom): May I

Mr. R.G.R. WALL (United Kingdom): May I give an explanation? The Technical Committee considered this matter at some length on the initiative of the United Kingdom and, as we understood it in the Technical Committee, the effect of the Protocol which is at present in hand is simply to give flexibility to the Commission in the matter of inspection arrangements for refrigerated ships, but we understand it is not going beyond that point.

The point that was made in the Technical Committee was that the refrigerated ship ought not to be classed as a factory ship at all, at least not in all circumstances. But certainly there are circumstances in which, so the Technical Committee thought, the refrigerated ship should not be deemed to be a factory ship.

Now that will not be covered under the Protocol now in hand, and the Technical Committee were not sure whether that objective could only be secured by a further amendment to the Convention, in which event another Protocol would be needed, or whether it might be possible to deal, by amendment to the Schedule, with the refrigerated ship in such a way as to take it out of the class of a factory ship.

That is by way of explanation, Sir, and I would like later on to make a proposal from the United Kingdom side if you would allow me.

The SECRETARY: Thank you, Mr. Chairman, I am very much obliged for that explanation.

The CHAIRMAN: Are there any further observations in connexion with refrigerated ships?

Mr. R.G.R. WALL (United Kingdom): May I then, Sir, make a proposal on this item?

The United Kingdom would propose that we adopt the suggestion or recommendation of the Technical Committee, namely that the Secretary of the Commission should be asked to seek the views of the Commission's legal advisers as to whether the refrigerated ship could be taken out of the category of factory ship by amendment of the Schedule without first amending the Convention. Then, Sir, depending on the answer to that question - which I hope we might have between now and our next Meeting - the United Kingdom would probably wish to bring forward a proposal at our next Meeting, firstly that, if amendment of the Convention should be necessary, if that should be what we are told, then we should like to ask at the next Meeting that the Depository Government be asked to take the necessary steps to prepare a Protocol to amend the Convention and enable us in the Commission to take action on the refrigerated ship. If, however, we find that the matter can be dealt with by amendment to the Schedule, then we should wish to move at the next Meeting appropriate amendments to the Schedule. But I think perhaps I should like your guidance here, Sir. I take it that we could not move the proposal now because there is not only the point that we do not quite know

the legal situation, but I take it 60 days' notice would also be required, is that so?

The CHAIRMAN: Yes. Thank you very much, Mr. Wall.

Mr. F.F. ANDERSON (Australia): Mr. Chairman, I do not think that the way the United Kingdom has put that question will enable a legal decision to be given in favour of an amendment to the Schedule being just simply carried out by the Commission. I think Mr. Wall has been a little too embracing and it would have been better to have confined it to obtaining legal advice as to the drafting of an amendment to the Schedule which would exempt refrigerated ships from some of the limitations at present applying to factory ships. That is what we want the advice on. We have been advised that at the present time the definition of a factory ship does include a refrigerated ship, and you cannot get over a defect in the actual Convention by making an amendment to the Schedule. But we could limit the restrictions that we have placed on factory ships in the Schedule to factory ships proper and exempt refrigerated ships.

I hope I have made myself clear.

Mr. A. KODAKI (Japan): I should like to remind the Secretary that when he handles this matter, although we always say refrigerated ships, it should be ships for the use of refrigerating or salting whale meat. That is a more exact expression and I hope the Secretary will keep that in mind.

The SECRETARY: Having heard Mr. Wall and Mr. Anderson I would like to say that my procedure would be now to refer this matter, in view of Mr. Wall's explanation, to our legal adviser. If the Commission agrees I would like then to be able to circulate to the Commission my reference to the legal adviser and his reply. Then, in the light of that, the United Kingdom Delegation or any other Delegation may decide whether it is possible to draft a document for the next Meeting. But I would like the Commission to have the result of this as soon as it is available.

Mr. R.G.R. WALL (United Kingdom): May I say, first of all, that I should be quite happy with the way in which Mr. Anderson has put this, which is clearer than the way in which I put it.

Secondly, I would say to Mr. Kodaki that I am sorry I omitted the salting ship. I would just say that the ships which are in question, and the sort of matter which is in question is this: I am only speaking of ships which come under the definition of factory ship solely because they engage in freezing, salting, or otherwise treating whale meat. The object in our minds is that such ships should be permitted to operate throughout the year if they are working in conjunction with a land station or a floating factory licensed under the Convention. I could give those words to the Secretary if you allow.

The CHAIRMAN: Is that acceptable to you, Gentlemen? Are there no further comments?

Dr. A. Remington KELLOGG (U.S.A.): While we are on the same point, Item 11 of this Schedule, if we amend that to read as follows, then it ends up, "except ships used for freezing, salting or transport of meat or other products", then possibly that will not require a Protocol. But we should get legal advice on that.

The SECRETARY: That is what we are going to do.

Dr. A. Remington KELLOGG (U.S.A.): But I would tie it to 11 rather than the Protocol, if this is considered legally advisable.

The CHAIRMAN: That will be so, Dr. Kellogg, just in line with what the Secretary has in mind, so I think it will suit you.

Mr. A. KODAKI (Japan): As I have already said in the Technical Committee, there are several other paragraphs in the Schedule which also will affect refrigerated or salting ships, so I do not think it is appropriate to enter into detail at this moment. If we start arguing about the amendment we have to go further than Dr. Kellogg suggested just now.

The CHAIRMAN: I hope that is quite clear. The Secretary will inform you of the result of the legal advice in the coming year before any action is taken in connection with this situation and what can be said to be covered by the wording 'refrigeration ships'. I hope you will all be content with that. May we then dispose of this Item, Gentlemen?

Now we go from the deep sea to the high air, and we have before us Item 20 (c), "Helicopters". Is there anybody who would like to make further observations with regard to helicopters in the whaling industry? We seem to be too high in the sky at the moment! May I take it that we can dispose of this Item also?

Then we pass over (d) for the moment, as I told you before, and come to 20 (e), "Amendment for the protection of blue whale stocks in the North Pacific Ocean". We have dealt with this also, under Item 10, and there will be no change, so we can dispose straight away of that Item too. That means that in fact we have taken Item 20 in full, with the exception of one item which will come later on this afternoon; (f) has already been dealt with on the opening day, so we can dispose of Item 20 (f). We cannot act fully on Items 18 and 19 as they bear very heavily on Item 20 (d), and it seems better to keep it open for discussion this afternoon. Therefore for this Plenary Session

we have Items 21 and 22 still open. Item 21 is not yet before you so I would like to keep that also for a while, until we get the re-drafted Annual Report on the table, but we can certainly deal with Item 22 on the Agenda. "Consideration of draft submitted by the United Nations International Law Commission of Provisional Articles concerning the Regime of the High Seas". The Technical Committee has given its view on this question under paragraphs 37, 38 and 39. As you see from the Report of the Technical Committee, no straight recommendations are put before the Commission, only a number of questions with regard to the interpretation of the I.L.C.'s recommendations in connection with the whaling industry. Are you quite prepared to keep it in the records of the Technical Committee as it now stands? So can I take it, Gentlemen, that you have also accepted this part of the Technical Committee's Report as it stands now? This seems to be the case, so we are now left with Items 23 and 25 of the Agenda.

Item 25 is "Arrangements for Press release", which are more or less settled. May I remind you of the fact that we have set up a small Ad Hoc Committee to deal with the interpretation of the Annual Report, and the same Committee could act as a body for advice with regard to the press release. At the last meeting in Moscow, we extended the press release more than in previous years, which I believe was acceptable to you; if you can re-affirm this arrangement, I would like to get your permission for the Secretary, in collaboration with the Ad Hoc Committee, to deal with this press release, and try to give the information that can be of interest to the public.

The SECRETARY: May I say that I have a draft which has been prepared by the Secretariat of a press release, but it is impossible to consider that through the means of the Ad Hoc Committee until we have discussed the rather important question in Item 20 (d), but there is a draft ready so that at a moment's notice I shall be able to place it before the Committee, when this meeting finishes.

The CHAIRMAN: Does that satisfy you, Gentlemen?

Mr. G. JAHN (Norway): It is all right.

The CHAIRMAN: Thank you, Mr. Jahn.

Before adjourning this meeting, I should like to give this opportunity to the Commissioner of Norway to make an announcement.

Mr. G. JAHN (Norway): I would like to give the floor to Mr. Bettum; he is the Chairman of the Whaling Association of Norway, and he wishes to make a statement concerning the situation of the whaling industry, and the affect upon the whaling industry which your work may have in the future.

Mr. F. BETTUM (Norway): First of all, I would like to thank you and the Norwegian Commissioner for giving me this opportunity to make a short statement.

The International Convention for the regulation of whaling was concluded in 1946 after representatives of the contracting parties had decided "to conclude a convention to provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry".

With the assistance of the Convention, the stock of whales is to be preserved with due consideration to "the interests of the consumers of whale products and the whaling industry".

The Commission has received data which also contains specification of the whaling fleets which were engaged in pelagic whaling in the Antarctic during the season 1955/1956. It is also possible to determine, fairly accurately, the whaling fleets which will be engaged during the coming 1956/1957 season.

As a representative for the Whaling Industry in the Antarctic, I find it right to recapitulate the position:

During the season 1955/1956, 19 pelagic expeditions operated in the Antarctic with 19 floating factories and a total of 257 whale catchers. The catching period for baleen whales lasted 58 days, which is the shortest time we have ever experienced. During the season 1956/1957, it is expected that 20 expeditions will operate in the Antarctic with 20 floating factories. This is one expedition more than last year, which, on average, will reduce the catch of each expedition by 5%.

In spite of the fact that the number of expeditions are increasing, it has been possible, with considerable difficulty, to obtain agreement from the major part of the industry to conclude an agreement which limits the number of catchers attached to each expedition during the 1956/1957 season. The total number of catchers ~~has~~ accordingly been reduced from 257 to a probable 225. The reduction in the number of catchers used has been put into effect in order to rationalise the production of whale oil in the Antarctic.

It is necessary to draw some conclusions when one views the whole situation.

The Schedule limits the total number of whales that are to be caught and according to the scientific reports which are available, it will be necessary in the future to introduce still more drastic reductions if the stock of whales is to be preserved. The expeditions which are sent South are already larger than necessary to obtain the total number of blue whale units, which it is permitted to catch. On the other hand, we are faced with the fact that the number of expeditions will increase from last season to the coming season and it is reported that we can expect further increases later on.

According to the existing Convention, it is not possible for the Commission to do anything about this. When I, as a representative of the industry, mention this it is to point out the untenable and contradictory situation which developments involve. In the long run, one cannot expect that individual companies and countries are going to abstain from using existing whaling material in the most economical way, and even keep existing

whaling ships lying idle, when other nations are sending out new whaling expeditions. According to my opinion, such a situation may lead to the disruption of the Convention.

In view of the seriousness of the situation, I consider the possibility of the Convention being disrupted to be a very real one, and regard it as my duty to point this out to you.

I thank you, Mr. Chairman, for giving me the opportunity to put my views to the meeting.

The CHAIRMAN: Thank you very much.....

The CHAIRMAN: Thank you very much for giving us your views.

May I now call upon the Secretary?

The SECRETARY: If we are now on the Item "Other Business" I think I should report to you that in due course - in a month or two - we shall receive an invitation from the International Council for the Exploration of the Sea, which is represented at this Conference in the person of your Chairman, to be represented at their meeting in October. I take it that you would wish your Chairman to act as your representative as he has done before. I know that invitation will automatically come.

Mr. F.H. CORNER (New Zealand): If this Commission is being represented at the meeting of another international body could we expect to have some report, however brief, on the proceedings at that meeting, and the relevance of their proceedings to this Commission?

The CHAIRMAN: Yes, Mr. Corner, that can easily be done, I believe.

The SECRETARY: May I inform Mr. Corner straight away that the International Council for the Exploration of the Sea, which celebrated its 50th birthday two years ago, has got a Whaling Committee, some of whose duties are rather covered by this Commission. Therefore they only meet when required, usually under the Chairmanship of Dr. Mackintosh, but you can have all the papers.

Mr. F.H. CORNER (New Zealand): I am really making the point that if it is worth while for this body to be represented at these international meetings it is worth while having a report. If it is not worth while having a report it is not worth while being represented.

Mr. G. JAHN (Norway): I would like to bring up one question. If a country wishes to bring something up before a coming meeting is it necessary to formulate a definite proposal or can it bring forward a question in another form saying that they wish to have that and that question discussed if they have not made a definite proposal? I should like to get some information on that.

The CHAIRMAN: Thank you. I am waiting for the remarks of the Commissioners.

Mr. F.H. CORNER (New Zealand): Could you tell me just what is the point involved at the moment, Mr. Chairman? I am sorry but I missed it.

The CHAIRMAN: I think as I understood it that Mr. Jahn stressed it in this way, that if you want to make a proposal you have to do it in a more formal way than by saying you would like the Commission to act in this and that way, is that what you have on your mind?

Mr. G. JAHN (Norway): No, it concerns the question we have mentioned which might be discussed here of whether we should lengthen the hunting of humpbacks to more than four days as it is at present, without saying whether it should be lengthened to six or seven days, or something like that. That is the question.

The CHAIRMAN: You would just like to raise a question under "Other Business" just for free deliberation without any binding effect or recommendation, or something like that. Is that what you mean?

Mr. G. JAHN (Norway): I would like to know this, it is agreed here in the Articles by the Commissioners "...unless the subject matter has been included in the provisional order of business". What does it mean? Does it mean, for instance, to take an example, that we have made a definite proposal - which we have not done - to lengthen the hunting season for humpbacks from four to six days - let us say definitely six days - instead of saying, for instance, that you would like to discuss whether it is wise to lengthen these days without mentioning any definite number of days? That is the only question I ask, what the subject matter is.

The SECRETARY: Mr. Chairman, it seems to me the point Mr. Jahn has raised is one not connected with the specific point that I was asking the Commission to decide, namely whether or not a representative should, as for the last seven years, attend the next meeting of the International Council as an observer. If so, do you wish your Chairman to go as before?

Mr. Jahn is now raising a very important point that really Mr. Anderson raised at the first plenary - at least I take it to be so - as to whether it is sufficient to indicate in general terms an amendment to the Schedule, or whether it should be in actual specific terms without any doubt. I think, Mr. Jahn, that is what you are saying.

Mr. G. JAHN (Norway): That is correct.

The SECRETARY: That is separate from the other point which Mr. Corner raised. I may just add that if I have a definite doubt on this matter I invariably show our legal advisor any alterations to the Schedule which are contemplated, and I ask him whether that is sufficient to comply with the law. As a matter of fact, he has usually told me that it is all right. He did in the case raised by Mr. Anderson, but I did not say so at the time. That is the point Mr. Jahn raises and it is an important point. If necessary, and if you so wish to move, I will ask the legal advisor for a legal opinion on the subject.

Mr. A. KODAKI (Japan): It would seem to us that it would be all right to mention the subject matter in the provisional order of business, that is 60 days in advance of the meeting, because it is clear in the book of Rules of Procedure of the Commission. I do not think it is necessary to elaborate the proposals. It is all right to bring up the subject matter 60 days in advance.

Mr. F.F. ANDERSON (Australia): Being partly Norwegian myself I understand that they never lie down on this matter. They are going to keep it going right to the dead end. I still maintain that the points I raised were correct, that it had not been placed on the provisional order of business in accordance with the Rules of Procedure. Surely the Norwegian Commissioner does not suggest that you could put on any item in very general terms and then you could come along and bring a proposal out which would upset the whole of the whaling of a certain country. He says he simply wants to discuss the extension, if he wants to extend it he must give notice of a certain actual period by which he wishes to extend it. It is no use saying otherwise. If he wants to discuss it he can, but if he wants an alteration to the Schedule he must say in what way it is going to be altered, not discussed and then altered at this meeting. Rule 12 is quite clear, and also there is another protection rule in Rule 8, "...to determine after consultation with the Commissioners the provisional order of business so that the Secretary may transmit it not less than 60 days in advance of the meeting". This matter was not referred* to the Secretary, therefore it is not in order; it was indefinite, it did not state anything at all, it simply said 'to be discussed'. It was discussed by the Scientific Committee, and that is all about it. If they had moved that it be 60 days or 75 days that would have conformed to the Convention which states:

"These amendments of the Schedule (a) shall be such as are necessary to carry out the objectives and purposes of this Convention and to provide for the conservation, development, and optimum utilization of the whale resources; (b) shall be based on scientific findings; (c) shall not involve restrictions on the number or nationality of factory ships or land stations nor allocate specific quotas to any factory or ship or land station or to any group of factory ships or land stations; and (d) shall take into consideration the interests of the consumers of whale products and the whaling industry".

Surely the Norwegian Commissioner does not think that this general notice to discuss the matter included any scientific evidence. He spoke of what the people employed by the Norwegian companies did, and if they only looked at their own statistics they would have found that the average length of the humpback last season was a foot shorter than the previous year. Is that scientific evidence in favour of extending the period? No, it does not go down at all.

I object to this matter being discussed further, it has been decided and I do not think we should continue with it any more.

Mr. G. JAHN (Norway): I will not go into the length of the humpback, or anything like that. As a Commissioner I have no standpoint on it at all. I have heard the Scientific Committee on the matter, but I merely asked a question, whether it is necessary for me to get a proposal or not or whether you can bring up the matter within 60 days' notice for discussion here, and when the Scientific Committee has dealt with it they may give a proposal, they may reject it, or a proposal in that and that sense. That is the only thing I ask. It is very inconvenient for a Commissioner who has not decided whether it should be lengthened or not lengthened and when he is asked by the industry whether this and this question is to be discussed and neither he himself nor the government has taken any decision to it. I would like to bring up a question for discussion in the Scientific Committee. It is very difficult for a commissioner or for a government to say that it is not a very important question as to whether or not it should be lengthened, whether it should be two days, maybe we should go down to two days if the Scientific Committee feels it should be so. We cannot form a definite proposal before and we merely like to discuss the question in general terms. I think that the subject matter, if it is the subject matter, has been brought forward in due time before the Commission and they could turn it over either to the Technical or the Scientific Committee and they should then make a proposal - a definite proposal - for this Commission. If that is not the case it is very difficult to bring it up here for discussion.

Mr. R. G. R. WALL (United Kingdom): Sir, I think

Mr. R. G. R. WALL (United Kingdom): Sir, I think there is a point of real difficulty here which may affect ~~in~~ any of us in the years ahead. On the one hand, as Mr. Jahn says, any of us may be in the position of wanting to make a proposal at a meeting without quite knowing what is to be our precise proposal until we may have heard evidence in this Commission which will affect the exact nature of the proposal we shall be making. Therefore, ~~it~~ ^{before} it may be difficult to give the utmost precision to a proposal ~~in~~ ^{before} a meeting. On the other hand, as Mr. Anderson says the rest of us must have a sufficient understanding of what is going to be discussed and proposed to enable us to be properly briefed before we come to the meeting. In some way I suppose we ought to try and square that circle.

Is it possible for the Secretary, as I think he suggested earlier, to consult the Commission's Legal Adviser on the meaning and purport of the present Rules of Procedure and circulate to us a fuller note as to what we may and may not do? Then, at the next meeting, if we are not satisfied, we could consider whether any amendment to our Rules of Procedure is required or not. It is very difficult to take this much further, in my opinion, without getting a legal ~~advice~~ ^{opinion} as to what we may and may not do under the existing Rules.

The SECRETARY: Mr. Chairman, I would certainly like to do that if the Commission agrees, but there are two points here. The first, that is the sixty days' notice, is very important. Australia is a very long way away and I cannot always assume precisely when even an air-letter is going to get there - so that the famous circular of 7th May may have reached Australia just two days outside the sixty days although it went by air-mail.

The second point is whether anything suggested in the Agenda may involve an amendment to the Schedule, and other people do not quite know what that amendment should be. I have always indicated in the Item dealing with amendments to the Schedule some words which might be moved there. Whether that is permissible is a very important legal point, and that is the other point upon which I should like to consult the legal adviser, and if necessary submit to you amendments, as Mr. Wall suggested, to the Rules of Procedure.

The CHAIRMAN: I think that makes the situation quite clear. I hope it will be acceptable to the Commission that we get the legal adviser of the Secretariat to interpret the Rules of Procedure and action under the Commission's Rules.

Mr. F.H. CORNER (New Zealand): It may well be useful to get legal advice, but at the same time I think it is true that this Commission, like any other Commission, is master of its own procedure, and if the majority of the Commission wish to pursue a certain course they can decide to do it. I remember we argued this precise point at Moscow last year and did agree that we would get ourselves into rather absurd situations if we could not modify at all specific proposals which might have been put up in advance of the Meeting. For instance, say the only specific proposal on the

whale catch was 14,000 units, and then, after a thorough discussion by the scientific and technical bodies, it was decided that the unit should be 13,000 or 15,000 or some other limit, obviously we have to have the power to set up what we need. We should not get ourselves into too rigid a legal position over this, nor should we exclude ourselves from discussing any question that is important to any Commissioner.

Mr. F.F. ANDERSON (Australia): Mr. Chairman, I have never raised any point such as Mr. Corner refers to, but I consider that if you are going to amend the Schedule surely the countries concerned have sufficient interest to give notice of the particular Article in the Schedule in which they want to alter a particular clause and what their ideas are. If they said that they wanted to increase it to six days and, finally, the Commission agreed on five, I think that would be quite in order, but they did not indicate how many ~~times~~ they proposed to increase it by and they simply said it should be discussed; it was discussed. They must put a definite proposal forward, in the same way as the pelagic limit in the Antarctic. Somebody must bring forward some proposal, 15,000 may be amended to 15,500 or 14,500, or some other number, no one is questioning that point at all. I am merely saying that the Schedule Item must be quoted and put down so that we can identify it with the existing Schedule, and we should not simply say that a discussion should be held.

The SECRETARY: May we come back to the point as to whether you would wish to accept the invitation, which I know is almost on its way from I.C.E.S., that we should be represented for the seventh time? May I just mention that if you look at the list of members present at this meeting you will see that your Chairman is representing I.C.E.S. at this Meeting, and, if there is time, he will express his pleasure no doubt in being present in that capacity. What we want now is to recommend that as an observer someone should go to I.C.E.S. and, to avoid expenses, it is usually someone who is a member of I.C.E.S.

The CHAIRMAN: There is no difficulty about that, Gentlemen, I believe.

The SECRETARY: Then may I take it that it is agreed that you wish your Chairman to go? When the letter comes I will so inform the International Council.

I have to detain you for one further moment. A few days ago only I received a letter from the World Meteorological Organization which is a really big body, and I have had correspondence affecting them with South Africa and the Netherlands over a period of time, some five or six years. They are interested in all sorts of things like rainfall and wireless reports of weather. They have a meeting lasting from 16th - 30th October, 1956 and the Secretary-General will be grateful to have the name of the person or persons designated to represent the International Whaling Commission submitted as soon as possible. My point to

you is to ask: do you wish to be represented at this meeting and, if so, it is possible that someone round this table may be already attending and therefore could represent us; or do you wish to take the line that we do not, in the circumstances, wish to be represented? I have not had time to circulate this paper, but it has a very large, considerable, agenda. That is the point I put to you, as to the nature of my reply.

Mr. A. KODAKI (Japan): Where will that be held?

The SECRETARY: The meeting will be held in Hamburg.

The CHAIRMAN: May I take it that there is not sufficient interest to send an observer on behalf of the Commission?

Mr. G. JAHN (Norway): I do not think we should send an observer there at the expense of the Commission.

The CHAIRMAN: Is that agreed? (Agreed)

Then I should like to adjourn the Meeting, but I would particularly ask the Commissioners to meet before the Plenary Session opens at three. Is that possible for you to meet at half past two? The Commissioners only at half past two and then we can convene in the Room where we held the Scientific Committee. Is that acceptable? Two-thirty for the Commissioners only, three o'clock for the full Plenary Session.

Then the Meeting is adjourned.

(The Commission adjourned for lunch)

The CHAIRMAN: Gentlemen, will the Meeting please come to order.

We are now dealing with the last Item on the Agenda, the Item that is still open, concerning the Blue-whale unit limit for 1956/1957, Item 13 of the Agenda, and also 20 (d).

I should say that there has been a good exchange of views in the Technical and Scientific Committees, and I am quite willing to deal with any observations we may expect from the Commission in this Session now in connexion with these Items.

Dr. J. M. MARCHAND (South Africa): Mr. Chairman, we in South Africa are of the opinion that the available evidence is preponderantly indicative of the fact that, at the present level of exploitation, the Antarctic whale stock taken as a whole is a wasting asset. In other words, the outtake from the stock comprising the sum of the natural and fishing mortalities is in excess of the input by accrument. However, this imbalance can be repaired by adjusting the basic directly controllable factor of fishing mortality and we feel that the Commission would be sadly failing in its duty if it refrained from taking corrective action in at least some degree.

While, therefore, we do not claim that the step we advocate represents a cure, we maintain that it is at least in the right direction.

Mr. Chairman, we accordingly submit the following proposals in relation to paragraph 8 (a) and (c) of the Schedule for adoption by the Commission.

(A) of paragraph 8 (a), delete all the words after "units" in the fourth line, and substitute for them the following:-
"in any one season, provided that in the season 1956/1957 the number of baleen whales taken, as aforesaid, shall not exceed 14,500 blue-whale units".

Paragraph 8 (a) would then read as follows:-

"The number of baleen whales taken during the open season caught in waters south of 40° South Latitude by whale catchers attached to factory ships under the jurisdiction of the Contracting Governments shall not exceed 15,000 blue-whale units in any one season, provided that in the season 1956/1957 the number of baleen whales taken as aforesaid shall not exceed 14,500 blue-whale units."

Then I have a proposal (B), Paragraph 8 (c), and these are of course consequential should my proposal for 8 (a) be accepted.

- "1. Delete the words "in the season 1955-1956 and 13,000 thereafter" in the sixth and seventh lines." and
2. Between "13,500" in the sixth line and "notification" in the seventh line, insert the words "(but 13,000 in the season 1956-1957,)"

Paragraph 8 (c) would then read as follows:

"Notification shall be given in accordance with the provisions of Article VII of the Convention, within two days after the end of each calendar week, of data on the number of blue whale units taken in any waters south of 40° South Latitude by all whale catchers attached to factory ships under the jurisdiction of each Contracting Government; provided that when the number of blue whale units is deemed by the Bureau of International Whaling Statistics to have reached 13,500 (but 13,000 in the season 1956/1957) notification shall be given as aforesaid at the end of each day of data on the number of blue whale units taken."

The CHAIRMAN: Thank you, Dr. Marchand, for your proposal put before the Commission. May I ask if this proposal is seconded? It is seconded by Mr. Wall of the United Kingdom.

Mr. R. G. R. WALL (United Kingdom): The United Kingdom is ready to second this proposal from the South African Commissioner and I would like to explain what is the basis of our attitude.

In the first place, I would say that we are being completely consistent with the view we took at the Moscow Meeting last year when we voted in favour of the proposal which is in fact now before us, but which was subsequently objected to and the United Kingdom with other countries followed up with objections - but that was on a purely formal basis in order that we might be able to reserve our position and leave it open until such time as the matter could be raised again in the Commission, that is, at this Meeting.

The Antarctic catch does depend upon the abundance of the fin whale. I think there is no real dispute but that the blue whale has been brought very low in numbers, so much so that the catch is only 6% of the total in the Antarctic, and it still seems to be going down year by year. The humpback stocks seem also to have been very much reduced and of course, as we know, there are only four days in the Antarctic on which they may now be caught. So we are entirely reliant upon the fin whale and here, up to that point, I think there is no disagreement as I understand it in the Commission with those propositions.

Now as to fin whales: the catch of fin whales has been rising, we know this, from 13,000 animals just after the end of the war, and then 20,000 a few years later, now it is 25,000 to 26,000 each season. We have whaling fleets of greater catching power. We find that this increase in the catch of fin whales is associated with the lowering of the average size of the animals taken, and an increase in the percentage of immature whales which are taken. We have heard that whales in the experience of expeditions are harder to find; we have seen in this Commission that the South Georgia land stations are apparently having to go further and further afield each year for their whales. The scientists in effect have told us that in the Scientific Committee there is some argument between two schools of thought. The one school, which is in the majority, thinks that the fin whale stocks are in fact decreasing and showing signs of serious strain. The other school thinks that the fin whale stocks may possibly be increasing and the situation is not serious. Well Sir, the fin whale stock may be increasing, we cannot of course be sure. We

cannot go down there and count them one by one year by year. The moon may be made of green cheese, Sir, we cannot be sure of that either, we cannot go there and find out whether it is or not. Many things are possible, and some are less likely than others. We are sceptical as to whether the moon is made of green cheese, and we believe it is not. Some of us, I believe, are equally sceptical as to whether the fin whale stock can possibly be increasing, and I take leave to doubt myself whether in our heart any of us really believes that it is increasing. We should not risk going hungry on this earth because we think that if we do we may be able to get a cut off the green cheese ~~on~~ the moon. My Government does not think that we should risk the future of whaling as a worthwhile commercial industry by standing fast on a 15,000 unit ceiling until we have actual proof that the fin whale stock is in such a serious state that reductions in the catch are imperative. In the meantime, while we are awaiting that proof - which may take years to collect - the stocks and the whaling industry itself may possibly collapse; and our attitude is therefore that we cannot afford to wait for proof until every fact is settled and fitted into the jigsaw, but that we should meanwhile proceed on the basis of good sense and commonsense, and that we should ~~take~~^{make} what to us is the obvious presumption. The situation is rather dangerous, we have a majority of scientists assuring us that it is their view that it is so, and that we should therefore take some measures, while having proper regard to the interests of the whaling industry, to reduce the catch further.

Now Sir, the sanctuary has been mentioned, and we heard the other day the suggestion that we could afford to wait and see what more might happen in the sanctuary area, see what experience we get there before we decide to take any further measures. We are influenced there by the fact firstly that the sanctuary after all has been open~~ed~~ for only three years and is ~~then~~^{likely} to be closed again and we have only two of those three years left. We would fear that if we simply do nothing for another year or another two years, until we know more of what the sanctuary may contain, we could quite easily find at the end of two years from now that we should have to make a very drastic reduction all at once in the blue whale unit ceiling. Let us hope we do not, but we may; and rather than live in paradise for two years and then find that we are in quite a different place, we would rather ourselves take at least minimum precautions. That is why we think that we ought to go down to 14,500 for the next season, and therefore I second the proposal.

Mr. G. JAHN (Norway): We are willing to...

Mr. G. JAHN (Norway): We are willing to vote for the proposal by the South African Commissioner, but I should like to say a few words. We regard the situation as very serious for the future, and I think that, all things taken together, the majority of the Scientific Committee is right. We, therefore, in Moscow proposed and voted for 14,500 for the season which has just closed. The outcome of that was that we had a limit of 15,000 and I looked forward to this season for the following reason.

There has been, of recent years, a close connection between the number of whale-boats and the number of days the season lasts. When there were fewer whale-boats, the season was longer; this year, we had many whale-boats and I looked forward to seeing, when the figures came out, whether we could get any assurance from them - the season was very long and we had many whale-boats hunting there - so that we could draw the conclusion that the fin-whales were very scarce, of course taking into consideration the weather situation. But it happened that the season was the shortest one, the reason being that the new Area 1 had been opened and twenty-four per cent of the whales were taken in that area. When we discussed this at a meeting of the Technical Committee I said that this was an argument for sticking to 15,000 for one more year to get more experience, because we had, in reality, killed 19,000 fin-whales in the old areas instead of 25,000 the year before - we had saved 6,000. I looked into the statistics which are not, after all, convincing. For some areas the fin-whale catch is not overwhelming, and having looked at these things from the point of view of pressure on the whale stock, I think that the least we could do this year is to propose 14,500. Maybe I am wrong, but it is my conviction that some years will come when we will think that 14,500 is an impossible number of whales to catch in the Antarctic in a reasonable length of time.

Not only must we look at the whale stock from that point of view but we must also take into consideration the fact that even if most of our companies have agreed to have fewer whale-boats down there, if new expeditions can catch whales and they do not have fewer boats, there will be more new whale-boats and the whole thing will be more intensive than ever. The consequence will, of course, be that in the beginning it will not pay for some companies in the season, but there will always be so many left. That is the danger for the stock, even though there might be enough whales left there for the stock to grow up again within fifty years or so. It is not quite the same situation there as in the northern waters.

Even though I think that we ought to turn it down from the scientific point of view, we must also take into consideration the fact that besides the whaling boats there is another industry attached to it on shore, and we cannot kill that industry in one or even two years. I am not so much thinking of the profit of the different companies as of the people who have their work there; for them it might be a catastrophe if it is less than it was in the '30s when we had unemployment everywhere; they must be considered.

Therefore, I will not call for any further reduction next year, but I will vote for 14,500 in this coming year. Thank you, Mr. Chairman.

The CHAIRMAN: Thank you, Mr. Jahn.

Mr. H. S. DROST (Netherlands): Mr. Chairman, the Netherlands delegation will not agree with the whole of the amendment made by the South African delegation. I would like to make the reason for this clear. I have had a talk with the Netherlands scientists and this, in short, is what they said to me: if the basis of the calculations made by Professor Ruud, Professor Ottestad and Dr. Mackintosh is correct, this would involve our going down to about 10,000 or 11,000 blue-whale units. The Netherlands scientists, although agreeing with their colleagues on some points, are of the opinion that there is not sufficient evidence to show that the basis of the calculations is safe and sound, that it is absolutely necessary to take such an important step.

They therefore believe that no advice can be given at the moment about changing the present number of blue-whale units that may be taken in the Antarctic: that is the reason why the Netherlands delegation will not agree with the whole of the amendment proposed by the South African delegation. Thank you, Mr. Chairman.

The CHAIRMAN: Thank you, Mr. Drost. Are there any further observations that you would like to make? The amendment has been proposed and seconded.

Mr. F. H. CORNER (New Zealand): Mr. Chairman, I would like to propose, as an amendment to the proposal that has been put forward by the South African Commissioner, the following change to Paragraph 8(a): after the words "14,500 blue-whale units" in the South African proposal, add the following: "provided further that in the season 1957-58 the number of baleen whales to be taken as aforesaid shall not exceed 14,000 blue-whale units". This would involve the following consequential change in Paragraph 8(c): after the words "1956-57" in the South African proposal, add the words "and 12,500 in the season 1957-58".

In proposing these amendments I have two objects in mind; first, to give effect to the recommendations of the Scientific Committee that there should be a small cut this year and a more substantial cut later.

/It is true that the reduction proposed...

It is true that the reduction proposed in my amendment to the South African proposal for the year 1957/1958 can hardly be called substantial. The reduction proposed by the South African Commissioner from 15,000 to 14,500 would represent an almost derisory cut, in view of the situation described by the Scientific Committee, of about 3.3%, and the further reduction that I am proposing, not to take effect until 1957/1958, would be a cut of only another 3.45%. I realize that these percentages are significant in terms of the industry and the amount of money invested in the industry, but nevertheless, in terms of the stock and the recommendations of the Scientific Committee they are very small reductions indeed.

Nevertheless, though this further cut that I am proposing can hardly be called substantial, it is at least a compromise put forward in the hope of securing some movement in the direction recommended so strongly and so urgently to us by the scientists.

I am moved to remark, in connexion with the scientists that, in his most excellent statement with most of which I agree wholeheartedly, the United Kingdom Commissioner referred to two schools; I think indeed there is one school represented by the majority of the members of the Scientific Committee, but I am not sure that the other school, consisting as I believe it does of one person, can exactly be put on the same plane and called another school. I was going to describe the whole thing in terms of different types of whales, but I think it is better not to do so!

My second object in proposing this amendment is to meet the arguments advanced by the United Kingdom Commissioner amongst others on behalf of the whaling industry, that notice of reductions should be given in ample time to enable the industry to make its dispositions well in advance. The limit of 14,000 which I am proposing for the season 1957/1958 need not be regarded as final; there will be another Meeting before this amendment would come into effect, and it may be that the evidence next year will convince Commissioners that an increase is justified, or that a more substantial cut should be made. But it will be within the power of the Commission next year to alter the figure in an upward or a downward direction as may be indicated by the situation revealed to the Commission at that time. But at least to accept this reduction now would be to act on the evidence at present put before us and to give the industry time to consider its dispositions.

It has just been indicated that the Netherlands Government will object, as indeed it already has done, to any limit lower than 15,000 units. I hope we may take this as not a final word and that the Netherlands Government, which in other international matters is usually so responsive to international opinion, and indeed so often leads it, will be influenced by the great weight of opinion expressed in this Commission in favour of adequate measures of conservation. There is great evidence that a crisis caused by over-killing faces the whaling industry, and if that crisis were to eventuate it would surely lie heavily on the conscience of any nation which, by its single action taken in opposition to all its partners in an international body, caused the dissipation of a mighty store of wealth.

It has at various times been stated by one or more Delegates that, because his particular country is not

specifically engaged in Antarctic whaling, he does not feel it proper to discuss or vote upon actual catch limits to be imposed on the industry in general, and that the adjustment of limits should be left to those countries actually actively concerned in whaling at any particular time. I would wish to point out in this connexion that one should keep in mind that the stocks of whales are, as it were, a general trust, and that no country is free to neglect this consideration, nor is this Commission free to neglect it in its deliberations and in the limits which it is setting.

The CHAIRMAN: Thank you, Mr. Corner. Is there a seconder to this amendment to the proposal made by Dr. Marchand, that is the amendment proposed by Mr. Corner? That is seconded by Mr. Fraser of Canada.

Dr. A. Remington KELLOGG (United States): We will agree that whales are a world resource and not the property of any one individual nation or group of nations, and therefore it is the responsibility of all members of this Commission, as the representatives of their own Governments, to keep that in mind.

Mr. G. JAHN (Norway): I cannot vote for a fixed reduction now for the season 1957/1958. We do not know what the situation may be. It may be that we shall make a further reduction, but I do not think it is wise at this moment to fix anything for a season three years ahead.

Dr. A. Remington KELLOGG (United States): On the other hand, Mr. Chairman, there is always an opportunity next year to review the decisions of this year.

Mr. R.G.R. WALL (United Kingdom): On Mr. Corner's amendment my position is very much that of Mr. Jahn of Norway. I would only add that the danger is that if we fix a figure now for 1957/1958 we might, as Mr. Corner said, change the figure again at our next Meeting before we finally decided it and the figure took effect. That is just the kind of thing which places us in some difficulty. Rather than fix a figure which may subsequently be changed, I would rather myself take the first of the two evils and leave the matter over until our next Meeting in June 1957 and take a decision then. We might keep these levels in mind for the present and wait to see what further information there may then be. As you know, Mr. Chairman, we would have liked a meeting at another time, but it does put us in a difficulty to have a figure now that may be changed; it is not something that is very acceptable to those with whaling industries.

The CHAIRMAN: Are there any further comments? If not I will take it that we can take a poll on the amendment which you have before you and which has been read by Mr. Corner.

Mr. A. KODAKI (Japan): We always go round that way, I think sometimes you should come round this way.

The SECRETARY: I have been directed by the Chairman to take a poll on Mr. Corner's amendment, but I feel that as Secretary if I thought there was anything wrong you would blame me if I did not mention it. I do not want to interfere with anything that was settled at the Meeting of the Commissioners, because I believe it was a private meeting and that is why I did not attend, and I believe that our legal adviser was there, so please be perfectly happy, but I suggest - then I will poll, but I would like to have this on record, and Mr. Corner has been very kind in having a word with me about this - that as we shall ultimately be moving Dr. Marchand's proposal in two parts, Mr. Corner's suggestion is an addendum and not an amendment.

However, having made my point, the position is that Dr. Marchand has moved, and Mr. Wall has seconded, the amendment shown in the single sheet headed, "Proposals to be made by the South African Commissioner." It is desired that that should be put in two parts. To that an amendment has been moved by Mr. Corner of New Zealand and seconded by Mr. Fraser of Canada that the words should be inserted which are shown on the second sheet which is put forward by the New Zealand Commissioner. I will take that first, and I ask you to vote 'yes' or 'no'. The amendment put forward by the New Zealand Commissioner of course involves consequential as well. I will go round the other way at the request of the Japanese Commissioner.

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

Now Gentlemen, following the Rules of Procedure, we have to have a three-quarters majority, a three-fourths majority, of those present and voting either 'yes' or 'no'. So I declare 5 for and 6 against, so clearly that has not attracted a three-quarters majority. There were three abstentions, and they count in the total number. I declare that amendment lost.

Now Gentlemen, I would ask you to address yourselves to Dr. Marchand's substantive motion in two parts. Do you wish me to read this, Dr. Marchand has read it?

Mr. G. JAHN (Norway): Yes please.

The SECRETARY: Paragraph 8 (a)

"Delete all words after "units" in the fourth line and substitute for them the following "in any one season, provided that in the season 1956/1957 the number of baleen whales taken as aforesaid shall not exceed fourteen thousand five hundred blue whale units".

That I take in two portions and I will not bother about the consequential parts for the moment. The first part is that you omit all words after "units" in the fourth line and substitute for them "in any one season,--" Perhaps I should not be exceeding my duty if I reminded the Commission that that, of course, will solve the trouble of the countries who might be left without any limit at all.

Are you ready to vote on that?

United Kingdom	- Yes
United States	- Yes
U.S.S.R.	- Yes
Sweden	- Yes
South Africa	- Yes
Panama	- Not present
Norway	- Yes
New Zealand	- Yes
Netherlands	- Yes
Mexico	- Not present
Japan	- Yes
Iceland	- Yes
France	- Yes
Denmark	- Yes
Canada	- Yes
Brazil	- Not present
Australia	- Yes.

Gentlemen, that is unanimous on the part of all those who are present and voting 'yes' or 'no'.

May I then ask you at the same time to take the first leg of this in the consequential paragraph 8 (c)? That means that you delete the words "in the season 1955-56 and 13,000 thereafter" You omit those words in the sixth and seventh lines, that is consequential and; with your permission, I will take that as accepted as part of the other amendment. You do not want me to poll again, is that agreed?

I will now put the second part of the proposition by Dr. Marchand.

After "in any one season" you add the words in 8 (a) "provided that in the season 1956/57 the number of baleen whales taken as aforesaid shall not exceed fourteen thousand five hundred blue whale units".

Now Gentlemen, I propose to poll that.

United Kingdom	- Yes
United States	- Yes
U.S.S.R.	- Yes
Sweden	- Yes
South Africa	- Yes
Panama	- Not present
Norway	- Yes

New Zealand	- Yes
Netherlands	- No
Mexico	- Not present
Japan	- Abstain
Iceland	- Abstain
France	- Yes
Denmark	- Yes
Canada	- Yes
Brazil	- Not present
Australia	- Yes.

Gentlemen, fourteen Commissioners are present and voting either for or against and of those there are eleven -- Mr. Jahn, I think that is three-quarters, is it, of fourteen? -- so I declare that carried.

Now I come to the consequential on that portion, and the consequential is in the sixth line of 8 (c) between "13,500" and the word "notification" in the seventh line insert the words "(but 13,000 in the season 1956-1957,)". May I again take it that you will accept that without a poll? Gentlemen, I declare Dr. Marchand's proposal on this subject as carried by the necessary majority, and it will be entered for the purpose of our correspondence with contracting Governments as two amendments.

Dr. A. Remington KELLOGG (United States): Can I clarify one point? Including those who abstained, eleven voted, yes; how many voted no?

The SECRETARY: There was only one 'no', Dr. Kellogg.

Dr. A. Remington KELLOGG (United States): And two abstentions?

The SECRETARY: Two abstentions and one 'no', so eleven voted 'yes'.

Dr. A. Remington KELLOGG (United States): It has been our practice in the past not to count abstentions in determining the three-quarter majority.

The SECRETARY: I do not think it matters, Dr. Kellogg, if I may say so; but it does say here "casting affirmative or negative vote". Anyhow we have it.

Dr. A. Remington KELLOGG (United States): It was just a point of information.

The SECRETARY: Thank you, Dr. Kellogg, I am grateful to you.

Mr. R. G. R. WALL (United Kingdom): I just want to be very sure that we are not putting ourselves in any difficulty by not taking a formal poll on the last consequential amendment. You see, if we have no vote on the consequential amendment if any country wishes to object to these two proposals ought it not to have voted 'yes' or 'no' beforehand? Should we not go round and take a formal vote on each consequential? On the second one, at least?

The CHAIRMAN: Then we also have to do it on the first one. We shall have to be very formal indeed and do it twice. May we take two consequential votes again and we do it on the two parts of the amendment which we have just had under discussion and voted upon. May I ask your attention for our Secretary please.

The SECRETARY: I am going to poll the Commission on the first consequential in 8 (c)

"Delete the words "in the season 1955-56 and 13,000 thereafter" in the sixth and seventh lines.

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

That is all right. Thirteen for.

Now I will take the consequential to the second part of Dr. Marchand's proposal which is:

Between "13,500" in the sixth line and "notification" in the seventh line insert the words "(but 13,000 in the season 1956-1957.)"

United Kingdom	- Yes
United States	- Yes
U. S. S. R.	- Yes
Sweden	- Yes
South Africa	- Yes
Panama	- Not present

Norway	- Yes
New Zealand	- Yes
Netherlands	- No
Mexico	- Not present
Japan	- Abstain
Iceland	- Abstain
France	- Yes
Denmark	- Yes
Canada	- Yes
Brazil	- Not present
Australia	- Yes

That is eleven, so that is carried.

The CHAIRMAN: Gentlemen, would you like to adjourn for a moment for tea.

(Tea Break)

The CHAIRMAN: Will the meeting please come to order.

We have still some open spaces in the Agenda which we have to settle, and I should like to deal now with the acceptance of the Report of the Scientific Committee, under Item 18 of the Agenda. This Report has already been proposed for acceptance, I believe; may I call upon the Chairman of the Scientific Committee?

Dr. N. A. MACKINTOSH (United Kingdom): Mr. Chairman, I am very glad to move that the Report of the Scientific Committee be accepted.

The CHAIRMAN: Thank you very much, Dr. Mackintosh.

Is there a seconder for the proposal to be accepted?

Mr. H. S. DROST (Netherlands): I second.

The CHAIRMAN: Mr. Drost of the Netherlands is seconding this Report of the Scientific Committee. Are there any observations? No further comments? I take it that it is accepted unanimously? Thank you.

Shall we act in the same way with the Report of the Technical Committee? May I request the Chairman of the Technical Committee, if he is willing, to propose the Report of his Committee be accepted by the Commission? I call upon Mr. Wall of the United Kingdom.

Mr. R. G. R. WALL (United Kingdom): May I first of all be quite clear whether that will mean in effect that the Commission accepts the recommendations in this Report which we have not specifically discussed? There is, for example, what the Committee says about the collection of wax plugs. That is all wrapped up, is it?

The CHAIRMAN: Yes.

Mr. R. G. R. WALL (United Kingdom): Then I beg to move.

The CHAIRMAN: It is moved to accept the Report of the Technical Committee.

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

The CHAIRMAN: It is seconded by Mr. Jahn of Norway. Are there any observations? If none, I take it that this is also unanimously accepted by the Commission, and I would like to express my thanks to both Chairmen for the excellent way they have dealt with the problems and put down the results of the discussions in the Reports. Thank you very much.

Then we have not yet dealt with Item 21, "Draft (to be circulated later) Seventh Annual Report for approval", and I call upon our Secretary to give further explanation as to what has passed since.

The SECRETARY: Mr. Chairman, you were kind enough to allow me to say a word on this, and also Dr. Kellogg, who is Chairman of the Committee that was set up to look at this. In his remarks yesterday, Dr. Kellogg told you what was proposed in respect of future issues of this Report, and I do not think I need go over those points, they are in the Plenary Session of yesterday, but in the meantime I would remind you that Dr. Kellogg did say at the end that as regards the draft Report now before the Commission, the Committee find it impossible at the present juncture to produce a new draft, but they have endeavoured to improve by verbal and other amendments the existing draft. The Committee have not completed their work in this connection and will report later. I am now able to report to you there has been circulated Document IV revise which is a revise of the original Report, which was sent to you as Document IV on about the 2nd or 3rd June and I have had no observations on that Report. Mr. Vangstein has filled in my figures, but you will remember the British Commissioner raised at the first Plenary the whole question of the remodelling of this Report.

With the aid of the Committee this revise has been prepared. I have never liked this Report, and I feel guilty that it is rather a dull document, but we now have issued the revised copy, which is now before you. We have shortened it a little, and we have amended some paragraphs which had perhaps to be rather carefully worded. There the Report is, and I await your instructions.

The CHAIRMAN: Thank you, Mr. Dobson, for this presentation of the draft now before the Commission.

Dr. A. Remington KELLOGG (U.S.A.): Mr. Chairman, it was the considered opinion of this Ad Hoc Committee that the new Report should give some indication of the purpose of the Commission, why it was set up and its functions and so forth; furthermore, that the important things that were accomplished at the Conference should come first, so that the Document would be more informative and would at the same time not be a mere duplication of the printed Chairman's Report.

I should also say there will be a Committee of the Chairman, the Vice-Chairman and Mr. Corner, who is here in London to consider the more precise arrangement under the new formula.

The CHAIRMAN: Are there any more remarks?

Dr. N. A. MACKINTOSH: I do not know whether you want to go through this Report in any detail, but there is one point that struck me on page 4, paragraph 25 (c). A great deal of discussion took place regarding the proposal to reduce the 15,500 whale unit limit. The proposal before the Commission at its seventh meeting was that a reduction should be made in two stages, from 15,500 to 15,000 from the season 1955/56, and to 14,500 thereafter. Is not one thing left out there? There was a proposal before the Commission that there should be a more substantial cut afterwards. I would not like to urge one way or other on this matter, but I thought I might draw the Commission's attention to the fact that last year and this year the majority of scientific opinion was in favour of rather a substantial cut.

The CHAIRMAN: Would you like to add something about this question in this Annual Report? Would you like to stress this question? Can it be dealt with by making it clear in the press notice that in the discussion about catch limit it was evident that even further deduction was under consideration? Does that meet your view, or would you like to add something in this Annual Report so that it is quite evident to the outsider that it was an important point in the discussion of the Scientific Committee?

Dr. N. A. MACKINTOSH (United Kingdom): I am a little inclined to think myself that it should be said, because after all there are many people who know there are scientists taking part in this Commission's work, and they may be wondering what we are doing.

The CHAIRMAN: I hope we get the right wording that will suit you.

The SECRETARY: We could meet Dr. Mackintosh if he wishes at the end of (c) to add "it should be mentioned that the bulk of scientific opinion in the Commission was in favour of still greater reduction."

Dr. N. A. MACKINTOSH (United Kingdom): That would meet my point.

The SECRETARY: I will put that in at the end.

Mr. R. G. R. WALL (United Kingdom): May we assume that this draft will be editorially corrected where necessary. I note in paragraph 10 that something reads rather oddly at the moment, "the seat of the Commission may be located on London".

The SECRETARY: I am afraid this revise was done in rather a hurry.

Mr. R. G. R. WALL (United Kingdom): They are probably typing errors.

The CHAIRMAN: That can be settled.

Are there any further remarks, Gentlemen? So you are willing to accept this draft Annual Report from the Commission, provided that in the coming years we will have a small Committee that first will set up a lay-out, a scheme, of how it should be in the future. We have a report which is fully revised so that the most important things are at the beginning of the Report and it is also quite clear what are the aims of the Commission and what will be the effect of the activities of this body. Is that agreed?

The SECRETARY: May I remind you that there is one point: I hope when you see your new Report you will give as much attention as you can before you come to the Annual Meeting, because I cannot complete the Report technically until the 31st May, 24.00 hours midnight, and your next meeting is on the 24th June.

The CHAIRMAN: That item of the Agenda can be disposed of too, Gentlemen, and although we have already had some business under Item 23, we perhaps can now take the rest of what can be dealt with under "Any other business".

I wonder if the representative of F.A.O. might like the opportunity to address the Commission. We will welcome him as a director of fisheries also interested in whaling.

Dr. D. B. FINN (F.A.O.): Mr. Chairman, once again I must thank you for extending the invitation to our organization to sit through your meetings as an observer. We have followed the proceedings of this commission since its inception, not only because we have a general interest in food resources and their wide utilisation, but because we are deeply sensitive to the great difficulties which face such a Commission as yours where you have to reconcile economic enterprise with the reproductive capacity of the particular resource you are dealing with under intense competition. I think that anyone who has sat through these meetings would realise that this problem is going to become more and more difficult as competition increases and it is somewhat like a race between the acquisition of the biological fact on which alone wise regulation can be framed and the depreciation which competition might bring on that particular stock. This is not only a biological problem - as a matter of fact, the only justification for biological interest is the use that man can make of the product - but the combination of these two different kinds of problems, or the reconciliation of one with the other, is the main difficulty confronting this Commission.

Sitting here as an observer, not only at this meeting but, as I have said, since its inception, I have been impressed with first, the accomplishment of bringing together the countries that are interested in whaling and those that have potential interests in this Commission. When I look at your constitution, your charter, I see that it gives you many opportunities and I feel that although you are working towards taking advantage of these opportunities there is still a very long way to go; I think that a person following the proceedings and especially, let us say, of the last few days, could not help but be impressed with the real crux of the problem and that is the lag in proper biological information on which your regulations and proposals can be framed. It seems to me that this is the crucial thing. I feel that the Commission has many opportunities to do much more than it is doing, even to the point of collating, interpreting and translating if necessary the available information that is already being developed by the various countries. No doubt, the Commission already has this in mind and I certainly hope, as one interested in natural resources, that such steps would be taken.

I must say - and I think that this had probably better come from me as an individual rather than as the representative of an organization - that I was a little surprised to find that something as important as a biological problem thinks that whale marking should be regarded as a matter which is chiefly useful for removing a surplus of money. I think that the lack of this information, which is most difficult to acquire, would merit perhaps more attention than the Commission has yet been able to pay it. I think it is not so much that you are faced with alarming expense because you have a very co-operative industry who bears the major share of these expenses; but I am convinced that the people who sit round here will earnestly take as their most crucial problem the development of ways of taking advantage of the opportunities which your charter gives. I feel that organisations such as ours are very largely dependent upon these various commissions - the Whaling Commission, the International Commission for the North West Atlantic, the International Commission for the

Exploration of the Sea, etc. - and we have been developing contacts and together studying certain problems with these various commissions with the idea of fulfilling the task which our conference has given us of making what perhaps I could call a running survey of the living aquatic resources.

We are undertaking this particular job in co-operation with the commissions and I feel that the Whaling Commission could assist us greatly in this respect in the sense that you have, in this body, pretty well all the scientists who are skilled in whaling. It will be our task to call upon these gentlemen and to develop a measure of co-operation with them to make synoptic statements about the whale species, one of the most important resources of the sea.

We therefore have as part of our plan a proposal to contact the Commission with the idea of developing co-operation with them in this respect.

I think that is all I have to say, Mr. Chairman; I hope you do not think I have been rather brash in making the statement that I have, but I feel that it is to all our interests - and your interests go far beyond those people who are in the whaling industry and those people who are employed by the whaling industry on shore or on sea. There is a world-wide interest and I feel that you have a world-wide responsibility; I am sure you will take notice of that and develop it on those lines.

/The CHAIRMAN: Thank you very much for your

The CHAIRMAN: Thank you very much for your contribution to our final discussions which I take to be a contribution from F.A.O. as well as from yourself.

Is there anybody who wishes to raise anything under the Item, "Any Other Business"?

Dr. A. Remington KELLOGG (U.S.A.): I would like to be accorded the privilege of saying a few words about one of our older members. I have heard a rumour that he has now retired and that this will be his last meeting. I hope it is not true. I refer to Mr. Erichsen of Denmark who has been a valued member of this Commission for so many years.

The CHAIRMAN: Thank you so much for your kind thoughts to the delegates..

Mr. P.F. ERICHSEN (Denmark): May I thank you, Dr. Kellogg, for the nice words you have said about me. I would like to say that I have been a member of the Whaling Commission since it started and since that time many things have been done. I hope in the future we may be able to do more for the whaling industry.

The CHAIRMAN: Thank you so much, Mr. Erichsen.

Well, Gentlemen, I also would like to address the Commission on behalf of myself for a moment. I have been invited to take part in your discussions as an observer of I.C.E.S. I would like to thank the Commission for the honour paid to I.C.E.S. in allowing me to attend the deliberations and discussions of the International Whaling Commission.

Is everybody now content? Has everybody had a chance to say what he has on his mind?

Mr. G. JAHN (Norway): Mr. Chairman, I should like personally, and on behalf of us all, to thank the United Kingdom for their hospitality and for our stay here in London. To stay in London with you is always pleasant, even though you can do nothing with the weather which has not been pleasant. To come to London and stay with you and see your countrymen, to come in touch with the English people, is something which I appreciate very much, and I think we all do..

I thank you very much, and I should like to ask you all, together with me, to express your best wishes for the United Kingdom and for its future. Thank you..

Mr. R.G.R. WALL (United Kingdom): Mr. Chairman, may I, through you, Sir, thank Mr. Jahn on behalf of Her Majesty's Government, and all of you, for firstly the things which Mr. Jahn has said, and secondly for the very kind way in which he has said them, and to you all for so generously agreeing in what he has said. We are delighted, always, to see the Commission in London and to help in any way we can. As to the weather, as Mr. Jahn says, we cannot order the weather here, but what perhaps we might do another year is something we have not been very successful about this year, that is telling you a little in advance what sort of weather you are going to have!

Having said that, Sir, may I myself be allowed to propose a vote of thanks to you, Sir, for the conduct of the meeting, and to our Secretary? Also, I would not forget the staff we do not see in the room as well as those we do see in the room, those we do not see in the room who do the hard work behind the scenes. I would like to move that we thank them for their services.

The CHAIRMAN: Thank you all for your kindness to me as being in the Chair to try to take care of the Agenda Items. I should not have been able to get through the whole long list before us if you had not supported me in such a fine way. I would like to thank you again for your willingness to make such a success of this meeting, as we expected.

I should like to add a special thanks to our Secretary and his staff. The staff has done such wonderful work that we should certainly have sat down for a couple of days if they had not had such a maximum speed in producing the papers. I do not think we know how much we are indebted to the people behind the scenes.

I shall have to stop now. Thank you again. I wish you a good crossing home, and I hope to meet you, if everything goes all right, in the same place next time. I cannot say the same date.

Before I declare the meeting closed I would like to ask the members of the ad hoc Committee to stay just to look at the press notice.

The meeting is over. Thank you very much.

(The Conference then closed)