

INTERNATIONAL WHALING COMMISSIONTWELFTH MEETINGSession of Monday, 20th June, 1960In the Chair: Mr. R. G. R. Wall (United Kingdom).

The CHAIRMAN: Ladies and Gentlemen, if all delegations are present and seated, I would call the Twelfth Meeting of the International Whaling Commission to order.

We are honoured this morning to have with us the Minister of the United Kingdom Government, Mr. Gilmour Leburn Parliamentary Under-Secretary of State for Scotland. Without more ado I will ask Mr. Leburn if he will address us.

Mr. Gilmour Leburn (Parliamentary Under-Secretary of State for Scotland): Mr. President, Your Excellencies, Ladies and Gentlemen, I am very glad indeed to have the privilege of opening this Twelfth Meeting of the International Whaling Commission and of welcoming all of you on behalf of Her Majesty's Government in the United Kingdom. It gives me a very particular pleasure to do so. I am here as a Minister in the United Kingdom Government but my own particular responsibility is concerned with the affairs of Scotland and while Scottish participation in whaling does not go back quite as far as it may do in some other countries, it nevertheless goes back quite a time, in fact it goes back some two hundred years. It was in 1750 that the first Scottish whale-ship from Leith fitted out for the Greenland fishery. Conditions in whaling now are very different from those days when whales were harpooned by hand from open boats and three or four whales in a season was accounted a good catch. The risks and dangers, Gentlemen, of whaling have no doubt been modified as a result of modern developments, but the hardships and rigorous conditions inherent in any calling which seeks to win for the benefit of man the resources of the sea remain very great.

The men who man the whaling ships of all nations, I believe, deserve our anxious consideration for their welfare and every assistance we can give them in their hard and arduous enterprises. Scientific and technological progress and development in this, as in other fields, bring their problems as well as their rewards. The catching efficiency of the whaling fleets and means of utilisation of the whales constantly improve. That is surely as it should be, for it is man's prerogative to use the resources of nature for his advancement and benefit, but the trouble is that these processes bring with them increasing responsibilities and we should surely be failing in our duty to posterity if, for the sake of short-term benefits, we should deny to a future generation opportunities similar to those which we ourselves have enjoyed.

In recent years throughout the world there has been a rapidly-growing need for conservation of the living resources of the sea, a need which has been recognised not only in the various Conventions such as the Whaling Convention, concerned with particular resources, but also at the Rome Conference in 1955 and more recently in the Convention on Fishing and Conservation of the Living Resources of the High Seas, concluded at Geneva some two years ago.

In the eleven years since its first meeting in 1949 the Commission has accomplished much. Nevertheless you now meet at a critical stage in your history and in the efforts to secure rational exploitation of the whale

stocks. The past year has seen the withdrawal from the Convention of two of the world's leading whaling nations. I mention this in no critical spirit, for no-one who has followed the recent history of Antarctic whaling in particular can fail to be conscious of the real difficulties which have arisen for all those participating. The Convention, like any other man-made instrument, is perhaps not perfect, and in the light of experience it seems to me perhaps a pity that while providing for a limit on the total catch of whales it did not provide for any regulation of catching-power. To have an increasing number of mouths seeking a share in a diminishing cake cannot be an easy or satisfactory process. Discussions with a view to resolving this difficult situation have been proceeding outside the purview of the Commission. They have not yet achieved a solution. It must be the earnest hope of all of us, I believe, that they will soon do so and that a fully adequate and satisfactory programme of conservation, which at the same time takes account of the economic needs and circumstances of the whaling fleets, can proceed.

Mr. President, it only remains for me to wish you all success in your deliberations. You have many important and weighty matters which will engage your attention in the next few days and, as I say, I wish you every success. I would also like to say to our guests that I hope very much that during those days they will have a happy and enjoyable stay in London and that they may find at least certain opportunities for a little entertainment and relaxation. (Applause)

The CHAIRMAN: Gentlemen, we have had a very interesting and indeed stimulating address from Mr. Leburn and I am sure I shall speak for you all in saying to him how much we have appreciated his coming to us this morning and speaking as he has done. Thank you very much. (Applause)

(The Minister then withdrew from the Meeting followed by the Press).

The CHAIRMAN: This is the moment when we invite the Press, if they would, to withdraw before we go into business session. I think in fact the Press have already withdrawn. Is that right? There is no-one else from the Press?

Then I think we may pass on to Item 2, the arrangements for the meeting. Before I ask the Secretary to conduct the usual roll-call I do wish to draw the special attention of the Commission to the notification received from the Government of the Argentine Republic of the accession of that country to the International Whaling Convention. A copy of the notification received by the Repository Government and communicated to the Commission is before you in Paper IWC/12/16. I am sure that I shall be speaking for all when I say that we very much welcome and are indeed delighted by the accession of the Argentine Republic to the Convention. This is indeed a very happy occasion. The Argentine is an important whaling country and we look forward to the co-operation of her representatives in this Commission. I would extend a welcome on behalf of the Commission to Senor Martinez, who is sitting on my right, of the Argentine Embassy in London, who is representing his Government at this meeting. We are very pleased, Senor Martinez, to welcome you.

Now if Senor Martinez would wish to make any statement or remarks at this time about the accession of his country we shall of course be very happy to hear them.

- 3 -

Mr. S.N. MARTINEZ (Argentina): I wish to thank you, Mr. President, for what you have said, for your very kind words. I have nothing special to say today. I am very glad my country is a full member now of this Commission and I hope I will be of some help in the future.

The CHAIRMAN: Thank you indeed.

May I go on to say a word about Norway and the Netherlands? I feel confident that I shall have the Commission with me in the action which the Secretary and I have taken in inviting the Governments of Norway and the Netherlands to send observers to this Twelfth Meeting. These invitations have, I am happy to say, been accepted. From the Netherlands Dr. Lienesch, our old friend and former Netherlands Commissioner, will, I understand be arriving tomorrow. But the Netherlands will be represented by Dr. Lienesch as an observer. Norway has also accepted the invitation and is being represented by Mr. Ribu from the Norwegian Embassy in London. May I just say that I hope that Dr. Lienesch and Mr. Ribu will not think that their observer status requires them simply to listen, not to speak at all, for I am sure that the Commission will be very glad if they would wish to join in the discussion on any item of the agenda.

Now we have also present as observers Signor Padovan from Italy and Commander Lopes from Portugal, Dr. Finn from F.A.O., Mr. Aglen of the United Kingdom Delegation is the observer for the International Council for the Exploration of the Sea and of course as always Mr. Vangstein from the Bureau of International Whaling Statistics.

Now, Gentlemen, before we leave this question of observers, I feel I ought to read to you and consult you upon a letter which arrived just before this last weekend from the Chilean Ambassador who replied to the Secretary's invitation for a representative of the Chilean Government to attend the meeting as an observer by saying that Chile, as a Signatory to the Joint Declaration of 1952 signed by Chile, Ecuador and Peru, would like to appoint as observer the Secretary of the Permanent Commission of the South Pacific, the organisation charged with the protection and conservation of maritime resources in the area concerned. I feel I should bring this to your attention because I do not know whether you would agree or not that it is rather difficult for a government to be represented by an observer from some outside organisation. I think governments are normally represented by their own representatives, but the Commission is of course - under its Rule III I think - able to invite outside organisations, international organisations, to send observers to our meetings. That is a matter for the Commission to decide, but I felt that we could not take any action on this letter for these two reasons: firstly that it has only just been received, and secondly that I feel it is a matter for the Commission to decide whether they would wish to invite an observer from the Permanent Commission of the South Pacific which - I think I am right - they have not done in the past, maybe because they have never been invited to do so.

Would any Commissioner wish to comment on this matter?

- 4 -

Would the Commission be content that we should send a message through the Chilean Embassy that the Commission would be glad to see an observer here from the Permanent Commission for the South Pacific? Is that desired? (Agreed)

I will now ask the Secretary to conduct the roll call as usual.

The SECRETARY: Mr. Chairman, Gentlemen, I must preface this with my usual apology for the pronunciation of some of your names, I hope you will forgive me if I get them wrong. Another thing I would like to say is that if there are people present whose names I do not call out, would they be kind enough to let me know after the end of this first session or as soon as is convenient. I will go round the Contracting Governments in the usual alphabetical order.

(The roll call was taken, the names of the Commissioners and their experts being recorded in a conference document).

The CHAIRMAN: Thank you. May I ask the Secretary to go on with any other announcements we may have under this Item?

(The Secretary then made announcements regarding the distribution of documents, accommodation and general Conference arrangements).

The CHAIRMAN: Thank you, Mr. Secretary. Before we come to the third Item, Adoption of Agenda, I have to make to the Commission a statement about my position as Chairman, and I think this is the moment when I should do so.

A little while ago, may I explain that I ceased to be responsible for whaling in the United Kingdom Administration and I have assumed other responsibilities. As a result it will not be appropriate for me to remain as the United Kingdom Whaling Commissioner and in fact my Government proposes to appoint Mr. B.C. Engholm in my place as Commissioner. Mr. Engholm is in fact leading the United Kingdom Delegation to this Meeting and many of you, I am sure, already will have met him. He will be appointed the U.K. Whaling Commissioner as from the end of this Twelfth Meeting of the Commission.

Now, the Chairman has to be elected from among the Commissioners, as you will remember, but our Rules of Procedure do not actually say that it is a condition of office that the Chairman should remain a Commissioner. However, it may well be thought that this would accord with the spirit of the Rules of Procedure, whatever the letter of them may be. For that reason, and also because I have other responsibilities now, it seems right and proper that I should ask the Commission to accept my resignation as Chairman as from the close of this present Meeting, when I shall cease to be the United Kingdom Whaling Commissioner. The Commissioners will, no doubt, wish to consider during this week what best to do and you may desire, when we turn to the next Item, Adoption of the Agenda, to add an item. We could call it, Resignation of the Chairman, perhaps, and this will enable you to arrange the succession to the Chair at the end of this Meeting.

I wish to conclude these remarks by saying that I have greatly appreciated the privilege of being your Chairman and I shall always recall with pleasure my time in the Chair. I would like to thank you all most warmly indeed for the kindness and the consideration which has always been shown me and I shall indeed, speaking personally, be very sorry to leave the Chair and your company, but I am sure it is right that I should speak as I have done in the circumstances which I have just explained.

- 5 -

Unless there is any comment, we could pass straight to Item 3, Adoption of the Agenda.

Dr. A.R. KELLOGG (U.S.A.): I move its adoption, Mr. Chairman.

The CHAIRMAN: Thank you, Dr. Kellogg, with the inclusion of the resignation of the Chairman?

Dr. A.R. KELLOGG (U.S.A.): Yes.

The CHAIRMAN: Could we have a seconder, or are there any other comments on the Agenda? Mr. Moroney seconds, are there any objections? May I take it that the Agenda is adopted? (Agreed)

Item 4, Gentlemen, Appointments to Committees. I will ask the Secretary to poll the Commission for representation on the Scientific and the Technical Committees.

The SECRETARY: I will poll the Meeting first for representation on the Scientific Committee and I would be glad if, as we go, you would answer "Yes" if you want to be represented on the Committee and give me the name of the person who would be on the Committee. If you do not wish to be represented on the Committee, just say "No". This is for the Scientific Committee.

Argentina	No
Australia	Dr. G.L. Kesteven
Brazil	Not present
Canada	Dr. W.M. Sprules
Denmark	No
France	Mr. P. Budker
Iceland	No
Japan	Dr. H. Omura
Mexico	Not present
New Zealand	Mr. W.H. Dawbin
Panama	Not present
South Africa	No
Sweden	No
USSR	Dr. V.P. Arseniev and Dr. V.A. Tveryanovitch

Which would be the senior voting member?

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.): Dr. Tveryanovitch.

The SECRETARY: Thank you.

U.S.A.	Dr. A.R. Kellogg
United Kingdom	Dr. N.A. Mackintosh

That then completes the Scientific Committee membership which will consist of Australia, Canada, France, Japan, New Zealand, U.S.S.R., U.S.A. and the

- 6 -

United Kingdom.

Now the Technical Committee, and we will proceed on the same lines, please.

Argentina	No
Australia	Mr. F.F. Anderson
Brazil	Not present
Canada	Mr. G.R. Clark
	Mr. W. A. Stewart
Denmark	Mr. J. Hertoft
France	No
Iceland	No
Japan	Mr. K. Nishimura
	Mr. H. Nakazato
	Mr. K. Ando
	Mr. K. Mikanagi
	Mr. Y. Owoka

Your senior member will be the Commissioner, will he?

Mr. K. NISHIMURA (Japan): Yes

The SECRETARY: Thank you.

Mexico	Not present
New Zealand	No
Panama	Not present
South Africa	No
Sweden	No
USSR	Captain A.N. Solyanik
	Mr. A.P. Movchan
	Mr. B.M. Morgun

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.): The voting member will be Captain Solyanik and in his absence Mr. A.P. Movchan.

The SECRETARY: Thank you.

U.S.A.	Mr. W.C. Herrington
United Kingdom	Mr. B.C. Engholm with certain other advisers.

That makes the membership of the Technical Committee Australia, Canada, Denmark, Japan, U.S.S.R., U.S.A. and the United Kingdom.

Mr. J.V. MORONEY (Australia): I was under the impression that there was only one representative but that other delegates might attend. I nominated Mr. Anderson, but if I am allowed to nominate more than one I would like to nominate Mr. Crichton Brown.

The CHAIRMAN: That is two from Australia.

- 7 -

The SECRETARY: That is Mr. Anderson and Mr. Crichton Brown, with Mr. Anderson. voting.

The CHAIRMAN: Then it falls to the Chair to appoint the Finance and Administration Committee at each meeting under Rule 18, as you will remember, and the Finance and Administration Committee is to consist of five Commissioners. I should like to nominate on this occasion Mr. Nishimura, Japan, Mr. Gribelin of France if he is here in time, Dr. Budker, and Mr. Scott of New Zealand, if he would be willing, Dr. Kellogg of the United States and Mr. Sukorutchonko of the U.S.S.R., or Captain Solyanik, if you would prefer it, Mr. Sukhorutchenko. I hope those five gentlemen will be prepared to constitute the Finance and Administration Committee on this occasion. May I take it that they will? Thank you.

Now Item 5, Finance and Administration. There are certain documents with the Agenda which I think, if the Commission agree, we might simply at this stage refer to the Finance and Administration Committee for their attention. If there are no other comments I will pass to Item 6.

Dr. A.R. KELLOG (U.S.A.): May I suggest that this Item be deferred until later on in the Agenda?

The CHAIRMAN: Thank you. This Item was proposed by the United States Commissioner and I am sure we will agree, may I take it so that we defer it until later? (Agreed)

Item 7, the Report of the Ad Hoc Scientific Committee which is before you as paper IWC/12/2. The Scientific Committee's Report this year is a somewhat grave document in its conclusions, I do not know whether any Commissioners wish to make any comments at this stage on that Report, or whether you wish the Report simply to be referred to the Scientific Committee which has just been constituted.

Mr. G.R. CLARK (Canada): I suggest that Item 7 be referred to the Scientific Committee.

The CHAIRMAN: Thank you, Mr. Clark. Is that agreed? (Agreed)  
Item 8, Review of the Previous Season's Catches. We are very pleased to have Mr. Vangstein with us again and I should like to ask him if he would give us his usual review of the situation.

May I just interrupt to say that I see it is just on 11 o'clock and this might be a convenient moment to take a cup of coffee. Then we will hear Mr. Vangstein when we come back. Will that be agreeable? (Agreed)

(The Meeting adjourned for coffee)

The CHAIRMAN: Gentlemen, before we ask Mr. Vangstein to address us, I think Mr. Horrocks would like the floor for a moment.

Mr. W.A. HORROCKS (South Africa): Mr. Chairman, I must apologise to the members present, but on reconsideration South Africa would like to serve on the Technical Committee which was formed this morning under Item 8. I will be the representative.

The CHAIRMAN: Then we will add South Africa and Mr. Horrocks to the Technical Committee.

Mr. G.R. CLARK (Canada): I wonder if I may revert to Item 7 on the Agenda for a moment. It was referred to the Scientific Committee but it occurs to me that there may be some items in the Ad Hoc committee's report which might be dealt with or considered by the Technical Committee and I would ask your permission, Sir, to refer Item 7 also to the Technical Committee.

The CHAIRMAN: Thank you, Mr. Clark. If there is no objection we will decide upon that. Thank you. (Agreed).

Mr. J.V. SCOTT (New Zealand): Mr. Chairman, I wonder whether I may reconsider our membership of the Technical Committee. I should like to nominate myself for the Technical Committee.

The CHAIRMAN: We will add Mr. Scott, New Zealand, to the Technical Committee.

Are there any other points? Then may I invite Mr. Vangstein to speak?

Mr. E. VANGSTEIN (Bureau of International Whaling Statistics): Mr. Chairman, the International Bureau of Whaling Statistics has prepared for the International Whaling Commission the usual statistical tables. I brought along only 45 folders and thus it will be only two copies for each delegation, which can be obtained from the Secretary. In these folders will be found No. 43 and 44 of International Whaling Statistics. No. 43 embraces the catch on fields outside the Antarctic in 1958 and No. 44 the catch in the Antarctic season 1958/59. You will also find a provisional issue of International Whaling Statistics No. 45, embracing the catch outside the Antarctic during the calendar year 1959, as well as a survey of the catch in the Antarctic season 1959/60.

We have not received information regarding the catch from Brazil in 1959. The same applies to the catch of one company operating from Chile and all three companies operating from Peru. The statistics covering the calendar year 1959 are therefore not complete. We hope, however, that we shall later receive information regarding the operations mentioned so



that the final issue of No. 45 can be complete.

In 1959 one French company started operations with 2 catching boats and 1 land station from the French Congo. Last time whaling operations were carried on in this field was in 1952 when the activity had to be stopped owing to the decline in the stocks. The company thought that the stocks of humpback whales had recovered so that a moderate whaling activity could be carried on. By the French authorities the company was granted a quota of 600 humpback whales. Owing to the poor whaling results the company stopped operations before the permitted whaling period had expired and captured 178 whales, 160 of which were humpback whales. A new company commenced whaling from a land station in New Zealand, 106 whales were taken, 104 of which were humpback whales. No operations were carried on from the Faroe Islands and Greenland in 1959. With these exceptions whaling was in 1959 carried on from the same grounds and with approximately the same catch material as in 1958. The total catch and production was about the same in 1959 as in 1958. In some fields there was a decline in the catch which was offset by an increase in other fields. Two Australian companies which in 1959 operated from the west coast of Australia had a quota of altogether 1120 humpback whales. Only 700 humpback whales were, however, taken. The statistics on the east coast, on the other hand, reached their quotas.

As regards the catch in the Antarctic the Commissioners will remember that parallel with the meetings of the Commission in 1959, negotiations were going on between the 5 countries operating pelagic expeditions in the Antarctic regarding a quota agreement which should run for 7 years. These negotiations were not successful and Norway and the Netherlands withdrew from the International Whaling Convention. The Norwegian Commissioner stated that the Norwegian Government intended to grant the Norwegian fleet a quota of blue whale units and in order to preserve the whale stock to the largest possible extent, this quota would be kept as low as possible and would be stipulated in relation to the number of units which the other countries might authorize their fleets to take.

The Netherlands Government stated that the Netherlands Whaling Company had expressed its readiness not to exceed a catch of 1,200 blue whale units and that the company would adhere to the regulations laid down in the Schedule for the 1958/59 season with the exception of the restrictions concerning the number of whales to be caught and the period during which they might be taken.

During the summer 1959 the Norwegian Government approached the Governments of Japan, the Netherlands and the United Kingdom, proposing that Norway and the said countries for the season 1959/60 should restrict their catch to the number of blue whale units taken in the season 1958/59. The result of the approach was that the Norwegian Government for the Norwegian expeditions stipulated a maximum catch of 5,800 units which corresponded to the catch in the season 1958/59. The Japanese companies agreed voluntarily to restrict their catch to about 5,000 units, i.e. the same number of units as the Japanese expeditions had in the season 1958/59.

For the British expeditions the maximum catch was stipulated at 2,500 units which was higher than the catch in the season 1958/59.

The Netherlands Government notified that they had no authority to restrict the Netherlands catch, but stated that the Netherlands whaling company had declared that the catch should not exceed 1,200 units.

Altogether these maximum catches amounted to 14,500 units. In addition came the catch of the two Soviet Russian expeditions. On the

departure of the expeditions in the autumn 1959 it was therefore calculated that the total catch could amount to about 16,000 - 17,000 units.

Last season 20 expeditions participated in pelagic whaling and this is the same number as in the last three seasons. The Norwegian fleet was reduced by one factory ship and 23 catchers. Soviet Russia started operations with a new factory ship. The British expeditions reduced their fleet of catching boats by 6.

According to the regulations of the Convention the maximum catch for 1959/60 was 15,000 blue whale units. This limitation was, however, only binding on the members of the Convention. The opening date for the taking of baleen whales has since 1954/55 been January 7, but at the last meeting of the Commission the opening date was fixed at December 28. With the exception of the regulations pertaining to the maximum catch the Norwegian expeditions adhered to the regulations of the Convention, the opening date included. The Netherlands company observed the same regulations as those in force for the season 1958/59 except the maximum catch and the catching period. The Netherlands expedition started operations on December 16 and terminated on April 15. The other expeditions terminated operations not later than April 7. According to the regulations of the Convention it was in 1958/59 permitted to catch humpback whales in the period from February 1 - 4, and the Netherlands expedition captured humpback whales during this period. For the other countries the open period for catch of humpback whales was - according to resolution made at the meeting of the Commission in 1959 - from January 20 to 23. The Japanese expeditions terminated operations on March 26, the maximum catch being reached on that date. The two Soviet Russian expeditions terminated on March 27 and 31 respectively. The Norwegian and British expeditions continued the catch until April 7, but they did not reach the stipulated maximum catch. On an average the baleen whale season lasted 99 days, compared with 69 days in the 3 preceding seasons. The pelagic expeditions caught 15,512 blue whale units. This is 210 blue whale units more than in 1958/59 and 512 units more than the maximum catch stipulated in the Convention for the season 1959/60. From this it will be seen that although Norway and the Netherlands were not members of the Convention and thus not bound by the stipulated maximum catch, the catch was very little more than in 1958/59. The catch last season was considerably lower than in the 1958/59 season when we take into consideration the increased period of operation and the catch material employed. The catch per catcher's day's work was 0.73 blue whale units compared with 0.94 in 1958/59. There was thus a decrease in the catch per catcher's day's work of about 22 per cent. In the other post-war seasons the average has varied between 0.86 and 1.06 units.

If we disregard Area I and VI where a relatively small catch was taken, the catch per catcher's day's work was lowest in Area II and III, namely 0.55 and 0.68 blue whale units respectively. In area IV and V the catch per catcher's day's work was 0.91 and 0.87 respectively.

From reports from the whaling grounds it appears that the weather conditions were very difficult last season with much storm and fog. In the catch log books of the expeditions the wind force and the sea are given each day. They use the international Beaufort scale.

For the Norwegian expeditions we have studied the sea and wind conditions during the 4 last seasons. According to Beaufort's scale the sea was 4.37 in 1959/60 compared with 3.96 on an average for the 3 preceding seasons. The average force of the wind was 4.67 in 1959/60 against 4.04 in the three previous seasons.

These figures show that the weather conditions in fact were unfavourable last season, but it is impossible to say to what extent this may have influenced the catch results. The question is whether the poor catch is due to a decline in the whale stocks or to certain circumstances special for the season, but this I leave to the Commissioners and especially to the scientists to reply.

The pelagic expeditions captured 1,230 blue whales, as compared with 1,191 in the season 1958/59. The catch of blue whales in per cent of the aggregate catch of blue and fin whales was 4.4 per cent, which is the same as in the season 1958/59. There was thus no decline in the catch of blue whales last season. In the period from February 1 to March 4, the catch of blue whales was 5.7 per cent of the aggregate catch of blue and fin whales, as compared with 7.8 per cent in 1958/59. We have picked out these two dates because February 1 represents the latest opening date and March 4 the earliest closing date for the taking of blue whales. In the period mentioned, there was - as will have appeared - a considerable decline in the catch of blue whales.

In our tables the catch has been divided into squares of 10 degrees. Previously no catch has been registered in the Antarctic north of 50 degrees South. Last season, however, 251 blue whales were caught between 48 - 49 degrees South and 69 - 70 degrees East in the period from March 18 - 26. This catch has been included in the columns showing the catch between 50 and 60 degrees South.

The average size of the blue whales taken was 75.9 feet, which is 2.4 feet lower than last season. The average size of blue whales taken in Area IV was especially low, namely 73.3 feet, compared with 78.0 feet in the season 1958/59. The percentage of immature blue whales increased from about 33 to about 50 per cent. Thus about half the number of blue whales taken last season was immature.

There were taken 26,415 fin whales, and apart from the catch in the season 1937/38, this is the largest catch of fin whales ever taken in one season in the Antarctic by pelagic expeditions. The average size of the fin whales caught was 66.6 feet, which is about the same size as in the 5 preceding seasons. The minimum size has been the same for all these seasons, namely 57 feet. The percentage of mature fin whales rose from 70.0 to 72.4 per cent.

I gather that our scientists are of the opinion that a decrease in the average size indicates a deterioration of the whale stocks. If we from this also can draw the conclusion that stable average sizes also indicate stable whale stocks, the average size found for fin whales last season is perhaps the only positive result which we have found in the whaling statistics for last season.

The catch of humpback whales amounted to 1,338 compared with 2,394 in 1958/59. The average size was 40.9 feet. In the previous seasons from 1948 inclusive, the average size has varied between 40.3 and 41.8 feet.

In the 3 preceding years the baleen whale season lasted from January 7 to March 16 and an average of about 15,000 blue whale units were taken per season. During the same period last season the catch amounted to 11,240 blue whale units, which is a decline of about 3,800 units. We must, however, remember that last season a reduced number of catching boats was employed compared with the other seasons. As previously mentioned the opening date for the taking of baleen whales was,

according to a resolution passed at the meeting of the Commission, fixed at December 28, which is 10 days earlier than in the 3 preceding seasons. In the course of these 10 days the pelagic expeditions captured about 2,000 units. Before December 28 about 200 units were caught.

In recent years the pelagic whaling activity has had a tendency to move northwards. This was also the case last season and of the total catch of blue whale units last season 56.2 per cent was taken north of 60 degrees South. For 1958/59 the corresponding figure was 34.6 per cent. From 1954/55 up to 1958/59 26.6 per cent of the total catch was taken north of 60 degrees South.

The average yield per blue whale unit was 120.3 barrels last season, compared with 118.2 in 1958/59. In Area IV the average yield was as low as 101.3 barrels, compared with 118 - 132 barrels in the other areas.

Mainly due to the late termination of the pelagic whaling operations we have this year had a very short time to prepare the statistics. Thus reports from the last expeditions were received by us as late as May 31.

That is all I have to say about the statistics for the last season. Thank you very much for listening.

/The CHAIRMAN: Thank you, Mr. Vangstein.

The CHAIRMAN: Thank you, Mr. Vangstein, I am sure we should all like to express our indebtedness to you once again, as we do each year, for a very lucid and exhaustive resumé of the catch situation. Would the Secretary wish at this stage to distribute the documents to which Mr. Vangstein made reference?

The SECRETARY: I can distribute them or leave them in the pigeon holes, just as you like.

The CHAIRMAN: Then the documents will be in your pigeon holes by the end of the morning, as you go out. Are there any comments which any delegation wishes to make on Mr. Vangstein's statement? If not, may we take a quick look through the rest of our Agenda and decide how we should best dispose of the several Items?

Item 9, Infractions. Is it the wish of the Commission that we should refer this to the Technical Committee? (Agreed) Item 10, Implementing Legislation, that is also Technical Committee. (Agreed) Items 11, 12, 13, we have to leave these aside for the present. Item 14, the Secretary's draft Annual Report has been circulated. Would you wish to take that draft Report in Plenary or have a small group to look at it? Could we leave it and take it in Plenary later this week? (Agreed)

I think there is one point about finance, there should be a reference to the Finance Committee. Would you like to explain this point?

The SECRETARY: I would like the Annual Report to be referred to the Finance and Administration Committee before its consideration in full plenary. This is on grounds of general convenience, because the Annual Report this year does contain a proposal which would involve a slight change in subsequent Annual Reports. The change would refer to the publication of an audited account for the current year rather than a provisional account, which is the one which has been printed previously. We have never thought it very satisfactory to publish a provisional account, and the Ministry of Agriculture, Fisheries and Food Financial Branch who looks after our financial structure has made a quite definite representation to the Commission that it ought to consider whether it should not make an effort and publish a certified audited statement of accounts. So if the Commission are agreeable I think that this is a matter eminently for the study of the Finance and Administration Committee first.

The CHAIRMAN: May we ask the Finance and Administration Committee to have this draft Report on their Agenda? (Agreed)

Item 15, Humane Killing of Whales and the Report of the Working Party. I imagine the Technical Committee would certainly wish to look at this document and maybe the Scientific Committee would like to do so.

Mr. G.R. CLARK (Canada): Refer it to both Committees, Mr. Chairman.

The CHAIRMAN: Is that agreed? (Agreed) We will do that.

Item 16, The Observer Scheme. The Secretary has circulated a paper, I.W.C. 12/7, explaining the position. I do not think there is anything to refer to any of the Committees. Can we leave this over for discussion in Plenary?

The SECRETARY: There is no action that the Committees can take at the moment on this question.

The CHAIRMAN: Then we will leave it and come back to it if any delegation wishes to do so. (Agreed)

Item 17, Amendments to the Schedule. Under (a) (i) I think there is a proposal from the Australian Commissioner. Would the Australian Commissioner wish to make any statement at this time on this Item?

Mr. J.V. MORONEY (Australia): Well, Sir, it would depend on whether that might inhibit a statement later when the Reports of the Technical and Scientific Committees come back to Plenary. I would not wish to inhibit that at this stage. In the meantime, there is a representative on both Committees. There are certain basic points which my representatives will put there. I would prefer to leave it until later, Sir, if that is all right with you.

The CHAIRMAN: Thank you. Then may we refer Item 17 (a) (ii) to the Scientific and Technical Committees? Is that agreed? (Agreed)

Item 17, (b) and (c).

Mr. G.R. CLARK (Canada): I recommend that the entire Item 17 be referred to both Committees.

The CHAIRMAN: Right, Mr. Clark. If there is no other view I think that is undoubtedly the right thing to do. Should they stand so referred? (Agreed)

Item 18, Meat for Local Consumption. This is on the Agenda because at the last meeting the U.S.S.R. Commissioner, Mr. Ishkov, said he thought that the matter of meat for local consumption might usefully be discussed at the Twelfth Meeting and accordingly we have put the item on the Agenda. Would the U.S.S.R. Commissioner wish to make any remark on this Item?

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.) (Interpretation): The Soviet Delegation has no comment to make, but it considers that those comments which were made are acceptable to us.

The CHAIRMAN: Thank you, there is perhaps no further action to take at this time so far as the Soviet Union is concerned.

- 15 -

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.) (Interpretation): There is no action to take.

Mr. J. HERTOFT (Denmark): We have some minor problems regarding the interpretation of the Convention as far as the local Greenland whaling is concerned. We did not ask for anything to be included in the Agenda for this purpose as we do not think it calls for any decision of the Commission, but we would appreciate hearing the views of the other contracting parties on our problems. I do not think it is necessary to deal with this matter in Plenary Session, but may I suggest that we refer this to the Technical Committee in order to give us the necessary clarification?

The CHAIRMAN: Thank you, Mr. Hertoft, I am sure that would be agreeable that the Technical Committee might consider such points as you may wish to make there.

Item 19, the Date and Place of the next Meeting. This seems to fall rather later but I would just remark that there have been no invitations received for the Commission to meet outside its headquarters in London next year and Commissioners will remember that under Rule 17 notice of invitation to meet elsewhere needs to be given before the opening of the Meeting. So it would seem that the Commission will be meeting here in London once again at its headquarters next year.

Mr. G.R. CLARK (Canada): Mr. Chairman, I suggest that Item 19 be referred to the Finance and Administration Committee.

The CHAIRMAN: Thank you, Mr. Clark. Is that agreed that it should be referred to the Finance and Administration Committee? (Agreed)

Item 20 comes at the end of our Meeting, I think, and so does Item 21, so I think we are in the position of the three Committees being able to start their meetings at such time as may be convenient. Mr. Secretary, would you like to make any suggestions?

The SECRETARY: Mr. Chairman, Gentlemen, it does seem to me that we have distributed some new papers this morning and one or two things have been said. It might be wiser to start our Committee meetings tomorrow morning. I would suggest that both the Scientific and the Technical Committees should perhaps commence tomorrow and the Finance Committee would have to wait, I think, for its first meeting until Mr. Gribelin arrives since he is one of the members. But I would suggest tentatively that we plan to begin the Scientific and Technical Committee meetings tomorrow, at some convenient hour which I will put on the blackboard in the lounge.

The CHAIRMAN: May I ask if there is any objection to that course? Are Commissioners ready to leave the committee work to start tomorrow morning at a reasonably early hour? 10 o'clock tomorrow morning for the Scientific and Technical Committees in this building.

- 16 -

The SECRETARY: I suggest, Mr. Chairman, that this would be the better room for the Technical Committee and the room through the lounge for the Scientific Committee, and I suggest that we defer the Finance and Administration Committee meeting until all our members are present.

The CHAIRMAN: Then it will be tomorrow morning, Gentlemen, at 10 o'clock for the Scientific and Technical Committees to meet and the Secretary will arrange for the Finance and Administration Committee to meet subsequently. Are there any other matters which Commissioners or delegations wish to raise at the moment, before we adjourn until tomorrow? If not, the Meeting is adjourned and thank you.

(The Meeting adjourned)



INTERNATIONAL WHALING COMMISSIONTWELFTH MEETINGSession of Thursday, 23rd June, 1960In the Chair: Mr. R.G.R. Wall (United Kingdom)

The CHAIRMAN: Gentlemen, may we begin? First of all the Secretary has a short announcement to make to you.

(The Secretary made an announcement regarding the cocktail party).

The CHAIRMAN: Thank you, Mr. Secretary. Gentlemen, since our First Plenary of Monday morning the three Committees have been meeting and you have before you what I understand to be the draft reports from the Scientific and Technical Committees in the sense that they may be subject to some further change of detail rather than of material substance. You also have before you ~~the~~ a report of the Finance and Administration Committee, I hope everyone has copies of those three documents.

I would suggest that the best way to begin our business is to take the Scientific Committee's report and the Technical Committee's report and we might start with the Scientific Committee. In the usual way, would anyone wish to move formally that we receive the Scientific Committee's report?

Dr. A.R. KELLOGG (U.S.A.): I so move.

The CHAIRMAN: Thank you, Dr. Kellogg. Does anyone second? Mr. Graham, United Kingdom, seconds, thank you. I think we may take it that the report of the Scientific Committee is received and may I now ask the Chairman, Dr. Mackintosh, if he will speak to it?

Dr. N.A. MACKINTOSH (United Kingdom): Yes, Mr. Chairman. I am sorry that it was not practicable to have the report ready in the final form but as you said just now, I think there are no alterations of substance, though we may come to one or two points which I need to explain, and I hope that in explaining this report, if any members of the Committee feel that I have not put anything right they will interrupt me.

In general, I am afraid we had to take the view that the outlook is rather bad for most of the species concerned, at least in the Antarctic. With blue whales we have felt very concerned for some years and I think it would be correct to say that the only reason why we have not advised stronger measures in past years for the protection of the blue whale stock was that under the over-all limit, if we cut down the catching of blue whales it means that for every blue whale protected two more fin whales are taken and that has always been rather a brake on the recommendations for further protection of the blue whales.

Now we think the position has become more serious and we are asking ~~for~~ ~~permission to take~~ the strongest protective measures that the Commission feels able to take. We have in fact recommended the suspension of blue whale catching

in the Antarctic. I will go through this fairly quickly, Mr. Chairman.

On fin whales, here too we have to take a very pessimistic view, though we cannot in fact say to what extent the stock has declined, we can only say that we are impressed with the evidence that the fin whale stock is declining. We are disturbed at the fact that with a declining stock the number of fin whales taken has been generally increasing over the last ten years or so.

The third main heading in paragraph 10 in the report referred to the blue whale unit limit. In the Scientific Committee we are always a little doubtful about exactly what we should say about this because we know that there are more factors to take into consideration in fixing the limit than the purely scientific point of view. In fact we do not feel in the position to say what will be the effect of any particular reduction, but from the biological point of view we do not think that a small reduction would make very much difference. We suggest that it should be, if it is practicable, something of the order of 2,500 units, though we feel that even this would only meet our troubles about the increasing catch in what we believe to be a declining stock. That is to say, if the total limit were reduced by about 2,500 units it would bring the total catch back to something like the level of catching about ten years ago. I think that is all we can say on that point.

On sei and sperm whales, there is nothing of special importance here, I think. With sei whales perhaps there is just a speck of optimism we can see, that is to say that if the principal limiting factor of the population of the species in the Antarctic is the supply of food rather than anything else, then it is possible that reduction of other species is being partly compensated for by a growing population of sei whales. That is a possibility, but on the other hand, for all we can say the larger catches of sei whales might be attributable rather to the difficulty of finding fin whales, and we cannot really make a definite judgment on that point. At any rate, the catch of sei whales has been increasing very considerably.

On sperm whales, we have nothing much to say except that the situation needs watching; we do not propose that any restrictions on the catches are needed, but there is just a suggestion that the stock of sperm whales is beginning to react in some way to the impact of whaling in the Antarctic.

On humpbacks, there are always a number of different facets to the humpback problem and I am not quite sure whether in our draft report we have made everything quite clear. In paragraph 18, for instance, there may have been a slight confusion between our paragraph 17 which precedes it and Item 17 which unfortunately is the same number on the Commission's Agenda. If you look at our paragraph 18, in the second line, just in case there is any misunderstanding we are inserting the words, "The Committee's paragraph 17" instead of just "paragraph 17".

I ought also possibly to make clear what we mean when we are talking about Area IV and Group IV, the distinction is rather important. Area IV is a part of the Antarctic whaling ground which, for convenience, is defined as the area south of 40° South between, I think it is, 70° East and 130° East. Group IV is really the relevant distinction from the scientific point of view and it includes this Area IV in the Antarctic and the West Coast of Western Australia. From the whaling point of view we have to distinguish between the Antarctic and whaling in warmer waters outside the Antarctic, but from the scientific point of view we look at the population as a whole which migrates annually between Area IV and the West Coast of Australia. Therefore, when we talk about Group IV we mean the population of whales without distinction between whaling in the Antarctic and whaling off Western Australia.

The first point we made is that on the whole the Committee agrees with the views put forward in the Australian scientific report on humpback whaling that the population taken off Western Australia from this Group IV which is hunted

to some extent in the Antarctic in Area IV is in a very bad way. It is quite clearly declining and we thought on the whole in the ad hoc Committee that the situation called for a complete rest for this stock from whaling, whether in the Antarctic or off Western Australia. That is to say we would like to see this stock have a chance to recover its numbers, and the best way to do that in the shortest time would be to give it a complete rest.

The second point we made was that, disregarding for a moment the catching off Western Australia, supposing whaling in Area IV were suspended, we would prefer not to have the catching of Antarctic humpbacks more concentrated by that amount in other areas, but we would rather that the cessation of whaling in Area IV should be subtracted from the total Antarctic catch of humpback whales. I do not know whether there was any strong feeling on that, but we would like the Commission to consider the possibility, should whaling be suspended in Area IV, of reducing the catch in other Antarctic areas; that is to say in Areas III, V, VI and I, the catching period should be reduced from four to three days. Area II, the Atlantic sector, is already closed to humpback whaling.

The third point we made was in Area V which is the Antarctic whaling area south of Eastern Australia, New Zealand and the South-West Pacific islands, that is the Antarctic area and Group V, including the population in the whole of that Area. The population here may be in a fairly sound condition though there is some slight sign of a possible reduction. Taking that area as a whole, we would prefer to see no increase in the total catch, but it is not for us to comment on how any total catch would be distributed.

Then the next two or three items I want to run through fairly quickly. On Pacific whaling outside the Antarctic, we have no definite recommendations here, but again we emphasise the importance of strict observance of the minimum length of the sperm whale which is the species which is of the greatest importance within Pacific whaling outside the Antarctic.

On whaling in the Atlantic, we were, of course, very glad to hear that Iceland was now prepared to suspend further catching of blue whales so that this species has a prospect of a complete rest in the North Atlantic.

The opening day of the Antarctic baleen whaling season is something which we had no strong views on. We have no change to propose, but we just repeat our view that we prefer, shall I say, the centre of gravity of the catching period to be in the later half of the season because the later it is the smaller the proportion of pregnant whales which are included in the catch.

Then on page 4, the whale marking and subsequent items, we come to research on whales. Under whale marking it is little more than a matter of reporting progress and I do not know that I need say very much on that in the way of explanation. I might draw attention to paragraph 31 in which the Committee says it would be glad of any further contributions which could be made to the cost of whale marking. Progress in research is just a matter of contact between scientists.

Then we come to the report of the Working Party on the Humane Killing of Whales. We did not think we could make any very helpful comments on that, it seemed to us that the working party had the matter well in hand and there was nothing that we could say in the way of comment.

Then the last item was a little more complicated. I think the Commission has read the report of the Scientific Committee and will have noticed that there are several points at which we say that we can give no further opinion, or we cannot give a very definite opinion on some particular point because we have insufficient data or research is not progressing quite far enough and a number of new proposals have now been put forward. I should, I think, explain that these were only brought forward at this meeting and they have implications which need a good deal of careful ~~concentration~~ consideration and perhaps we might have put our report

- 20 -

a little differently if we had really had plenty of time to consider them in detail, so that they are perhaps a little undigested. But if we said nothing about them now we should have to wait another year before putting forward anything to the Commission, so we were rather anxious to put down as much as we could, and I think the things said here are agreed in principle by the Scientific Committee.

Perhaps the most important recommendation is this proposal that there should be established a "workshop" with certain functions which are listed. Here I ought to say that there have been a few amendments this morning which are not incorporated in this draft. For example, in paragraph (b)(i) on page 5, "discrepancies" should, of course, be "deficiencies". We want to add to paragraph (b)(iii) at the end, "preferably in consultation with scientists engaged in other types of population studies." The word "write" in line 3 of that paragraph should be "arrive at", that is a slip.

Paragraph (b)(iv) has been a little expanded, though I think there is no alteration in principle. These are what we think the proposed "workshop" might do, I think perhaps I had better not comment further on them in detail here because they need some thought.

However, I would like to say something about paragraph 36 because this is something a little different from the rest of what appears under the heading of Whale Research Programme. Most of this whale research programme is looking to what we think needs to be done in the future, especially in the way of obtaining more and better data on which to base our recommendations. Paragraph 36 is rather a different proposal because it applies more to the interpretation of existing data, the question of whether with the help of two or three specialists on the mathematical aspect of population dynamics they might be able to look at such data as we have already which covers, of course, a number of years, and advise us on whether the conclusions we have already formulated from these data need any modification and whether anything more can be derived from these existing data.

I think I have got this right, but if I have not I hope I will be corrected. I should say that we have made an amendment to this last paragraph which may be of some substance. We thought it best on discussion to cross out the words in the first line which read, "... and recommended for the Commission's consideration", so that it reads, "A proposal was raised in the Committee that a small meeting should be convened ...." etcetera, and add at the end of the paragraph the words, "The Committee took note of this proposal." Thank you, Mr. Chairman.

/The CHAIRMAN: Thank you, Dr. Mackintosh....

The CHAIRMAN: Thank you, Dr. Mackintosh.

Is everyone quite clear first of all on these few amendments that Dr. Mackintosh has made in the last paragraphs of the report? Dr. Mackintosh, I wonder if you would be good enough to repeat quite shortly the actual amendments to the text?

Dr. N.A. MACKINTOSH (United Kingdom): All of them?

The CHAIRMAN: Just the few amendments. Would you run through them so that everyone has them?

Dr. N.A. MACKINTOSH (United Kingdom): I think pages 1 and 2 are all agreed until the bottom of page 2, paragraph 18, line 2, insert "This Committee's paragraph 17".

On page 3 paragraph 20 there is a small correction: "actually" should be "actuarially".

Paragraph 21 line 3 after "recorded" insert "at or".

Paragraph 23 line 3 after "unwise" insert "at present".

Paragraph 24 line 3 in place of "this region" put "Atlantic Ocean".

Page 4, paragraph 26 line 3, after "Committee's report" should be "(paragraphs 34 to 40)".

The CHAIRMAN: Delete "(paragraph 7)" and substitute -

Dr. N.A. MACKINTOSH (United Kingdom): "(paragraphs 34 to 40)".

Paragraph 27 first line, instead of "proportion" substitute "number".

Paragraph 29 at the beginning of line 3, after "marking" add "and so increase the scale of whale marking."

Paragraph 32 line 3, after "papers submitted are" instead of "in favour of" substitute "helpful in".

The CHAIRMAN: "Are helpful in keeping scientists" and so on?

Dr. N.A. MACKINTOSH (United Kingdom): Yes.

Paragraph 34 line 1, after "some time to" add "discussion of".  
Line 6, after "predictions required" add "now". Three lines further on there is a number of words to be added after "accuracy"; "there is a need for development and standardisation of certain of the methods used in this research on population analysis".

The CHAIRMAN: Could we have it more slowly ?

Dr. N.A. MACKINTOSH (United Kingdom): "There is a need for development and standardisation of certain of the methods used in this research on population analysis;" and in the same line a few words further on the word "relative" should be "relevant".

On page 5 paragraph 35 (b) (i) instead of "statement on its discrepancies" should be "statement on their deficiencies".

On page 5 paragraph 35 (b) (ii) line 3, "improving and standardising" should be "improvement and standardisation".

Paragraph 35 (b) (iii) line 3, "write" should be "arrive at" - "arrive at conclusions on these data", and at the end of that, after "data", should be added "preferably in consultation with scientists engaged in other types of population studies".

Now in paragraph 35 (b) (iv) there is a rather longer amendment to the first sentence. Shall I read it through first ?

The CHAIRMAN: Yes, thank you.

Dr. N.A. MACKINTOSH (United Kingdom): Instead of the passage beginning "to review catching methods" and ending six lines further down "into these matters", we have:

"(iv) To review the methods at present in use for measurement and calibration of the efforts expended in capturing whales with a view to proposing ways in which these methods might be improved so as to provide more effective and reliable data and if necessary to propose details of a project of research in these matters."

The CHAIRMAN: Would delegates like to take this down or is it too long ? Perhaps not.

Dr. N.A. MACKINTOSH (United Kingdom): The only other things are paragraph 35 (b) (v) last line, after "age determination" insert "and certain records of whales observed" so that it reads "and certain records of whales observed are desirable."

Paragraph 36 lines 1 and 2, delete the words "and recommended for the Commission's consideration". In line 5 delete "than" and at the end insert "The Committee took note of this proposal."

The CHAIRMAN: Thank you, Dr. Mackintosh. Dr. Mackintosh has asked if any other member of the Scientific Committee would wish to make any observations. Does any member of the Committee wish to supplement ?

If not, would you now wish to discuss the report in a general way or might it be better if we now receive the Technical Committee's Report

so that we have them both together ? Could we receive the Technical Committee's Report next ? If so, would somebody move ?

Dr. A.R. KELLOGG (U.S.A.): I will move this.

The CHAIRMAN: Thank you. Is it seconded ?

Mr. J.V. MORONEY (Australia): I second.

The CHAIRMAN: Thank you. That is moved and seconded. I take it that the Report of the Technical Committee is therefore received.

Mr. G.R. CLARK (Canada): Mr. Chairman, you have now before you the Report of the Technical Committee in Document IWC/12/15 but while I note that the Report has been received I should like to mention to the Commission that there are a number of revisions to this Report to be made and the document is not yet complete. I expect, however, that it will be complete by this afternoon or tomorrow. I can run through quickly, I think, Mr. Chairman, to give you some of the high-lights and some of the revisions which will appear in the final document.

The Committee met, Mr. Chairman, on 21st, 22nd and 23rd June. The accredited representatives were in attendance having been named at the first Plenary Session. The agenda of the Committee was adopted subject to inclusion under the item Any Other Business of some matters relating to whaling in Greenland which the Danish representative wished to raise in the Committee. This is dealt with in the Report. The report of the Ad Hoc Scientific Committee was noted by the Technical Committee and was consulted in connexion with the items with which the Technical Committee dealt.

The Technical Committee also appointed a sub-committee on infractions which examined the reports which have been submitted to the Commission; the details of this are given on the first page of the Report and there are no changes to be made in connexion with that as it appeared in item 4 with the exception of a couple of minor changes in the last paragraph on page 1.

The changes will appear in the final document.

The question of implementing legislation was considered by the Technical Committee and most of the countries who are members of the Commission; had filed with the Commission copies of their domestic legislation, although some the replies have not been received to bring this information up to date and the Committee recommended to the Commission that it should authorise the Secretary to request the contracting Governments who had not done so to send in any appropriate revisions of their replies to the questionnaires that had been circulated originally. The Committee also recommended that Governments that had joined the Convention since the original questionnaire was issued should be asked to provide information. The Technical Committee also felt, Mr. Chairman, that the attention of each country should be drawn to the provisions of the Convention that the schedule requires corresponding domestic legislation.

- 24 -

It was further agreed to recommend to the Commission that the Secretary should prepare an analysis of the information now available so that the position in the different countries with respect to their national legislation could be readily compared.

The report of the Working Party on the Humane Killing of whales was discussed by the Technical Committee and you will note in our Report that we recommend to the Commission that the Working Party should receive a very sincere vote of thanks from the Commission for the time and effort which the group have devoted to this particular work. Although no final solution has been found about more humane methods of killing whales there have been discussions on techniques or other methods which might be developed. A representative of the Soviet Union advised the Committee that electrical killing experiments have been made from their ships and that further work would take place in future Antarctic seasons.

The Committee also considered, Mr. Chairman, that the Secretary of the Commission be authorised to send copies of the Working Party's report to the various organisations that had been asking for information on this matter of more humane killing, but in the accompanying letter we feel it should be pointed out to these organisations that at the moment there is no conclusive evidence that killing whales by electrical means is more humanitarian than the existing means.

The Technical Committee further recommended that the representatives of the whaling industries of Norway and the United Kingdom should consult further on the methods of electrical killing. The United Kingdom representative on the Technical Committee reported that the whaling industry of the United Kingdom was quite willing to consult further on this rather important matter.

The other item of major significance and importance to the Technical Committee, Mr. Chairman, was the Australian proposal with respect to an amendment to the Schedule to give further protection to humpback whales. The Committee gave careful consideration to Item 17(a) of the Commission's main Agenda which had been referred to it by the first Plenary Session. During the course of the Committee's discussions it transpired that of the three Australian proposals for further conservation measures with respect to the stock of humpback whales in the Antarctic, the second Australian proposal as set out in the Commission's main Agenda was the specific proposal. There was lengthy discussion on this rather important matter, Mr. Chairman, of conservation measures for the stocks of humpback whales in the southern areas and it was the opinion of the Committee that in view of the reports of the Ad Hoc Scientific Committee and the Scientific Committee it was necessary for the Commission to satisfy the urgent need for restrictions on the taking of humpback whales in the Antarctic. Moreover it was also thought that the taking of humpback whales by land stations in Western Australia and in New Zealand should be carefully controlled and supervised in order to provide additional effective measures for the protection of the stocks of humpback whales.

We felt, Mr. Chairman, that the problem facing the Committee and also, we think, the one confronting the Commission, in the case of the humpback whales stocks is how to accomplish the required conservation measures on a fair and equitable basis for all concerned. The Technical Committee considered that some positive action should be taken by the Commission and it was therefore recommended that there be amendments to the Schedule by changes in paragraph 6 of the Schedule which deals with humpback whales.

On the actual wording, Mr. Chairman, of the proposed amendment, this is rather a technical process to make certain that we have the appropriate



wording in the changes which the Technical Committee are going to suggest and therefore the actual wording of the proposed amendments is not yet available. But the gist of the Technical Committee's proposed recommendation to the Commission for the amendment to the Schedule would mean that there would be a closure of humpback whaling in Area IV for 1961, 1962 and 1963 and that in Area V for humpback whaling during the same years there would be whaling allowed for three days only, starting on 20th January in each of those three years. This would mean that there would be no change in the other areas insofar as humpback whaling was concerned.

The recommendation, Mr. Chairman, along these lines - and we have the scientific and precise wording - is submitted to the Commission on the understanding that the Governments of Norway and the Netherlands be urgently requested to agree that the proposed amendment to the Schedule would be made to apply to their whaling fleets in the Antarctic. Should such agreement on the part of the Netherlands and Norway not be forthcoming, then each member country of the Commission would have to decide whether or not it would register its objection to the amendment within the prescribed time set out in Article V paragraph 3 of the Convention. There will be an additional paragraph added to the Report, Mr. Chairman, to advise the Commission that during this discussion on the question of protection for humpback whales the Australian representative advised the Committee that Australia had already taken action to reduce the allowable take of humpback whales from the figure which had been permitted last year. There will be a reduction in the current season for their land stations in Western Australia. In other words, in effect Australia has already taken action to give some additional protection to the stocks of humpback whales which apparently come from this Area IV primarily.

Also in the Report will be reference to the advice from the New Zealand representative that his country intended to reduce the whale catching season for their land stations from six months to four months. In short, Mr. Chairman, New Zealand is also intending to take action to give further protection to these stocks of humpback whales.

It will also be shown in our Report that the representative of Japan made it clear that he was not in a position to commit his Government to the proposed amendment to the Schedule and that as matters stand at the moment the Japanese representative stated that he was opposed to the suggested amendment. The statement of the representative of Japan will also appear in the Committee's Report.

/The matter, Mr. Chairman

The matter, Mr. Chairman, of the opening dates and length of the Antarctic pelagic baleen whaling season was discussed, the Committee made no recommendation to alter the present seasons for Antarctic baleen whaling, but in their report there will be added an additional sentence to the effect that the Committee recommended that the Commission ask the governments of Norway and the Netherlands in the strongest possible terms in the interests of conservation to abide by the opening dates and length of the Antarctic pelagic baleen whaling season in accordance with the Schedule to the Convention.

With regard to the blue whale unit limit in the Antarctic, the Technical Committee felt that in view of the absence from the Commission of Norway and the Netherlands it was thought that there was no value in discussing this limit at the present time, which, therefore, will remain at 15,000 blue whale units.

On the matter which appeared on the Commission's main Agenda and was referred to the Technical Committee, in regard to meat for local consumption, no discussion was required on this subject because apparently the Commissioner for the U.S.S.R. felt that the interpretation was clarified in so far as he was concerned.

Under the item of any other business, which was the matter of the Greenland whaling, the Danish representative asked for the views of the Technical Committee on three points relating to whaling in Greenland. This was because some doubts had arisen about the validity of the existing Danish legislation in Greenland since Greenland had been given a new constitutional status. The points which were discussed and the questions raised by the Danish representative were answered and they appear in the Technical Committee's report as you have it now without any further change.

I think that is all, Mr. Chairman, unless I have omitted anything or there is anything which any member of the Committee would care to add or on which any member would like to correct me if I have not given the correct interpretation.

The CHAIRMAN: Thank you, Mr. Clark. Evidently there are some material additions still to come to the report.

Mr. G.R. CLARK (Canada): Yes, indeed, Mr. Chairman.

The CHAIRMAN: But we have had a very clear explanation of them from Mr. Clark. Would any delegation wish to start a general discussion on either or both of these reports, or to take up any particular matters which may come up at this stage?

Mr. J. GRAHAM (United Kingdom): There is one small point which perhaps, since it does not involve further consideration or action by the Commission, I might raise at this moment. That is, in the Scientific Committee's report at the end of paragraph 34 there is the sentence, "There is, no doubt, also some reluctance on the part of the industry to divulge certain details of their activities which would be of scientific value." Certainly, so far as we are aware, in this and in other countries, the industries have been most co-operative and I feel that perhaps we should not allow a reflection of this sort to appear in the report unless at any rate the Commission as a whole is satisfied that there are good grounds for it.

The CHAIRMAN: Thank you, Mr. Graham.

Dr. N.A. MACKINTOSH (United Kingdom): Could I say that this was probably a little hurriedly drafted and the last thing we would want to do would be to introduce any critical tone on this point because we have in fact, speaking as one of the scientists who have been concerned in this thing, had most generous help and co-operation from the industry on all these matters. I think the only thing we had in mind here was that the areas in which factory ships work are presumably dictated by their own view as to where they are most likely to find whales and it has naturally been, as far as we understand, a matter of private decision where they will go. <sup>There is</sup> Competition defines the places where whales may be most plentiful so that we have recognised and felt that if we had any information as individual scientists we should not disclose it because it is a natural expectation on the part of the industry that this is their own information. That is the only thing that is intended there.

Mr. J. GRAHAM (United Kingdom): Does that mean that the reluctance is not to the information being given to the scientists but to its further publication, the sort of problem which I think occurs in national statistics where they might reveal the business of particular companies? As I understand it, the returns provided do provide full details of where whales are in fact caught in minute detail, so I cannot see what further there can be to divulge.

Dr. N.A. MACKINTOSH (United Kingdom): I think nothing, except the actual movements of individual factories which could sometimes be of quite considerable significance ~~are given~~. For instance, if I may explain this, speaking as someone from the National Institute of Oceanography and in contact with whaling inspectors and so on, we sometimes see a chart of the movements of a factory ship. Those charts are of great value because sometimes we want to look at the capture of whales in relation to the ice and the exact spot where catching was concentrated and so on. But we cannot exactly expect to have full charts from all factories, or if we do we have to regard them as rather confidential information.

Mr. H.K. SALVESEN (United Kingdom): May I speak on behalf of the industry? There does not seem to be anything in the three words, they do suggest a veiled criticism and I would like to suggest they be deleted.

The CHAIRMAN: Which three words?

Mr. H.K. SALVESEN (United Kingdom): The three lines, "There is, no doubt, also some reluctance on the part of the industry to divulge certain details of their activities which would be of scientific value."

The CHAIRMAN: I think that is a matter for the Scientific Committee, it is their report.

Dr. N.A. MACKINTOSH (United Kingdom): I personally would not mind deleting those words.

Dr. A.R. KELLOGG (U.S.A.): It will not make a great deal of difference, I think we will have the deletion.

The CHAIRMAN: If the Scientific Committee are prepared to delete these words from their report to the Commission, they may be deleted. Is there any objection in the Scientific Committee? I think this is the correct way to put it. If not, shall we regard those words as deleted from your report, Dr. Mackintosh?

Dr. N.A. MACKINTOSH (United Kingdom): I would be quite content to delete them.

The CHAIRMAN: Are there any other remarks or general statements at this time on either of these reports? If not, it might be convenient before lunch to receive the Finance and Administration Committee's report and then I think we shall have everything before us to think over. May I have a motion that we should receive the Finance and Administration Committee's report?

Dr. A.R. KELLOGG (U.S.A.): I move that it be received.

The CHAIRMAN: Thank you, that is seconded by Mr. Nishimura. The report is received and I would call upon the Chairman to introduce it, Mr. Scott of New Zealand.

Mr. J.V. SCOTT (New Zealand): Thank you, Mr. Chairman. The report of the Finance and Administration Committee is before you in document IWC/12/13. We as a Committee did not think it necessary to improve on our report and so I would invite any other members of the Committee who have any comments to make on it to make them if they feel it necessary. On the assumption that the report is satisfactory I will proceed to comment on it.

In Schedule C, paragraph 2 of the document IWC/12/13, the Committee examined the statement of income and expenditure for the year ended 31st May, 1960, and our attention was drawn to the fact that the Commission's income had been reduced by £400 during the year as a result of the withdrawal of two countries from the Convention. We were also warned of an increase in certain charges made by the United Kingdom Ministry of Agriculture, Fisheries and Food for the services it provides for the Commission. I may say that the Committee as a whole regarded this increase as perfectly unexceptionable but the effect is that the estimate of expenditure was £50 less for this year than the previous year and that the figure exceeded income by £662. The Committee approved the income and expenditure account and the balance sheet for 31st May, 1960, subject to the circulation of the final audited accounts to the contracting governments as soon as they become available.

In paragraph 3 members will note that the Committee considered the estimate for the financial year ended 31st May, 1961 and we, the Committee, took note

that the income would be increased by £200 as a result of the adherence to the Convention of Argentina. But despite this fact there would again be an estimated excess of expenditure over income of £345, thus the estimated balance at the end of this year on 31st May, 1961, will have fallen to £482. The attention of the Committee was drawn by the Secretary to the fact that the estimated expenditure makes no provision for any special meetings, or reductions in income due to delay in the payment of annual contributions. The Committee took note of this fact and I will return to this point in a few minutes.

Paragraph 4 records the fact that the Committee recommends a slightly different procedure for the presentation of audited reports. The Ministry of Agriculture, Fisheries and Food have received a request from the Comptroller and Auditor General that the accounts circulated in the annual report should be those bearing his certificate and not provisional statements of account. The audited accounts for the year ended 31st May, 1959 were presented and it appears that the audited accounts for the year ended 31st May, 1960 could be produced before the end of this year. In the circumstances, it was suggested to the Committee and the Committee agreed that both of these audited accounts should appear in the Eleventh Report. It is expected that an audited report for the relevant year can thus appear in future in each annual report, and we as a Committee recommend this procedure for the approval of the Commission.

The most substantial recommendation we have for the Commission appears in paragraph 5. I mentioned the fact that for the last two years there has been an excess of expenditure over income and the Secretary drew the attention of the Committee to the fact that the Commission might be in some difficulties through shortage of money if there was any delay in the payment of the contribution of member governments. These two reasons, I think, influenced the Committee to recommend to the Commission that an increase in the contributions of member governments should be made as from the financial year beginning on the 1st June, 1960. We recognise also that there might be some difficulty for certain member governments where there would be a delay in obtaining authorisation of an increase in their countries' subscriptions and we therefore record in paragraph 5 that countries whose financial regulations involve authorisation at different times of the year might not be able to start paying the increase until some later date in the financial year. This is a unanimous recommendation from the Committee to the Commission that the annual contribution of member governments be increased by £50 from £200 to £250 beginning with the financial year, 1st June, 1960.

Paragraph 6 of the report records that no invitations have been received to hold the next meeting of the Commission other than in London and the Committee understood that in terms of the regulations the next meeting of the Committee should be held in London. We recommend that the date for the beginning of the meeting should be Monday, 19th June, 1961.

I do not think I have any further remarks, Mr. Chairman, and I commend the report to the attention of the Commission.

The CHAIRMAN: Thank you, Mr. Scott. I think it is a little too near lunch to take any of this report at the moment, unless any delegation wishes to make any immediate comment on any point. If not, may we consider what is the best way to use our time this afternoon? I understand that some delegations would wish to leave over until tomorrow the discussion of the questions which are dealt with by item 6 and item 17, the blue whale unit limit, the various other whaling regulations and the review of the extra convention discussions. If I should be right in believing that there are still a number of other questions in the Technical and Scientific Committee reports and the Finance report which we might, if you agree, get out of the way this afternoon, we will do that, so as to leave ourselves with sufficient time tomorrow for the other major questions. We have also to remember, I think, that the Technical

Committee have yet to revise their report, or we have yet to receive the revised report on the table. I gather that may not be available until about 4 o'clock or a little later this afternoon. I was wondering if we should meet in Plenary at 4 o'clock and we might take the Finance and Administration report.

Dr. A.R. KELLOGG (U.S.A.): With the Finance and Administration Committee report some of the contributions from some of the delegations mean they must have word from their own governments, so perhaps we could delay that until tomorrow.

The CHAIRMAN: Thank you, Dr. Kellogg, then we should obviously do that to enable time to be given to consult. But there are other items on the Agenda, I think perhaps there are items 9, 10, 14, 15 and 18 which, if the Commission agrees, we might try and get out of the way this afternoon. I would suggest, therefore, that we might do that at 4 o'clock. (Agreed)

Dr. A.R. KELLOGG (U.S.A.): Is there no other material that we might take before 4 o'clock in view of the reception tonight?

The CHAIRMAN: Thank you, that is a point.

Dr. A.R. KELLOGG (U.S.A.): What about 3 o'clock?

The CHAIRMAN: The trouble is that we shall not have the final versions of the Technical Committee's report until about 4 o'clock.

Dr. A.R. KELLOGG (U.S.A.): Are there not some items we could take up till 4 o'clock?

The CHAIRMAN: Yes, we could, there is humane killing.

Dr. A.R. KELLOGG (U.S.A.): I am a little concerned about completion in view of other matters which may come up.

The CHAIRMAN: May I suggest that we meet at 3.15? Would that be agreeable? (Agreed) The meeting is adjourned.

(The Meeting adjourned for luncheon).

(The Meeting reconvened at 3.30 p.m.)

The CHAIRMAN: Gentlemen, may we begin this session ?

I suggest we start with Item 9 because I think we can deal with that in the light of the Technical Committee's Report (paragraph 4.) I do not know whether in the absence of Mr. Leach you would like Mr. Clark to speak to us again but, I think I am right, there is the question of action under sub-head (a) and sub-head (d) and at the bottom of the page it is proposed that infraction reports from Norway and the Netherlands should be asked for. I think this is perhaps really just a matter of asking the Secretary to take the necessary action. Is that right, Mr. Clark ?

Mr. G.R. CLARK (Canada): I think so, Mr. Chairman. If the Commission agrees with the recommendations of the Technical Committee's Report on this subject, then I think it would be better for the Commission formally to take the action to instruct the Secretary. I would so move, Mr. Chairman.

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

The CHAIRMAN: May I take it that it is agreed that the Secretary should be asked to take the action proposed under paragraph 4 of the Technical Committee's Report and that would dispose of Item 9?

Item 10: that brings us to paragraph 5 of the Technical Committee's Report. Again, Mr. Clark, I think this is a matter, if the Commission agrees, on which the Secretary might be asked to take the action proposed.

Mr. G.R. CLARK (Canada): That is correct, Mr. Chairman. If the Commission agrees with the recommendation of the Technical Committee's Report with regard to implementing legislation, then formal action by the Commission is required. I would move, Mr. Chairman, that the Secretary be so instructed.

The CHAIRMAN: Thank you. Is there a seconder ?

Mr. K. NISHIMURA (Japan): I second.

The CHAIRMAN: Thank you. May I take it that is agreed ?  
(Agreed). Item 10 is finished.

Now may we turn to Item 18, Meat for Local Consumption, because that is also dealt with in the Technical Committee's Report (paragraph 10.)

Item 18 on the Plenary Agenda, paragraph 10 of the Technical Committee's Report. There seems to be no action arising. Is that correct ?

Mr. G.R. CLARK (Canada): No action is required, Mr. Chairman. This was clarified for the U.S.S.R. Commissioner.

The CHAIRMAN: Thank you. May I take it, Gentlemen, that Item 18 of the main Agenda is disposed of? (Agreed). Thank you.

Would it be convenient to take paragraph 11 of the Technical Committee's Report? We have not got the final report. Perhaps we had better leave it. Could we turn, then, to Item 14, the 11th Annual Report drafted by the Secretary, Paper IWC/12/5 and IWC/12/5 corrigenda.

This is the Annual Report, Gentlemen, of the Commission's activities in the year which has been completed. The Secretary has prepared it in the same form as that taken by the Report for the previous year.

Mr. F.F. ANDERSON (Australia): This is subject to those paragraphs to be inserted as a result of statistical information when it becomes available.

The CHAIRMAN: Yes, at the end of section 3 there are those additions to be made.

Dr. A.R. KELLOGG (U.S.A.): Mr. Chairman, on page 2 in the third paragraph my attention has been drawn to the number of blue whales taken by pelagic expeditions which was slightly less than in the previous season. There may be a difference in figures, but is that more or less? Maybe Mr. Vangstein can help us out on that?

The CHAIRMAN: I think, Dr. Kellogg, this is dealt with in the corrigenda paper.

The SECRETARY: Yes, paragraph 3 line 2, delete "less" and insert "more". It has been corrected, Mr. Chairman.

The CHAIRMAN: Is that the paragraph you are referring to, Dr. Kellogg?

Dr. A.R. KELLOGG (U.S.A.): Yes.

The CHAIRMAN: Does that clear the point up?

Mr. J. GRAHAM (United Kingdom): I think the corrigenda slip, as I read it, relates to line 2 of paragraph 3, that is the paragraph on



- 33 -

page 1, whereas Dr. Kellogg, I thought, was referring to paragraph 3 on page 2.

Dr. A.R. KELLOGG (U.S.A.): I do not know which one it refers to.

Mr. J. GRAHAM (United Kingdom): I am sorry, Mr. Chairman.

Dr. A.R. KELLOGG (U.S.A.): It seems to me that the question is: was the catch of blue whales down or up?

The CHAIRMAN: Was the catch of blue whales down or up? We will just check this, Dr. Kellogg.

On checking with the Bureau's data it is clear that Dr. Kellogg is quite right. It should be slightly more, not slightly less. It is 39 up. We will alter that.

May I say, Gentlemen, that I think all the figures in this draft Report will need checking and the Secretary will certainly check them before the Report is published. We will also, of course, complete the paragraphs at the end of section 3. There was one particular passage I wished to ask whether the Antarctic countries are content with, that is Section 12, not only the Antarctic countries but all Commissioners. Is this a fair statement and an acceptable statement of the situation about national quotas? I did wonder whether the second sentence was necessary. These percentage figures are not really within the Commission's remit. These were outside questions of which the Commission was informed. I do not know whether we need that sentence or whether we should leave it out. The following sentence is about the discussions which were held but which were not successful and the next sentence is about the four countries fixing their annual quotas.

The SECRETARY: Strictly, Mr. Chairman, the whole lot should be left out as far as the Commission is concerned.

The CHAIRMAN: Is everyone quite happy with Section 12 as it stands?

Mr. J. GRAHAM (United Kingdom): I am quite happy with the Section. The only small amendment I would suggest would be in the fifth line from the bottom where it says "It is understood that the quota for the U.K. fleets was 2,500 units". The words "it is understood" could be deleted. That is a fact and there is a statutory instrument giving effect to it, so just say the quota.

The CHAIRMAN: Thank you very much.

- 34 -

Mr. G.R. CLARK (Canada): Are you asking now for comments on Section 12 ?

The CHAIRMAN: Yes, Mr. Clark.

Mr. G.R. CLARK (Canada): I think that the reference in that sentence: "the U.S.S.R. indicated that she would be satisfied with 20% " and so on should be deleted from the Annual Report because it has no bearing within the Commission.

The CHAIRMAN: Thank you, Mr. Clark. That was my own feeling, if I may say so.

Dr. A.R. KELLOGG (U.S.A.): I quite agree.

The CHAIRMAN: Thank you. Then shall we strike that through ?

Mr. J. GRAHAM (United Kingdom): Should the last word in that paragraph be "quotas" ? I am just looking at the paragraph; I think it is referring to quotas.

Mr. G.R. CLARK (Canada): We do not hear very well down here, Mr. Chairman.

Mr. J. GRAHAM (United Kingdom): I was suggesting that the last word in that paragraph should be "quotas" not "claims".

Mr. G.R. CLARK (Canada): What paragraph ?

Mr. J. GRAHAM (United Kingdom): Paragraph 12.

The CHAIRMAN: I think to meet Mr. Anderson's point you could say "was considerably less than the quotas they individually claimed" but if you introduce "quotas" as the last word it might indicate that they had different quotas.

That was your point, Mr. Anderson, was it not ?

Mr. F.F. ANDERSON (Australia): Yes.

Mr. A.P. MOVCHAN (U.S.S.R.): May I ask what was the suggestion proposed by Mr. Clark, that some words about our position should be crossed out ?

The CHAIRMAN: Mr. Clark's suggestion was that the second sentence of paragraph 12 should be deleted altogether as not being within the Commission's field of work.

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.): (Interpretation) What is the motive for the deletion of this sentence ?

Mr. G.R. CLARK (Canada): There is no ulterior motive, I can assure my colleagues, except that the question of national quotas is precluded from the Commission's business by the Convention.

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.): (Interpretation): Our delegation does not insist on this sentence being left in the paragraph, but all this paragraph is bound to the national quota.

The CHAIRMAN: Yes, thank you very much.

Dr. A.R. KELLOGG (U.S.A.): It has been suggested that in the first sentence it should be said that these quotas were the result of informal discussions outside the Convention.

The CHAIRMAN: You suggest, Dr. Kellogg, that we amend the first sentence, taking out the last few words "within the limitation of the Convention" and instead say "outside the Convention". Is that right ?

Dr. A.R. KELLOGG (U.S.A.): Yes, because anybody would think it was in.

The CHAIRMAN: Is that agreeable to all ? (Agreed).

Are there any other comments on this Report ?

Dr. A.R. KELLOGG (U.S.A.): I suggest that the Secretary has a look at the wording.

The CHAIRMAN: Yes.

The SECRETARY: I would say, Mr. Chairman, that in any case this particular Report has to be to some extent a mock-up because at the time it is prepared the information it purports to give is provisional information, so that you can say that almost all of the figures are likely to be revised and can be revised.

The CHAIRMAN: Would you be content to approve the Report, Gentlemen, on the understanding that the Secretary, or the Chairman and the Secretary if you wish, shall edit it as required? (Agreed).

Mr. A.P. MOVCHAN (U.S.S.R.): May I ask you if we cross out the sentence you suggest? Then for four countries their quotas are alone mentioned if we follow your proposition. It seems to me that maybe it will be better that the first sentence says that those negotiations took place outside the Convention. This means that we may then be left for the last sentence without any corrections, including the second sentence about the supposition, because without this second sentence we cannot understand what the position of the U.S.S.R. is.

The CHAIRMAN: Yes.

Mr. A.P. MOVCHAN (U.S.S.R.): And about the words "national quotas" in the last sentence, it seems to me that there were claims but not quotas. It seems to our delegation that it will be better to leave the paragraph without the correction made by the United States representative, as suggested by the Chairman.

The CHAIRMAN: May I just suggest, Gentlemen, that drafting in the Commission is always a little difficult. If you would wish, the Secretary and I will make a redraft of paragraph 12 and put it before you for separate approval tomorrow. Subject to that, we can perhaps approve the Reports? Is that agreeable? Thank you very much.

May we turn to Item 15, The Humane Killing of Whales. There is the report of the working party, IWC/12/6, and there are also the views and proposals of the Technical Committee on that report, given in paragraph 6 of their Report.

You will also remember that the Scientific Committee dealt with this Report in paragraph 33 of their Report, but they have said that there do not appear to be any relevant biological factors which have not been taken into account and they have no comments to make. So I think we have to consider paragraph 6 of the Technical Committee's Report in terms of further action for the Commission to take.

The CHAIRMAN: Does the Commission agree that the Secretary might send copies of this Report to the various humanitarian bodies which have asked for information? There are some bodies in the United Kingdom, but I do not know whether there are bodies in other countries. In the United States there is an organisation, apparently.

- 37 -

Dr. A.R. KELLOGG (United States): We have a similar organisation. They have been putting pressure on me at various times to find out why the Commission has not rectified the situation, whatever it is. They consider it bad.

Mr. G.R. CLARK (Canada): In the Technical Committee's Report the thought that we had in mind was to send copies of the working party's report only to those organisations who had written to the Commission. I think this is quite clear in the Technical Committee's Report.

The CHAIRMAN: Thank you, Mr. Clark.

Mr. G.R. CLARK (Canada): I so move, Mr. Chairman, that the action as recommended by the Technical Committee be approved by the Commission.

The CHAIRMAN: Thank you, Mr. Clark. Is there any seconder for that proposal?

Mr. J. HERTOFT (Denmark): I second.

The CHAIRMAN: No opinions to the contrary? Can I take that as agreed? (Agreed).

Mr. G.R. CLARK (Canada): Before you leave that item I believe there is one other action which is recommended by the Technical Committee to the Commission, that the Commission through the Secretary express the thanks of the Commission to the members of the Working Party for their time and effort in connexion with this work. I would move, Mr. Chairman, that the Secretary be authorised by the Commission to do so.

The CHAIRMAN: Thank you, Mr. Clark.

Mr. J. GRAHAM (United Kingdom): I should like to associate the United Kingdom with that suggestion, Mr. Chairman. I should perhaps say, in connexion with the subject matter of the Report, that I am glad to say that the United Kingdom industry will co-operate in the further work which the Report suggests should be done on this important question.

The CHAIRMAN: I am sure the working party will be very appreciative of the thanks of the Commission which the Secretary will convey to them. I think that has disposed of this item, Gentlemen. (Agreed).

Now I do not think there is any other item on our main Agenda which we can very well deal with at the moment, but there may be some other points in the Reports of the Technical Committee, Mr. Clark, or the Scientific Committee, Dr. Mackintosh. Should I ask Mr. Clark first of all if there is anything we could clear up in the Technical Committee Report ?

/Mr. G.R. CLARK (Canada): Mr. Chairman, may I revert

Mr. G.R. CLARK (Canada): Mr. Chairman, may I revert to item 15 again, the humane killing of whales? I overlooked drawing to the attention of the Commission that also in the Technical Committee's report we recommended that the representatives of the whaling industries of Norway as well as the United Kingdom be asked to consult further on the methods of electrical killing. I think this requires, in the case of Norway, some action by letter from the Commission to ask if they would do this. Mr. Graham of the United Kingdom has already stated the United Kingdom industry's position.

The CHAIRMAN: Thank you. I do not know whether Mr. Ribu or Mr. Vangstein wish to say any words on this? If not, then the Secretary will look after this matter in correspondence with Mr. Gunnar Jahn of Norway. The Working Party will, of course, be maintained in being as recommended here.

Mr. G.R. CLARK (Canada): Yes, it is so recommended.

The CHAIRMAN: I think that clears that up, Mr. Clark. Shall we leave your report there until we have the revised document?

Mr. G.R. CLARK (Canada): I should think so, I do not think there are any other items at the moment which require Commission action on the Technical Committee's report in so far as we have it. When the final document is available then presumably there will be other items for the Commission either to accept in the report or reject.

The CHAIRMAN: Thank you, we will come back to it on that basis then. May I then ask Dr. Mackintosh if there are any sections of the Scientific Committee's report which we could deal with this afternoon? There is no action on paragraph 5, I think. The following paragraphs we must leave over for the present: blue whales, fin whales, the blue whale unit limit and sei whales.

Dr. N.A. MACKINTOSH (United Kingdom): I think there is no action on sei whales, I do not think there is anything on sperm whales which we need draw the attention of the Commission to.

The CHAIRMAN: What about the marking of sperm whales, will that come up under the marking of whales later?

Dr. N.A. MACKINTOSH (United Kingdom): Yes, I think that is not a very strong recommendation, it was just while we were on sperm whales we thought it would be desirable to mark them, give them attention just as we do to other species.

The CHAIRMAN: Humpbacks we must leave for the moment, I think. With Pacific whaling, outside of the Antarctic, is that to be taken note of?

- 40 -

Dr. N. A. MACKINTOSH (United Kingdom): It is just to take note of, I think there is no action to be taken. The same with whaling in the Atlantic, the opening dates and length of the Antarctic season.

The CHAIRMAN: Before you go on with Pacific whaling outside the Antarctic, I do not know whether the Japanese delegation or the Soviet Union delegation would wish to make any comment on those three paragraphs. There are certain matters to which the attention of the whaling countries in that area are drawn, Dr. Mackintosh, is that right?

Dr. N. A. MACKINTOSH (United Kingdom): Yes. The point here, I think, is in regard to the minimum length, the sperm whale being the most important species in the Pacific, apart from the Antarctic sector. For the protection of sperm whales the minimum size limit is very effective because the males grow much larger than the females. They are believed to be polygamous and therefore the size limit is fixed so that it practically protects the whole female stock. As long as that minimum size is strictly observed we can feel fairly happy about the condition of the sperm whale stocks. We only did notice that in certain regions the number of whales recorded at just at or above the minimum size looked a little unnatural, as if some whales had been given the benefit of the doubt. We do not want to make too much of this, but we do say that the minimum length is very important, and the same applied to South African stock. We were informed, however, in the Ad Hoc Committee that steps had been taken to concentrate the catching on larger animals.

The CHAIRMAN: Has Canada, Japan or the U.S.S.R. any comments to make? If not, may we pass on to whaling in the Atlantic? I am sure the Commission will echo the feeling of the Scientific Committee that all countries concerned have now agreed to the prohibition of the taking of blue whales in the North Atlantic in accordance with the Commission's proposal.

Is there any other point here, Dr. Mackintosh?

Dr. N. A. MACKINTOSH (United Kingdom): Nothing, I think, that has not been dealt with now on that paragraph.

The CHAIRMAN: I think we must leave the next section until tomorrow morning. What about Whale marking?

Dr. N. A. MACKINTOSH (United Kingdom): This was a matter of reporting progress, and I do not know that there is anything to add. There is always quite a lot that could be said about it, but full details of the marks recovered - which is the scientific point of principal interest to scientists concerned with work on whales - will be published in the autumn in the Norwegian Whaling Gazette. It takes some time to gather all the final particulars about the marks recovered in the last Antarctic season, and we publish the particulars every year.

I do not think there is any other point of which special note should be taken. We are getting some very interesting results from marking. There is



- 41 -

some mention of one or two marks which were of particular interest, but of course there are a great ~~many~~<sup>deal</sup> more than that. I would say myself that, at the present time, the marking of whales is producing very good results in relation to humpback whales and we are getting a much better idea of their distribution, the extent to which they are segregated into separate stocks and the extent to which they overlap on the Antarctic whaling grounds. This is all leading to an improved knowledge of the stocks of blue whales and fin whales as well.

There is one point, Mr. Chairman. We have recommended that the Commission should make a further contribution to the cost of whale marking if that can be done.

The CHAIRMAN: Is that dealt with in the Finance Committee's Report? Mr. Scott, I think the Finance and Administration Committee have included £500 for whale marking in their estimate for next year. Am I right?

Mr. SCOTT (New Zealand): That is correct, yes.

The CHAIRMAN: So that we could look at this in the Finance Committee's Report bearing in mind what the Scientific Committee have recommended.

Dr. N. A. MACKINTOSH (United Kingdom): Yes.

The CHAIRMAN: What about paragraph 29, Dr. Mackintosh? The Committee hope more nations will find it possible to participate in whale marking? I do not know whether you wish to say any more on that and, in the following sentence, I imagine that is a matter for the New Zealand Commissioner if he would be so kind as to look into this.

Dr. N. A. MACKINTOSH (United Kingdom): On the question of participation in whale marking, this is largely a matter of what the scientific and whaling authorities in the different countries find it practicable to do. I think that, in turn, depends to a certain extent on what the practice of the whaling industry is. Perhaps in the Antarctic, if they have some catchers working before the opening of the baleen season, they may find it convenient to mark some whales. If anyone is prepared to do such marking, I am sure the National Institute of Oceanography would do its best to find the marks for them, and if we ourselves can organise some marking we will do the best we can.

I think we might perhaps acknowledge the very helpful marking that has been done by the Japanese in the Antarctic in the last season or two, and the very valuable marking also that has been done in the waters of Australia and New Zealand and that which has been done by the U.S.S.R. authorities, and I think by other people too. In one way or another the total number of whales marked and marks recovered is going quite well.

The CHAIRMAN: Thank you. So it amounts to this, I think: that the Commission would like to draw the attention of the Commissioners of all the whaling countries to the first sentence of paragraph 29, and to ask the New Zealand Commissioner, Mr. Scott, about the second sentence.

Mr. J. V. SCOTT (New Zealand): I understand that the second sentence really refers to whale marking in the whole Pacific area, not just specifically New Zealand.

Dr. N. A. MACKINTOSH (United Kingdom): Paragraph 29 concerns not the Pacific in particular but all regions, although we are rather more specially concerned with the Antarctic or the Southern Hemisphere.

The CHAIRMAN: The second sentence, Dr. Mackintosh.

Dr. N. A. MACKINTOSH (United Kingdom): I beg your pardon, yes, that is in particular reference to the South West Pacific region. That is quite correct.

The CHAIRMAN: Is there no other comment on whale marking? Shall we then pass on to progress of research. Nothing there, Dr. Mackintosh?

Dr. N. A. MACKINTOSH (United Kingdom): No, we had quite a number of papers, several short reports, giving a summary of progress in different countries, and a certain number also of more specialised scientific reports which were all of interest. But these are things I think for the interest of scientists to exchange amongst themselves, and they do not raise any problems for the Commission.

/The CHAIRMAN: Now, the subject of the whale

- 43 -

The CHAIRMAN: Now, the subject of the whale research programme. Would the Commission like to take this matter now, or leave it until tomorrow?

Dr. N.A. MACKINTOSH (United Kingdom): That is a more complicated question, Mr. Chairman, and I do not know whether there is anything more I can say about it, although perhaps it is a matter of asking whether there is any clarification required. It is a matter that wants thinking about. I do not know whether any other member of the Committee would like to comment on it.

I think the feeling, as I said here, is that we are able to answer certain problems which arise in connection with the Commission's work, but they are rather too often qualitative questions, such as, "Is the stock of fin whales declining?" to which we can say, "Yes, we believe it is, but we cannot say how much". There is the question of the humpback whales in the Antarctic area IV, and the west coast of Australia, that is the population of that region as a whole. It is clearly going down, and there is not much doubt that it is reduced to some fraction of what it was originally, but we cannot say how many whales could be safely taken to keep a stable stock or to allow it to recover. The general import of this section, I think, is that some effort should be made to acquire more data, better data, more complete data and a special arrangement for fuller examination of it to see if we can make something better of these properties. The question is how to set about it.

The CHAIRMAN: There would also be financial implications in this, I take it?

Dr. N.A. MACKINTOSH (United Kingdom): Yes.

The CHAIRMAN: Would the Scientific Committee have any idea what the financial implications might be?

Dr. N.A. MACKINTOSH (United Kingdom): I think it is very difficult to say, because it all depends how far one gets with the thing. It might require quite considerable expense. Whether it is something for the Commission to help with or more for national Governments is one of the things to be considered. But I think most of us rather felt that the first step would be to make some arrangements to set up what we call a "workshop", which is something more than a working party but not necessarily a long-term organisation of research in itself.

There is also the question raised in paragraph 36, I do not know whether you would like to deal with that now?

The CHAIRMAN: Would the Commission wish to have a discussion of paragraph 34, 35 and 36 at this time, or would you wish to think about it between now and tomorrow morning?

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.) (Interpretation):  
We propose to discuss this question tomorrow morning.

The CHAIRMAN: Thank you. Is that acceptable to everyone, that we leave this matter over for further thought, and discuss it tomorrow morning? (Agreed)

Dr. N. A. MACKINTOSH (United Kingdom): I think it would be all right, Mr. Chairman, we shall probably have the final version of the Report. It may be rather clearer then, because you remember that paragraph (b) (iv) had quite a bit to be added to it.

The CHAIRMAN: Thank you very much.

We now have the amended Report of the Technical Committee which has just been put round the table. Mr. Clark, would you wish to draw our attention to any changes, and suggest to us, anything else that we might clear out of the way this afternoon?

Mr. G. R. CLARK (Canada): Mr. Chairman, in the final Report of the Technical Committee which has just been distributed at the moment there are two or three editorial changes that I should like to draw to the Commission's attention.

In paragraph 5, the first line, "It emerged from discussion that no all countries" should read "not" presumably.

Then, in paragraph 7, in the second paragraph, line 3 should read "the Commission to satisfy the urgent need for restrictions on the taking of humpback whales" instead of the word "of".

Then, on page 3, on the second last paragraph of section 7 which starts off, "The Australian representative in presenting his views for the need for additional production" should be "protection".

And then, in the final paragraph of section 7, the last line I think the word should be "opposed" not "apposed".

That is all I could catch editorially at a quick reading, Mr. Chairman.

You will note, Mr. Chairman, that what we have attempted to do in this final Report of the Technical Committee was to set out in more precise language the suggested amendment to the Schedule. You will recall that I drew the Commission's attention to the fact that this was rather a matter of technical drafting, and I think that the Secretary has now done so. Thus, if one were to read the present Schedule and then follow the proposed changes that would be quite clear.

The CHAIRMAN: Could we deal with section 11 this afternoon, Mr. Clark, do you think?

- 45 -

Mr. G. R. CLARK (Canada): I think we could, Mr. Chairman.

Section 11 of the Technical Committee's Report deals with the item under "Other Business" in connection with whaling in Greenland, and you will note in the Report the reason why this matter was brought up by the representative from Denmark and the points which were covered by the Committee during its discussions in reply to the questions raised by Mr. Hertoft. I think perhaps, Mr. Chairman, if the Commission agrees to Item 11 on the Technical Committee's Report, it could be accepted, and I think this would be the explanation which Mr. Hertoft required.

The CHAIRMAN: Thank you, Mr. Clark. May we take them in turn?

May I ask for views on question one, or point one? Do Commissioners agree that this is the correct answer? There seems to be no opinion to the contrary, so I think we accept point one of the Technical Committee's Report, section eleven.

Point two?

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.) (Interpretation): We have no objection to the section.

The CHAIRMAN: Thank you.

May I take it that Commissioners are agreed that the Technical Committee's opinions may stand as authoritative? (Agreed)

I think we have come to the end of the questions we can deal with today and, unless there are any other matters that any delegation wishes to raise, I would propose that we now adjourn until tomorrow morning, and I suggest we meet as early as possible because we may still have a good deal to do. Would ten o'clock be convenient, or a little earlier?

Mr. G. R. CLARK (Canada): Nine thirty.

The CHAIRMAN: Are there any objections to nine thirty tomorrow morning? Thank you. Nine thirty; and we will now adjourn.

(The Meeting adjourned at 4.30 pm.)

INTERNATIONAL WHALING COMMISSIONTWELFTH MEETINGSession of Friday, 24th June, 1960In the Chair: Mr. R.G.R. Wall (United Kingdom)

The CHAIRMAN: Gentlemen, I think all delegations are now present, so may we begin ?

You have on the table before you this morning some new documents: the verbatim record of Thursday's session, the amended Report of the Scientific Committee and a memorandum by the United Kingdom which was handed in to the Secretariat last night and is here for consideration.

Turning to the Agenda, we have dealt with the first four items. We were asked yesterday afternoon to leave over Item 5, Financial Administration, while Commissioners consulted their Governments and it might be convenient if we leave that a little longer. That would bring us to Item 6, Review of Extra-Convention Discussions on Regulation of Antarctic Pelagic Whaling, which was inscribed on the Agenda at the request of the United States Commissioner. Would the United States Commissioner wish to introduce this subject.

Mr. G.R. CLARK (Canada): May I speak to another point before you take that matter up ? I should like to refer, Mr. Chairman, to the final Report of the Technical Committee which was discussed yesterday. There is a very serious change to be made - one of some substance.

In paragraph 1, where it lists the names of the members of the Technical Committee, it should be, for the U.S.S.R., Captain Solyanik.

The CHAIRMAN: Thank you, Mr. Clark.

Mr. G.R. CLARK (Canada): I should like this correction to be made, please, because I do not wish to go to war with Captain Solyanik. He is much bigger than I am !

The CHAIRMAN: May I add the apologies of the Commission office to Captain Solyanik and the U.S.S.R. delegation for that mistake, which will be corrected.

Item 6: I understand that the United States Commissioner has nothing at the moment to say but that the United Kingdom Commissioner would like the floor.

Mr. B.C. ENGHOLM (United Kingdom): Thank you very much, Mr. Chairman. I should like to say a few words, if I may, by way of

introduction to the memorandum that the United Kingdom has circulated.

The United Kingdom is very concerned at the present position which is facing this Commission. We strongly uphold the objectives of the Convention which are aimed at the proper conservation of whale stocks, and we believe that there is an urgent need for more effective methods of conservation in view of the evidence that is available that stocks are declining and in view particularly of the report which has been put forward by the Scientific Committee on this occasion, because we believe that additional measures of conservation are required if stocks are going to be preserved. We regard it as of fundamental importance that all of the major whaling countries should be inside the Convention. It seems to us that as long as two of the major Antarctic whaling countries, which between them over the past few years have accounted for nearly 40% of the catch, are absent, no conservation measures which the Commission may propose can be fully effective. Additional restrictions cannot in fact take the effect which the Commission might desire them to take.

We feel, in other words, that to contemplate further restrictions while two of the major whaling countries are outside the Convention is in effect shutting the stable door after the horses have flown, because we believe that until Norway and the Netherlands are back inside the Convention no effective progress can be made and that new restrictions would be largely ineffective. In addition, we feel that any new restrictions which were imposed would be inequitable as between the whaling nations so long as Norway and the Netherlands are outside, because we consider that the essential first step must be to try to get Norway and the Netherlands to rejoin the Convention.

From the discussions which we have had with other delegations, we believe that there is a general agreement with this view and that there is a general feeling that until the major whaling nations are within the Convention it will be very difficult indeed to achieve progress.

The problem is how this can be done. I think that in this connexion it would perhaps be worth while to examine the circumstances in which Norway and the Netherlands left the Convention. Members of the Commission will remember that there was a general feeling amongst the five Antarctic whaling countries that competition within a total ceiling under Paragraph 8 led to wasteful and uneconomic catching which was not in the interests of conservation and which was an unsatisfactory and uneconomic means of dealing with the exploitation of the stocks. The United Kingdom certainly shares this view and it was because of this view that attempts were made, before Norway and the Netherlands left the Convention, for agreement to be reached between the five Antarctic whaling nations for sharing whatever total catch was deemed to be desirable on conservation grounds in such a way that each country would have an allocation and would be able to catch that allocation of the season without having to indulge in wasteful and uneconomic methods.

Those discussions unfortunately did not lead to agreement and it was because they did not lead to agreement that Norway and the Netherlands felt obliged to leave the Convention and did not feel able to remain inside subject to the conditions which had existed up till that date.

Now those conditions, Mr. Chairman, have not changed since Norway and the Netherlands left. There is still a total ceiling under Paragraph 8 and there is still no agreement between the Antarctic whaling nations on a fair sharing of the catch. If Norway and the Netherlands were to return under the conditions as they exist at the moment, bearing in mind the views which were held by many of the Antarctic whaling nations at the time, it might well prejudice the position of all Antarctic whaling nations. Indeed, it might well prejudice conservation, because it would lead to a return of

the wasteful and uneconomic competitive catching which was existing before. In those circumstances it seems to the United Kingdom that there are only two possible ways in which one can achieve the objective which we think is fundamental, namely a return of all the Antarctic whaling nations to the Convention. One possible way would be to have another attempt to get agreement on sharing the total catch and also, indeed, on the method of implementing an international observer scheme to which I think all countries have agreed in principle and which is an important corollary to any conservation measures and in particular to any arrangements for fairly sharing the catch in the Antarctic. Unfortunately, Mr. Chairman, it has not been possible to arrange such a further meeting to discuss these questions. Norway and the Netherlands are outside the Convention and it can be argued, at any rate so far as an international observation scheme is concerned, that so long as those two countries are outside it would be wrong to discuss with them a measure such as the international inspection scheme which would be proposed under the Convention.

It therefore has proved impossible so far to arrange such discussions. Moreover, even if such discussions on the quota side could be arranged, they would inevitably take some time and the United Kingdom considers that it is a matter of urgency that Norway and the Netherlands should return to the Convention. We think that this ought to be done before next season if the Commission is going to be able to make the progress that we desire - and that I think other countries desire - on conservation.

If, therefore, there is difficulty in arranging discussions before all five countries are inside the Convention, what other course is open to us? The United Kingdom has been giving very serious consideration to what other possibilities exist. It seems to us that the only other effective way of dealing with this matter would be to say that for two seasons the ceiling under Paragraph 8 should be temporarily suspended. In this way it would be possible without prejudice to any of the Antarctic whaling countries for Norway and the Netherlands to rejoin the Convention and then for discussions to take place on both the arrangements for sharing the total catch in the Antarctic and on the implementation of an observation scheme on which there has already been agreement in principle.

We would draw the attention of the Commission to the fact that at the moment the ceiling under Paragraph 8 is, for practical purposes, ineffective. It applies to only three of the Antarctic whaling nations and therefore we do not think that a suspension of the ceiling temporarily for two years would effect any damage to the Convention or indeed prejudice the position nearly as much as the position will be prejudiced if Norway and the Netherlands remain outside the Convention.

I know, Mr. Chairman, that it can be argued - and I believe certain delegations feel this way - that a suspension of the ceiling under Paragraph 8 may in effect be weakening the Convention. I would suggest, however, that in this matter we must look not on the ground immediately beneath our feet but a little further ahead and that we have got to be realistic about this matter. If the United Kingdom are right in their view that so long as two of the major whaling countries remain outside the Convention it is not going to be possible to make effective progress on conservation, then surely it would be unrealistic to think of making or retaining paper restrictions which are not in fact effective, and merely sitting back and hoping, like Mr. Micawber, that something will turn up.

If I may say so, Mr. Chairman, it seems to me that the argument that because we all believe in conservation we must not take any action such as suspending the ceiling for two years because it might appear to be weakening



the Convention is very much like preaching to an empty church. You may have the highest moral principles but in fact if they are not going to be heard and applied they will be of little use.

I would also remind members of the Commission that sometimes it is better to recoup a little - "reculer pour mieux sauter". This is a thing which I hope members of the Commission will bear in mind. From the United Kingdom point of view we would feel that the best method of making effective progress on the conservation front would be to suspend the ceiling for two years in the hope that that will facilitate the return of the two countries at present outside, Norway and the Netherlands.

In addition, as a safeguard, as an additional safeguard, during this period we would contemplate that all the Antarctic whaling countries, all five of them, should impose voluntary restrictions on their own national catches as they did last season and that those should not at any rate be greater than the ceilings or quotas which were voluntarily imposed by each country during the 1959/60 season. So far as the United Kingdom is concerned we would be glad to do this and indeed intend to do this. As an additional safeguard the United Kingdom also suggests that some additional protection should be given to blue whales during this period of suspension. There is not, I think, any scientific disagreement on the decline of blue whale stocks and indeed the Scientific Committee has again drawn attention to the need to take urgent action on this particular matter. Therefore we think that it would be right and reasonable, provided that Norway and the Netherlands return to the Convention, that some additional restriction on the catching of blue whales should be imposed by the Commission during this period of suspension and that when, as we would all hope, it has been possible to reach agreement on a sharing of the catch, it would then be possible for the Commission to consider the whole matter afresh in the light of what has been done in the meantime.

This brings me on to the other proposal which the United Kingdom has - I was going to say put forward, but I think it would be better to say has adopted. This is the suggestion that a small independent Scientific Committee should be appointed in order to ~~carry~~ carry out an independent assessment, an independent scientific assessment of the condition of the whale stocks. Here, Mr. Chairman, I would like to say that the United Kingdom memorandum was written before we had seen the final version of the Scientific Committee's Report. In an earlier draft of the Scientific Committee's Report we had noted that the Scientific Committee were in fact making a recommendation to this effect. We notice that that has now been changed and that there is no longer a direct recommendation, although there is still a paragraph putting forward this idea and saying that the Scientific Committee took note of it.

We think that this would be a good idea. We think that it would help to strengthen the scientific assessment of the evidence. This is in no way intended to be any reflection upon the very valuable work which the Scientific Committee has already done, but it is a suggestion that three independent scientists particularly qualified in the field of population dynamics or in some other appropriate science might be able to confirm from an independent point of view the findings which the Scientific Committee have already put forward.

That, Mr. Chairman, is broadly the view that the United Kingdom has tried to express in the memorandum that we have circulated. If I may, I should just like to summarise very briefly the main points of what I have said. The suggestion that the United Kingdom is putting forward is that in order to facilitate the return of Norway and the Netherlands to

the Convention without prejudicing the position of any of the Antarctic whaling countries the ceiling under Paragraph 8 should be suspended for two seasons. We have attached to our memorandum a specific amendment to the schedule to carry out that proposal. We are also suggesting that during that period of suspension each of the Antarctic whaling countries should voluntarily restrict the size of its national catch each season by imposing a quota on its own whaling expeditions which would not be greater than that adopted for the 1959/60 season. We would also propose that during this suspension there should be additional restrictions on the catches of blue whales and we have put forward again a specific amendment on that point which is attached to our memorandum. Our objective would be that immediately Norway and the Netherlands have rejoined the Convention discussions should restart on the sharing of the catch in the Antarctic and also on the implementation of the international observer scheme which has already been agreed in principle by all the five Antarctic whaling nations.

Finally, we suggest - in accordance, as we understand it, with the views of the Scientific Committee - that the Commission might request the Chairman to appoint a small independent Scientific Committee in order to carry out an independent scientific assessment of the condition of the whale stocks and again, attached to our memorandum is a resolution for the consideration of the Committee to carry that into effect.

We have attached to our memorandum, Mr. Chairman, a resolution in broad terms which tries to bring within its scope the various points that I have attempted to make in my statement and which presupposes that the Commission will have taken the necessary action to set up a Scientific Committee, and to take the necessary action under Paragraph 8 of the Schedule, and finishes up by the Commission expressing the earnest hope that in the light of these considerations Norway and the Netherlands will rejoin the Convention.

I do not want to take up the Commission's time any longer, Mr. Chairman, except to say that we do earnestly believe that this is the only way in which it is going to be possible for the Commission to make effective progress on the conservation front, the front on which we in the United Kingdom are anxious that progress should be made. But we do not believe that progress can be made until all the major whaling countries are in the Convention. Thank you, Mr. Chairman.

The CHAIRMAN: Thank you, Mr. Engholm.

The United Kingdom Commissioner's statement and his memorandum go beyond Item 6 of the Agenda, but it might be for convenience if we had a general discussion on the memorandum and statement at this stage. That might be the best way to further our work. Would any other delegations now wish to comment?

/Dr. A.R. KELLOGG (U.S.A.): I would like to have ..

Dr. A. R. KELLOGG (U.S.A.): I would like to have Mr. Herrington deal with this point.

Mr. W. C. HERRINGTON (U.S.A.): If I might comment briefly on the Memorandum that has been submitted by the United Kingdom, in international conferences my Government has taken the position that the most effective way to achieve the conservation of the living resources of the high seas is through the operation of conventions which, like this Commission, are made of those nations directly concerned with the resource. My country is a party to a number of such conventions which are doing an excellent job of maintaining and increasing the sustainable yield of these resources for which they have responsibility.

Our interest in the Whaling Commission derives both from our interest in preserving the whale resources of the world and from our concern that this procedure for handling the whale conservation problem should be successful here as it has been in other situations. Failure of the Whaling Commission to discharge its responsibilities fully would cast discredit on whole procedure for assuring the conservation of the living resources of the high seas.

With this background, I believe that you can appreciate the concern that we have felt over the increasing evidence that the Antarctic whale stocks are declining. There is no convincing evidence that the Commission's conservation measures are adequate to preserve and increase the sustainable yield from this resource. In addition, during the past year, because of the withdrawal of two of the five Antarctic whaling countries from the Convention, the Commission now is not in a position to work out and implement an effective programme.

To remedy the present serious situation, my Government believe that two things are necessary. Firstly the return to the Convention of the two members who last year withdrew, and, secondly, the adoption by the Commission of a programme which will, within the shortest time practicable, provide convincing evidence that the Commission's conservation measures are adequate to preserve and increase the sustainable yield from the Antarctic whale stock. Neither of these developments by itself is adequate. The return of the two members will not resolve the problem unless the Commission also has committed itself to a programme which will, within some near and specific period, enable the Commission to assess its position and take effective action to assure conservation of the whale stocks. On the other hand, the adoption of such a programme by the Commission will avail little unless the two late members rejoin the Convention.

These conclusions seem self-evident. Our problem is: how do we bring them about; how can these two objectives be accomplished?

The United Kingdom delegation has presented a proposal to the Commission designed to facilitate the readherence of Norway and the Netherlands to the Convention, and provide an independent and objective assessment of the condition of the whale stocks, as the basis for appropriate conservation measures. This is the only proposal that has been submitted to the Commission designed to contribute directly to the achievement of these two essential objectives. Regardless of any other merits the proposal may possess, for this reason by itself it deserves the most serious consideration by this body.

Now if I may make a comment on some of the specific features of the United Kingdom proposal, the United States delegation has little liking for the proposal to suspend for two seasons the ceiling of 15,000 blue whale units. Taken by itself this clearly is a step backwards. However, if this step is essential to achieve the return of Norway and the Netherlands, and

- 52 -

provided it is accompanied by action which will assure adoption and expeditious implementation of the kind of programme that is essential to preserve and increase the sustainable yield of the Antarctic whale stocks, then the United States delegation is prepared to give it favourable consideration.

The United Kingdom proposal that the Commission appoint a small committee of suitably qualified scientists to make an independent assessment of the scientific evidence and report to the Commission on the condition of the stocks and the sustainable yield is the kind of action which we feel must accompany any suspension of the present ceiling. However, we are convinced that the proposed action does not go far enough. It leaves the timing of the implementation of the findings of the proposed committee in too uncertain a position. Therefore, we feel that the proposal should include the additional provision that the Commission should accept the obligation, in as binding a form as possible, to bring the Antarctic catch limit to a level consistent with the conservation findings of the Committee by the earliest date practicable, at the maximum within two years after termination of the two-season suspension of the Antarctic catch limit proposed by the United Kingdom.

The United States delegation considers that all of these actions I have mentioned are essential features of the programme proposed by the United Kingdom. In addition, we strongly support the proposals that the five Antarctic whaling countries work out the essentials as regards the sharing of the total catch and implement the agreement regarding introduction of an international system of inspection, at the earliest dates possible and that pending agreement on sharing the catch each country would voluntarily limit its national catch by imposing a ceiling in no event greater than that adopted for the season of 1959/1960.

As I have stated, the United States delegation has little liking for the proposal to suspend the Antarctic catch limit. But we have even less liking for the present ineffective condition of the Commission. If it will correct the second situation we are prepared to make concessions on the first. Therefore, we are prepared to support the proposal with the modifications I have indicated.

The CHAIRMAN: Thank you, Mr. Herrington.

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.)(interpretation): Mr. Chairman, Ladies and Gentlemen, in connection with handing over to the participants of this Session the United Kingdom Memorandum and the draft resolutions attached to it, the Soviet delegation considers it is necessary to set out in the clearest possible way its opinion of the situation in the Convention resulting from the withdrawal of Norway and the Netherlands from the Convention.

As is known, during recent years twenty whaling factory ships - including eight Norwegian and one Dutch - have been operating in the Antarctic. They catch about half of the total taking of whales. It is not accidental that Article X of the Convention says that the Convention comes into force on condition that Norway and the Netherlands adhere to it. In these circumstances the withdrawal of Norway and the Netherlands from the Convention undermines international co-operation in this field and, in the most negative way, influences the implementation of the provisions of the Convention, which is aimed at protecting the world whaling stock.

In this connection we cannot help expressing our concern because the scientific data and the whaling itself show that the condition of the

whaling stock in the Antarctic is becoming more serious and the beginning of uncontrolled killing would inevitably lead to a speedy reduction to such a level that for many countries whaling would become unprofitable.

In such circumstances it will be more difficult in future to reach an agreement on the protection of whaling stock in the Antarctic, and on the rational killing of whales.

The question arises whether everything has been done to avoid all those extremely undesirable consequences. Analysing the London talks of the five countries held at the end of June last year, we should admit that a number of countries - and in particular Norway - made certain efforts to get an agreement within the framework of the Convention acceptable to all countries on the basis of the well-known recommendations adopted by those countries in November, 1958. As a result of these talks as well as at previous talks the points of view were brought somewhat closer, although no agreement was reached on the sharing of the total quota among countries operating in the Antarctic.

We express our firm belief that not all the possibilities to reach an agreement have been exhausted. The Soviet Union for its part is ready to promote in every possible way the strengthening of international co-operation as regards the protection of the whaling stock and the rational killing of whales on the basis of the 1946 Convention.

As to the essence of the United Kingdom proposal, we should like first of all to point out that to our regret we had very little time for a detailed study of this document. That is why we have no intention at the moment of discussing all the points of the Memorandum, the more so as some of them are of disputable character.

However, the main idea of the Memorandum - that it is possible to take any measures on protecting whaling stock in the Antarctic only after Norway and the Netherlands return to the Convention - is undoubtedly right. The Soviet delegation realises that it is this idea that lies at the basis of the draft resolutions No.1 and 2. In that connection we fully support the call of the Commission to the Governments of Norway and the Netherlands to rejoin the Convention at the earliest possible date.

At the same time, we cannot agree with the amendment to paragraph 8 of the Schedule of the Convention suggested by the United Kingdom. We consider that the refusal to determine the total quota for the taking of whales in the Antarctic contradicts the main objectives of the Convention, and, in fact, means the operating of unlimited catching of whales when the condition of whaling stocks is very serious. In addition to that, it would not be right to adopt decisions which contradict the very spirit of the Convention in order to get Norway and the Netherlands back in the Convention. Such a decision of the Commission will not only effect damage to this Convention but will be a bad example for other conventions on protecting the living resources of the sea. We hope that the Norwegian Government and the Government of the Netherlands also realise this, and undoubtedly will find it possible to revise their decision to withdraw from the Convention, and will make efforts to reach an agreement among the countries operating in the Antarctic. There is no doubt at all that signatory Governments will welcome this step by Norway and the Netherlands.

At the same time, we consider it necessary to declare that if Norway and the Netherlands do not rejoin the Convention, the Soviet Union will continue to follow this Convention in operating whaling in the Antarctic, taking into account the position and practice of other Governments and the interests of the Soviet whaling industry.

Thank you, Mr. Chairman.

- 54 -

Mr. K. NISHIMURA (Japan): If I may say something on this proposal, Mr. Chairman, I think I can just say that my delegation shares the views of the United Kingdom and the United States delegations in principle, and feels that it is necessary to bring back Norway and the Netherlands to the Convention.

However, as to the details or individual points contained in the United Kingdom memorandum, we have just received the full information of it this morning and therefore we are not in a position yet to express any opinions on them.

The CHAIRMAN: Thank you, Mr. Nishimura. Any other statements?

Mr. P. GRIBELIN (France)(interpretation): Mr. Gribelin wants to point out that he considers it quite necessary to see Norway and the Netherlands coming back to the Commission; and he is ready to give every support to the United Kingdom proposal in order that we can study the possibilities of maintaining the stock of whales.

Mr. Gribelin also says that he understands quite well that some countries do not agree entirely. He is quite ready to accept this position; but he is still quite in favour of the United Kingdom proposal, and this is the main point.

The CHAIRMAN: Thank you very much, Mr. Budker. Mr. Horrocks?

Mr. W. A. HORROCKS (South Africa): Mr. Chairman, as far as the South African Government is concerned, it is naturally very anxious that every step should be taken by the Commission to ensure the early return of Norway and the Netherlands to the operations of this Commission.

If the Commission is satisfied that the suspension temporarily of Paragraph 8 of the Schedule will have the desired effect of bringing them back into the discussions of the Commission, and reaching a solution, I am quite sure my Government would support it. In those circumstances, Mr. Chairman, I am prepared to support the United Kingdom delegation.

The CHAIRMAN: Thank you, Mr. Horrocks.

Mr. J. V. SCOTT (New Zealand): Mr. Chairman, New Zealand has given the proposal that has been presented by the United Kingdom this morning very careful consideration. We believe that the proposal if adopted offers some hope that the Netherlands and Norway would rejoin the Commission, and that the status quo would be preserved for two years. But, we also see that the proposal would have the disadvantage that it would regularise for two years the existing practical quota level of blue whale units which is far out of line with the scientific evidence.

The prospect of securing a return to a reasonable level of catching, which in our view would need to be well below the existing level of catching after two years, is probably remote. Even if the proposed new scientific group is entirely objective in outlook, as we would expect it to be, we are bound to ask whether the pelagic whaling members of the Commission are any more likely to

pay regard to their findings than they have in the past to the findings of our own Scientific Committee. The evidence of the depletion of whale stocks exists and cannot be ignored. If Norway and the Netherlands return to the Convention, as we very much hope they will, they will return on terms which in practice will hardly be more beneficial from the point of view of conservation than those which already exist. The Netherlands and Norway, whilst not members of the Commission, nevertheless respect the existing provisions of the Convention except those relating to total catch. But the limit of total catch of 15,000 blue whale units is no longer observed. Following the failure of the five pelagic whaling countries last year to determine the quota for each country within the limit of 15,000 units set by the Commission, Norway and the Netherlands withdrew from the Commission. The pelagic countries, ten set their own limits for 1959/1960 season and these totalled 17,675. Admittedly, bad weather and the shortage of whales did not permit this total figure to be reached in practice, despite the fact that the total catching period for all factory ships averaged about 99 days - a substantially longer period than the average of 69 days over the previous three seasons. But the total catch did, in fact, exceed the limit set by the Commission by 510 units.

This situation must surely give the pelagic whaling countries, and indeed all members of the Commission, cause for great concern. It can only lend support to the view that strict adherence to the Convention is the only practicable way of attempting conservation measures in the Antarctic.

Now, in the unsatisfactory present situation, New Zealand cannot agree to a proposal which would have the effect of rewarding the action of the Netherlands and Norway by the Commission's formal recognition - even for a two-year period - of their claim.

Thank you, Sir.

The CHAIRMAN: Thank you, Mr. Scott.

Mr. G. R. CLARK (Canada): Mr. Chairman, we have listened with a great deal of interest to the comments on the United Kingdom proposal, which I might say we too have just received this morning and have not had an opportunity to study in detail.

I would like to point out, Mr. Chairman, in paragraph 4 of the United Kingdom memorandum, that in our opinion it was not because of the 15,000 blue whale units that Norway and the Netherlands withdrew from the Convention, I think this is a wrong premise. We do not think that whether it had been 10, 12, 15 or 20 thousand it would have resolved the problem which faced the Commission last year when the two countries withdrew from the Convention.

However, with the very short time to study the United Kingdom proposal, Mr. Chairman, the Canadian delegation agrees with the urgent desirability of Norway and the Netherlands rejoining or becoming signatories again to the Whaling Convention. We also could agree, Mr. Chairman, to the establishment of the appropriate scientific group to study the available data with the modification suggested by Mr. Herrington of the United States delegation. We could also agree, Mr. Chairman, to the observer scheme which has been pointed out in the United Kingdom memorandum. We could also, I think, agree Mr. Chairman to giving further protection to the blue whales by changing the date, as suggested by the United Kingdom delegation.

However, Mr. Chairman, we do not think it at all desirable, in the light of the general reports which this Commission has, to remove the Antarctic

- 56 -

quota for two reasons. In our view, this is absolutely contrary to all conservation practices and principles.

Those, Mr. Chairman, are our comments at this moment. Thank you.

The CHAIRMAN: Thank you, Mr. Clark. Any other delegations? This is a very helpful discussion, I am sure. If each delegation would care to express a view that would be still more helpful, and I imagine that I should have the Commission with me in saying that if the Netherlands and Norwegian representatives wish to make any comments we should be very pleased to hear them.

Mr. G. J. LIENESCH (The Netherlands): Mr. Chairman, Gentlemen, I would like to thank the Commission for the kind invitation to stay here as observer to listen carefully to the discussions in trying to find a solution to the difficulties we are in at the moment.

I must say, Mr. Chairman, I was much impressed by the United Kingdom memorandum that has been put before the Commission this morning. I can tell you that our Minister of Agriculture, through whom the matter would be conveyed to our Government, is already prepared to consider the proposal with the utmost sympathy as soon as it is in his hands. I am, therefore, most interested in the final effect of the discussions in this Plenary meeting.

As regards the remarks made by Mr. Clark, saying that Norway and the Netherlands' reason for withdrawing was not only because the total catch might not be increased, this interpretation is not fully in accordance with the developments last year. Indeed, I know quite well that there has been some pressure in the Netherlands to increase the total so as to make it possible to be members of the Commission in the years to come. I personally feel very sorry about the situation we are in at this moment, and I very much hope that there will be a unanimous proposal from this Commission that I can take home to my Minister so that action can be taken in the way that is in accordance with the aim of the conservation of the living resources of the sea. Thank you.

The CHAIRMAN: Thank you, Dr. Lienesch, we are very glad to hear from you again. Would Mr. Ribu wish to say anything from Norway's side?

Mr. E. A. RIBU (Norway): My status as observer is the same in that I am not authorised to speak in the meeting.

However, I should like to take this opportunity to thank the Meeting for inviting us to attend this Plenary meeting. I am sorry. Thank you.

Mr. W. C. HERRINGTON (U.S.A.): If I might comment a little further, we listened with much interest to the expressions of opposition to suspension of the ceiling and the reasons why this would be a very bad precedent, and why it should be opposed in principle. I think we can agree with all of this, or nearly all of it. But I think the great danger is that we can sit here on principles and watch the whale stocks being destroyed. So, how do we find some way out of the dilemma we are now in?



- 57 -

We see nothing particularly sacred about 15,000 blue whale units. I think most of those present do not believe that 15,000 blue whale units is sanctified by scientific evidence. The whale stocks can be destroyed under a 15,000 blue whale limit perhaps not quite as fast as under the proposal that the United Kingdom has advanced.

Now if the Commission would commit itself to get its house in order and to get its limits in line with the scientific evidence within some specific period, we feel that we could strain this principle enough to go along with that. In other words, the action to suspend the ceiling and to strain principles there could maybe be taken on consideration of what I think is an even higher principle, that is that the Commission will, within some specified period, get its limits in line with scientific evidence.

That is the reason why the United States delegation is prepared to strain the principles providing this will lead to the strongest commitment possible: that the Commission will get its measures in line within a period - I would hope - of one or two years, the shortest time possible.

It seems to me that our job here is to find how to solve the problem, and see if we cannot get some better assurance by maybe a slight concession, rather than the Commission going along as it is now doing. If the Commission fails to get control of the problem in the next few years, the whale stocks will be so small that most of you will be out of business and you will talk about the reason why the whale stocks were destroyed instead of how they can be preserved.

The CHAIRMAN: Thank you, Mr. Herrington.

It is almost time for coffee, gentlemen. If any delegation does wish to say anything more before coffee, let us hear from them. Otherwise, you may wish to consider the statements made this morning over coffee, and you may wish to discuss the matter further amongst yourselves in the various delegations. After coffee we can hear anything further in statements that delegations may wish to make. If there should be no further statements, or the position should seem to be as it now is, it may be that we should soon proceed to take what I gather to be the crux of this: that is, the blue whale unit ceiling, and we might therefore take the appropriate item on the agenda, 17, and, if necessary, take a vote on that part of the proposal first of all. I just throw that out: whether that would be the correct way to proceed. (Agreed)

Let us adjourn for coffee.

(The Meeting adjourned at 11 a.m. and reconvened at 11.45)

The CHAIRMAN: Gentlemen, may we resume ?

The United Kingdom memorandum has now been circulated as a Commission document which, of course, is what it is meant to be. Copies will be passed round as IWC/12/17 on a small covering note. That is simply by way of information.

Would any delegation wish to resume the discussion ?

Mr. J.V. MORONEY (Australia): Mr. Chairman, I find myself in a rather difficult position in this matter. I have had no opportunity to consult my Government and I think that such high level policy in principle is involved in this that I should have wished to do so, had I had time.

I must frankly say that I have serious reservations on the United Kingdom proposal on somewhat similar lines to those expressed by the delegates of the Soviet Union, Canada and New Zealand. On the other hand it is paramount in my thinking that in the interests of survival of the whaling industry there must be some measure of order maintained, otherwise the law of the jungle will prevail. For instance, the observance of opening and closing dates is in itself a regulating influence on the catching capacity. In short, I will say that I am by no means happy with the proposals, but I feel on balance that I must support them. However, I think this should go hand in hand with a very serious appeal to all the pelagic whaling nations to do the decent and sensible thing. I find myself also in difficulty with the United States suggested amendment to the resolution on the scientific committee. Again it is a matter of principle. I ask, should a body of this status bind itself not only to accept the finding of this small bunch of scientists but also - and I think this is more important - to act on them ? It seems to me to disregard the status of the Technical Committee and in fact that of the Commission itself. The Commission should consider all aspects of the matter before taking such a decision.

For instance, scientists may put a ceiling of, say, as a hypothetical figure, 8,000 blue whale units. If that figure were adopted it might well disrupt the Convention and the Commission itself, whereas a figure of perhaps 10,000 units if negotiated might save it. Therefore surely the Commission must reserve to itself the right to make its own final decision based on the broadest consideration of all facets of the problem.

On the scientific point, Mr. Chairman, if you would agree I would like Dr. Kesteven to be allowed to say a few words.

The CHAIRMAN: Thank you. Dr. Kesteven.

Dr. G.L. KESTEVEN (Australia): Mr. Chairman, I should like to make some observations on the practical aspect of this proposition of a committee of three experts to provide us with answers that we apparently have not been able to get for the past ten or more years.

First of all is the practical problem of whether we find the three people who would have the time to spare to do all the work that would be necessary and to do that alone. There is the second question of whether they would

in fact, given all the data on paper, be able to reach the kind of conclusion that would have to be reached. There are certain technical questions of the measurement of the effect of the design of the sampling programme, the reading of ear plugs, the examination of and the interpretation of population coefficients which I believe - and I think I am supported by some of my scientific colleagues - cannot be resolved by people who have only the data before them.

These are matters which require practical exercises such as have been suggested in the proposition for a workshop. I should like to put before the Commission the suggestion that perhaps there is a way of marrying these two ideas. We have proposed in our proposition about the workshop that we should have the help of population dynamists and I would think that we could do the work proposed in that workshop in a way that would enable those experts to arrive at the kind of conclusion which the Commission wants with the help of those people, not independently of them, although they could then make independent reports separately on the nature of the work being done by the research people on the order of accuracy that the research methods at present permit, and on the rigour of logical processes being followed by the research people.

I do believe that of itself the proposition for three people to take the data and resolve these problems is not really a practicable one.

Dr. N.A. MACKINTOSH (United Kingdom): Would you like me to say something on that, Mr. Chairman?

The CHAIRMAN: Yes, on the scientific proposal let us hear Dr. Mackintosh from the Scientific Committee.

Dr. N.A. MACKINTOSH (United Kingdom): I do not know whether I can put any very new angle on the question, Mr. Chairman, but first I think I would say that in our Report, in paragraph 36, I think it is correct to say that the majority of the Scientific Committee were prepared to recommend this to the consideration of the Commission, that is to say that a small committee of experts should be set up, although we did not define the committee in any very precise terms.

I would myself think that a small committee meeting in the comparatively near future could certainly be helpful and as I understand it would be to look at existing data and they might well be able to give an independent second opinion on the condition of the fin whale stock, confirm perhaps that it was declining. It was a question of seeing how far they could go to help us. But I agree that in order to make any decision on the sustainable level of yield would be a rather bigger question and there one has to do something more than merely put the data forward, but explain the meaning of the data and its limitations. I think that there one has to go further and have the full co-operation of scientists who are familiar with this work and perhaps, as Dr. Kesteven has said, this might be where the workshop could come in.

The CHAIRMAN: Thank you, Dr. Mackintosh.

Mr. J. HERTOFT (Denmark): I also find myself in a rather difficult position, Mr. Chairman, and I must say I agree with the remarks made by the U.S.S.R., New Zealand, Canada and so on regarding the purpose of the Convention in relation to the proposals put forward by the United Kingdom delegation. But on the other hand, as I said already last year, we are faced with a situation where we risk that there would be a total breakdown of the Commission, and in these circumstances I was very willing to support any extraordinary step in order to prevent such a thing happening. I have therefore come to the conclusion that the United Kingdom proposal is the only one put forward to the Commission at the moment to try to prevent a total breakdown and the re-entry of Norway and the Netherlands into the Commission; I must say I am in favour of this proposal. I am sorry if my English is not good enough, but I hope I made myself clear.

The CHAIRMAN: You did indeed, Mr. Hertoft.

Mr. B.C. ENGHOLM (United Kingdom): Mr. Chairman, I should like to add one further point on this question of the suspension of the ceiling. The United Kingdom fully sympathises with the views which have been expressed by certain countries' delegations, that in some sense this looks as though it may be weakening the Convention but, as the delegate from the United States has said, we have got to be realistic about this. We are faced with a really difficult situation and it seems to us that this is the only practical way of trying to make some advance towards the objective, which I think the whole of the Commission is in agreement with, of securing the return of Norway and the Netherlands to this Convention.

May I make this point: in that in relation to this specific proposal which we have put forward. We have put this forward on the understanding - on condition, if you like - that Norway and the Netherlands would then find it possible to rejoin the Convention. If the Commission feels that this is the right step to take and is prepared to support this proposal, and if subsequently Norway and the Netherlands do not find themselves able to rejoin the Convention as a result of this action being taken, then so far as the United Kingdom is concerned we would be perfectly prepared - together, I hope, with the U.S.S.R. and Japan - to exercise our right of objection under the procedural rules. This would mean that so far as the Antarctic whaling countries inside the Convention are concerned, if Norway and the Netherlands did not return, the ceiling under Paragraph 8 of the Schedule would then re-apply so far as the three countries in the Convention are concerned.

This is therefore a provisional step and I do not think it need in any way prejudice the position of the Commission. It is put forward on the basis of Norway and the Netherlands then being able to rejoin the Convention. I repeat, however, that if they do not find that possible within the period which is allowed for objections, it is possible then for this particular provision to be nullified so far as the Antarctic whaling countries are concerned. In the light of the U.S.S.R. statement I imagine that they themselves would find no difficulty in saying that they would exercise their right of objection so as to restore the ceiling so far as they are concerned, in the event of Norway and the Netherlands not rejoining the Convention. As I have said, the United Kingdom would be prepared to do the same and I hope that Japan would also be prepared to act likewise, in which case, if the objective lying behind this did not in fact materialise, that is to say if Norway and the Netherlands still found it impossible to rejoin the Convention, it would then be possible, by that action being taken,

for the position under Paragraph 8 of the Schedule to be restored so far as the Antarctic whaling countries inside the Convention are concerned.

The CHAIRMAN: Are there no other contributions to the general discussion of this United Kingdom paper? If not, I think we had better proceed to action.

My suggestion before the break was that we might perhaps start by taking the blue whale unit ceiling, Item 17 (c) in our Agenda, and take a vote on that item and the United Kingdom proposal set out at the end of their paper. But I am, of course, perfectly prepared to take these items in any other way if Commissioners would prefer another procedure.

Mr. B.C. ENGHOLM (United Kingdom): Mr. Chairman, it seems to me that from the comments which have been made in the general discussion perhaps the point of primary importance in connexion with our proposal is that relating to paragraph 8 of the Schedule on the suspension of the ceiling for two seasons. I am wondering, therefore, whether in the light of the views that have been expressed there has been a good measure of support for that proposal as being the only practical way of proceeding. Understandably, a good deal of that support is being given with some reluctance and I may add that we ourselves have put forward this proposal with some reluctance as the only way in which we can see we can make progress, but since this does seem to be the most important element in the composite proposals that we have put forward, and since it might perhaps clear the air for what the Commission would wish to do on other matters, I wonder whether perhaps it might be desirable to take that particular provision first.

The CHAIRMAN: The amendment to paragraph 8 (a), yes. May I then put the proposal, Gentlemen, which is that in paragraph 8 of the Schedule ~~for~~ the words quoted "in any one season" there should be substituted the words "in 1962/63 or in any subsequent season" the effect of which would be to suspend the blue whale unit ceiling for the next two seasons. That is proposed by the United Kingdom. Is the proposal seconded by any Commissioner?

Mr. W.A. HORROCKS (South Africa): I should like to support the proposal of the United Kingdom.

The CHAIRMAN: Seconded by South Africa. Thank you. Are there any amendments? If there are no amendments I will ask the Secretary to take a vote on this proposal.

The SECRETARY: Gentlemen, in polling the Commission I must ask Commissioners to reply yes, no or abstain, if you would be so kind. I will go round the Contracting Governments in alphabetical order. Have I made myself quite clear on that question? I would interpret yes as meaning you are in favour, no that you are against, and abstain that you prefer not to express a view.

Dr. A.R. KELLOGG (U.S.A.): Mr. Chairman, there are some countries that may have a reservation here and you cannot proceed as we have in the past; sometimes it is conditional.

The CHAIRMAN: Conditional in what sense, Dr. Kellogg?

Dr. A.R. KELLOGG (U.S.A.): There may be a minor reservation or two things tied together.

The CHAIRMAN: If a Commissioner has a reservation I am prepared to write it down, but I would be in a dilemma, I think, in such a case. I doubt whether I should count the yes as for the resolution.

Dr. A.R. KELLOGG (U.S.A.): Some people will have to abstain, then, and you do not get an expression of views. We have had this situation arise before.

The CHAIRMAN: I wonder if this suggests that there is some other proposal that we ought to clear out of the way first. Is that your meaning?

Mr. W.C. HERRINGTON (U.S.A.): We have stated that we can support the idea of suspending the ceiling only if the Commission takes some related action, therefore we cannot well vote for the suspension by itself because if this should be carried and the Commission failed to take the other action we are in violation of our instructions. Could we vote on the two proposals together, or vote on the other proposal first?

The CHAIRMAN: Which is the other proposal, Mr. Herrington, that you have in mind?

Mr. W.C. HERRINGTON (U.S.A.): We have stated that we can support the suspension of the ceiling only if the Commission takes the further action of setting up the scientific committee and accepts the obligation to get the Antarctic catch ceiling in line with the findings within some period of years. Could something be said to this effect: "It is the intent of the Commission in setting up the scientific committee that the Commission will, within a specified number of years, bring the catch limits into line with the scientific findings."

The CHAIRMAN: This suggests to me that perhaps we ought to take Resolution 1 in the United Kingdom paper before we take any vote on the blue whale unit ceiling, otherwise the United States and maybe other delegations are in a difficulty. Is that the position?

Dr. A.R. KELLOGG (U.S.A.): That is right.

The CHAIRMAN: May we go back then and if other delegations are agreeable may we look at Resolution 1 on the United Kingdom paper?

First of all can we settle this matter? This Resolution 1 needs to be read in conjunction with the paragraphs 34 to 36 of the Scientific Committee's Report.

Dr. A.R. KELLOGG (U.S.A.): Could I make a suggestion for shortening this, in order to clarify the intent? "It is the intent of the Commission in setting up the scientific committee that the Commission will within two years after the termination of the two-year suspension bring the Antarctic catch limit in line with the scientific findings." That gives plenty of time.

Mr. B.C. ENGHOLM (United Kingdom): Could we have that again, Mr. Chairman?

The CHAIRMAN: Would you mind reading it slowly, Dr. Kellogg, so that we can write it down?

Dr. A.R. KELLOGG (U.S.A.): "It is the intent of the Commission in setting up this ~~special~~ scientific committee, that the Commission will, within two years after termination of the two-year suspension, bring the Antarctic catch limit into line with the scientific findings."

We might substitute "should" for "will" if you choose. If you want to make it more emphatic, say "shall".

The CHAIRMAN: Whichever word you wish to use.

Dr. A.R. KELLOGG (U.S.A.): It is immaterial to me. It all depends on international law. "Will" and "shall" must have different connotations.

Mr. J.V. MORONEY (Australia): Could I have a clarification of the intent of those two years. They could be read two ways, one meaning within four years from now or the other meaning immediately after the termination of the two-year suspension. I should like to be clear which is meant.

Dr. A.R. KELLOGG (U.S.A.): With the wording used, the maximum would be four years but it would be preferable within two years. In other

words we are not prepared to see the matter drift indefinitely. I should like to make that as a formal motion.

The CHAIRMAN: This would be added at the end of the draft resolution ?

Dr. A.R. KELLOGG (U.S.A.): You could substitute it; that is actually what we intended. It could be in addition to it; that shows the purpose of the committee and why we are setting it up.

The CHAIRMAN: Ought we in concluding this proposal also to give our minds to the Scientific Committee's proposal for a workshop, because I believe these things are related.

Mr. W.C. HERRINGTON (U.S.A.): I should like to comment briefly on that. I think it would certainly be desirable and necessary that this proposed scientific committee would consult with the Commission's Committee. I think this would be necessary. Perhaps this is the sort of thing that has been suggested as the workshop idea. Then, on the basis of their analysis of the data and their consultation, they would draw up their report.

Now a question has been raised as to whether it would be possible for this committee to reach any conclusions concerning the sustainable yield, and if maybe the data would not justify any such conclusions. In that event the committee would have so to report and that itself, I think, would be a valuable contribution to the work of this Commission.

On the other hand, I have worked closely with a number of Commissions in a number of situations where experts in population dynamics have been brought to bear on the data and on the type of analysis developed in recent years and have come out with quantitative conclusions as to such things as the sustainable yield, and I think there is a reasonable possibility that they would be able to do so in this situation. There is nothing you can be sure about, but I think that in any event their conclusions would be of great value to the further work of this Commission. So perhaps the proviso that this group would consult to any extent necessary with the Commission's Scientific Committee would meet the suggestion that has been made.

The CHAIRMAN: Thank you, Mr. Herrington. Would the United Kingdom wish to consider any amendment of this resolution in order to marry it up with the workshop idea, as Mr. Herrington suggests ?

Mr. B.C. ENGHOLM (United Kingdom): It is, I think, a little difficult off the cuff to suggest an amendment which would marry it up with the workshop idea, though I would not in any way dissent from the general view expressed by Mr. Herrington that if the Commission decides to go in for further research as the Scientific Committee suggests, clearly that ought to be taken into account by the Commission in considering the level of the catch limit.



I wonder whether I might make one other comment on the suggested addition to our resolution which the United States have put forward. I cannot quite understand the position of the United States in this matter. I think there is perhaps a formidable difficulty in this to which the Australian delegation referred and that is the formal difficulty of the Commission saying that it will actually bring the Antarctic catch limit into line with the scientific findings, bearing in mind that I think I am right in saying that Article V does lay down certain criteria which the Commission have got to take into account in deciding the catch limit, which includes the scientific findings but which mentions one or two other things. I am wondering, therefore, whether we could perhaps achieve the same objective, with which I am not in disagreement in any way, but at the same time meet the point raised by the Australian delegation, which may cause some difficulty to other delegations, also by perhaps amending the last words of the addition suggested by the American delegation in this way.

The first part of the proposal was "It is the intention of the Commission in setting up the special scientific committee that the Commission will, within two years after the termination of the two-year suspension" - then it is from that point that I would suggest this alternative wording - "consider the appropriate level for the Antarctic catch limit on conservation grounds on the basis of the scientific findings of that committee". You may like me to repeat those words a little more slowly. In the last part: "consider the appropriate level for the Antarctic catch limit on conservation grounds on the basis of the scientific findings of that committee".

I would repeat, Mr. Chairman, that the purpose of this suggestion is purely to bring this addition into line with what I understand is the formal position under the Convention, of the Commission. It is following up the remarks made by the Australian delegate when he commented on this at an earlier stage.

Mr. W.C. HERRINGTON (U.S.A.): The concern of the United States here is that the catch limit be brought into line with the scientific findings by some specified time. It might be possible for the Commission to take the report and over a period of five years or ten years get the catch limit into line, but in five or ten years it is quite likely the limit should be half as much, so how can you establish an obligation in these circumstances? You must establish it as far as you can. I admit you cannot commit Governments to this. The purpose is to establish some obligation so that the Governments will take this action. It is impossible to state the intent of the Commission in setting up this committee. This is not binding Governments but it makes clear the purpose for taking this action.

Now I fear that the wording suggested by the United Kingdom delegation to me means that after two years the Commission will consider what it does. We would hope that after two years the Commission would have put these results into effect. It seems to me that this provides a means of stalling for a further period of time.

Mr. B.C. ENGHOLM (United Kingdom): Could I just comment on the remarks made by Mr. Herrington? I can quite sympathise with what he has said and it would be our hope too that provided Norway and the Netherlands are back inside the Convention the Commission would take action in the light of the scientific findings that have been put forward by this committee and any other scientific findings or results of research work

- 66 -

from the workshop if the Commission decides to set it up. As I said, my only intention in putting forward this alternative wording was to try to meet the formal point. It may be that I am wrong in thinking that there is a formal point on this. As I understand what the Australian delegation has said, they felt that there might be some difficulty from the formal position in actually stating that the Commission would bring the Antarctic limit into line. It is simply with that in mind that I made my suggestion.

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.): (Interpretation): The Soviet delegation does not object to setting up the scientific committee but on condition that this question will not be bound to the suspension of the quota. We shall object to this proposal if this question will be bound to the suspension of the quota. That is why we consider it possible to support the proposal of the Chairman to settle the question of quota first.

The CHAIRMAN: Thank you, Mr. Sukhorutchenko.

Mr. W.C. HERRINGTON (U.S.A.): Mr. Chairman, if the word "should" is used instead of "will" does this meet the objection that this proposal binds the respective countries? It is not an expression of intent. Are we not now in the field of discussing whether we really mean it when we say we ought to apply conservation measures to the whale stocks. We may talk about the principle of conservation and the stocks may die while we support the principle. We have got to have some action, so cannot we get something here that shows the Commission is interested in action in addition to the principle?

Dr. A.R. KELLOGG (U.S.A.): Furthermore, Mr. Chairman, I would think that the substitution of the word "should" would meet the objection of the Soviet delegation. It indicates that the intent should, rather than making it obligatory that they will or shall.

The INTERPRETER: I do not quite get the point.

The CHAIRMAN: May I explain that the United States delegation is suggesting that in the addition which they propose to Resolution 1, the word "will" should be altered to "should" so that it would read "it is the intention of the Commission in setting up this special scientific committee that the Commission should within two years" and Dr. Kellogg went on to say that he wondered whether this might meet the point which the U.S.S.R. delegation has just raised.

The INTERPRETER: May I have your copy, because I did not manage to put it down. (The copy was handed to the Soviet delegation.)

- 67 -

Mr. B.C. ENGHOLM (United Kingdom): Mr. Chairman, in the light of the remarks that have just been made on the proposed addition of the United States, we should be prepared to accept the proposal which they have suggested with the alteration of the word "will" to "should", subject to the addition of certain words at the end which I believe will be acceptable to the United States. These words are, after "scientific findings" which is the end of the American proposal, the following words: "having regard to the provisions of paragraph 2 of Article V of the Convention". The purpose of the addition of these words is to bring this proposal into line with the Convention as it at present exists, which does lay down certain criteria which should be taken into account by the Commission in deciding on this particular matter. I hope that this addition will be acceptable to the United States.

Dr. A.R. KELLOGG (U.S.A.): We will agree to it.

Mr. J.V. MORONEY (Australia): Mr. Chairman, there is one point that I would like cleared up. It stems from the remarks of the Soviet delegation. The United States amendment, with the insertion of the word "should", reads: "should within two years after termination of the two-year suspension". Taken at this point I suggest that this does not mean anything, because this Commission has not agreed to any suspension. I cannot see the significance of the use of those words at this point. There is no suspension in operation.

The CHAIRMAN: This is a formalistic point but none the less important. I suppose you could meet it by saying "within a period of four years from now". Is that what one would need to do?

Mr. J.V. MORONEY (Australia): If that was the intention, that would be different and would obviate the suspension which has not been decided upon.

Mr. W.A. HORROCKS (South Africa): That might get us out of many of our difficulties, because a resolution of this type could be passed whether or not you suspend the catch limit. I would suggest, therefore, that those words be deleted, "the suspension of the catch limit" and the words "four years" inserted instead of two.

The CHAIRMAN: Thank you. What would the United States delegation say?

Dr. A.R. KELLOGG (U.S.A.): Leave out any reference to the suspension. Just say "within four years".

The CHAIRMAN: "Within four years from now" should we say?

- 68 -

Dr. A.R. KELLOGG (U.S.A.): From the coming season.

Mr. W.C. HERRINGTON (U.S.A.): Within four years of the date of this meeting.

The CHAIRMAN: Within four years of the date of this meeting. That might be a little awkward if the Whaling Commission meets at a later date in 1964.

Dr. A.R. KELLOGG (U.S.A.): Within four years of the termination of the Twelfth Meeting.

The CHAIRMAN: We should say "not later than July 1964". Does that not cover it? The Commission will not meet later than July.

Dr. A.R. KELLOGG (U.S.A.): That is all right. July 1st or July 31st?

The CHAIRMAN: July 31st is safer, is it not?

/I should like to ask the U.S.S.R. ...

IWC/12/11

I should like to ask the U.S.S.R. delegation whether this revised wording would resolve the point which they made a moment ago, that they would not wish this resolution to be bound to the quota as they said. The new wording would be, "It is the intention of the Commission in setting up this special scientific committee that the Commission should, not later than 31st July, 1964, bring the Antarctic catch limit into line with the scientific evidence." And then the United Kingdom proposed adding "having regard to the provisions of Article V (2) of the Convention."

Mr. W. C. HERRINGTON (U.S.A.): I believe, since we are talking about time limitations, that it must follow that in setting up this committee they must be instructed to make their study and bring back a report within some specified period. I would think a period of six months or nine months or some such would be necessary.

The CHAIRMAN: You would wish to add a reference to a date in the first part, in the typed part of this resolution, would you? After the words "report to the Commission"?

Mr. W. C. HERRINGTON (U.S.A.): I believe that would be desirable.

The CHAIRMAN: What would you suggest?

Mr. W. C. HERRINGTON (U.S.A.): It had better be one year after the date they are appointed.

The CHAIRMAN: Could we keep the same wording, "not later than..." What would be the date?

Mr. W. C. HERRINGTON (U.S.A.): 31st July, 1961. I do not think you can do this because you do not know how long it will take to set them up. It has to be dated from the time they are appointed.

The CHAIRMAN: Within one year of their appointment. That is the sense of your suggestion?

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.) (interpretation): We understand that this amendment in this respect: that the committee will be still set up on the condition that the suspension of the ceiling will be determined instead of for two years for four years.

From our point of view it seems that in the period of time when we will be studying this problem no whales will remain.

We agree that the committee should by all means be set up, but we should preserve the quota as an obligatory point for the existence of the Convention.

The CHAIRMAN: Thank you. May I explain that, as I understand it, the position is this: the effect of this resolution we are now discussing, and of the United Kingdom proposal about the blue whale unit ceiling, would be that the blue whale unit ceiling would be suspended for the next two seasons, and that immediately thereafter the Commission would have to take a further decision whether or not that suspension was to be further extended. But there would be no commitment as to what the decision of the Commission might be at that time.

Mr. B. C. ENGHOLM (United Kingdom): Mr. Chairman, in order to help the delegation of the U.S.S.R., and I can understand their difficulty, I would like to say that so far as the United Kingdom is concerned we would be prepared to support this resolution in its amended form without necessarily tying it to the later action of the Commission in deciding what to do on paragraph 8. In other words, we are prepared to take the two things as separate proposals and to vote on this one without in any way prejudicing what may be the decision of the Commission on paragraph 8.

Mr. J. V. MORONEY (Australia): I was going to say the same thing.

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.) (interpretation): We are willing to accept the proposal of the United Kingdom

Mr. C. R. CLARK (Canada): It seems to me that it might be most desirable, if it is possible early this afternoon to have a fresh copy of this resolution, because I think there is still some confusion.

While I am at it, Mr. Chairman, I would like, before this proposal is put to the Commission for voting, to raise some questions about it. For example, who is to pay the expenses of the specialists? I think too that the Commission must consider that even if we were to obtain the services of three qualified scientists, these people are not too readily available, so that I should think it might take some time to obtain the services of such qualified people.

The CHAIRMAN: Thank you. May I add a practical point which bothers me sitting in the Chair. This resolution requests the Chairman to appoint a small committee and presumably find the right people without guidance. This Chairman is quite incompetent to do any such thing. The next Chairman may or may not be, but seriously I wonder whether the Commission should not give the Chairman some guidance, something more than simply asking him to find three people of a particular kind. I am sure it would be appreciated if the Chair could be given some suggestions or at least some help from the Commissioners.

Mr. G. R. CLARK (Canada): I quite agree with you, Mr. Chairman. I think it is imposing a considerable responsibility on the Chairman of the Commission of the Commission to select and appoint these three specialists.

Mr. W. C. HERRINGTON (U.S.A.): If I recall, about two years ago at the 1958 Geneva Conference on the Law of the Sea the delegations faced a somewhat similar problem in setting up a means of resolving a conflict in views of different countries. At that time a solution was found by providing that the Secretary General of the United Nations should appoint such a committee of a somewhat similar nature, and the fears expressed were resolved by providing that on consultation with the parties in the dispute he would appoint such a committee. In other words, the Chairman may certainly consult with any members of this Commission as to their ideas of who might be qualified for such an appointment.

Would this not provide the kind of assistance that you have indicated would be desirable for advice?

The CHAIRMAN: It may be a question of the time factor. This committee, as I understand it, needs to be set up and its work done fairly promptly. The Commissioners live all over the world. It might take some time for the Chairman to consult sixteen or more countries on their thoughts and ideas.

Mr. W. C. HERRINGTON (U.S.A.): I do not think it should be mandatory that he consults with all members of the Commission. I think a good deal of discretion could be left to him, and I think that probably some members of the Commission would not be greatly concerned, others might be. If they were greatly concerned, presumably they would express their concern to the Chairman. I would think that that discretion should be left in the hands of the Chairman, who are always able men well qualified to perform under this responsibility. I believe that if the majority of the nations were prepared to make the commitment on a much broader scale this Commission might be able to do it on a rather narrow scale.

The CHAIRMAN: Yes, I would still think that the Chairman might ask for somewhat clearer guidance. You see, he has to determine that they will be qualified in population dynamics or another appropriate science, and the Chairman of this Commission is normally not a scientist.

The first questions for him to resolve are what are the appropriate sciences within whose fields he has to look. This is quite some job to give the Chairman, and if the Commission could give some clearer guidance during the day it would be much appreciated.

Mr. B. C. ENGHOLM (United Kingdom): Might it perhaps overcome the problems that you see facing the Chairman, if the request to the Chairman were that he should appoint this after consultation with such member Governments as he thinks desirable, and, on the point you have just made, after consultation with the Chairman of the Scientific Committee who would no doubt be able to provide the necessary scientific guidance to which you have referred.

The CHAIRMAN: The time is getting on towards lunch, and Mr. Clark has suggested that we have a clean copy of this on the table this afternoon, and we will do that, and then perhaps these matters we have just been discussing could be more easily cleared.

Mr. J. V. SCOTT (New Zealand): May I make a specific suggestion for an addition to the draft which perhaps might be included in the discussion this afternoon, to take care of this point about the need for some collaboration between the committee of three and the mass of data and advice available now to the Commission.

I suggest the inclusion of the words, "in collaboration with the advice and data available to the Commission"

The CHAIRMAN: May we have the words again, Mr. Scott?

Mr. J. V. SCOTT (New Zealand): "To examine in collaboration with the scientific advice and data available to the Commission"

Mr. A. R. KELLOGG (U.S.A.): Mr. Chairman, I am assured that the International Bureau of Whaling Statistics will be pleased to co-operate in making data available.

The CHAIRMAN: Thank you. Thank you, Mr. Vangstein.

Mr. W. C. HERRINGTON (U.S.A.): I wonder if the purpose that the delegate of New Zealand had in mind would be equally served by the provision "to examine the scientific evidence and consult with the Scientific Committee of the Whaling Commission." It would be a somewhat simpler way of stating what I believe he has in mind.

The CHAIRMAN: "To examine the scientific evidence in consultation with the Scientific Committee"?

Mr. W. C. HERRINGTON (U.S.A.): Consult with. If you say they must examine in consultation with, it sounds as if they can only examine it when they are consulting. I think they should have latitude to do it by themselves if they so wish, and also the obligation to consult them.

Mr. J. V. MORONEY (Australia): I am just wondering whether that amendment proposed by New Zealand they lost sight of "the Scientific Committee's recommendation on the workshop idea. If not, perhaps the New Zealand delegate



might agree to some words such as, "with the assistance of a 'workshop' as proposed by the Scientific Committee, which the Commission hereby decides to establish."

The CHAIRMAN: We have not yet taken a decision on the workshop, of course.

Dr. A. R. KELLOG (U.S.A.): I think, as a practical matter, if the workshop is considered, we should have some advice as to how such a workshop will be financed in as much as we have the Report of the Administration and Finance Committee which shows clearly the amount of funds available to the Commission. Some way will have to be found to finance such a workshop. This is just a practical matter.

Mr. G. R. CLARK (Canada): I think it is a practical matter about who is going to pay for these specialists.

The CHAIRMAN: I suppose the intention is that they give their services free, but there might still be expenses.

Mr. Scott, do you prefer your wording, or Mr. Herrington's? How shall we word this?

Mr. J. V. SCOTT (New Zealand): I am not too firm about the form of words to be preferred. I am not out of sympathy with the suggestion made by the Australian delegate. Personally I said nothing because I was not sure whether we had got to that stage yet in our discussions. I thought if we left the wording in a rather more general form we could then at a later stage take a decision on the issue of setting up a workshop or not. If the workshop is set up, then it would comprehend the data and advice available to the Commission, and these three specialists could consult with it.

On the point raised by the representative of Canada, and your own comments, Sir, I wonder whether if we really are seeking eminent scientists in this field we should expect them to give their services for a period of six months, perhaps for nothing, to the Commission? Maybe we have to consider quite seriously whether the Commission has got to provide for some payment of some sort. It may have to be done in conjunction with the Finance Committee, so we need no recommendation on that.

The CHAIRMAN: Thank you, Mr. Scott.

Mr. W. C. HERRINGTON (U.S.A.): Since the United Kingdom in the first instance submitted its proposal, I wonder if they have some suggestions for financing the scientific committee?

- 74 -

Mr. B. C. ENGHOLM (United Kingdom): On the particular point of financing this committee, I would hope, as you yourself have expressed, that it would be possible to get the services of the scientists concerned free. But there would be certain expenses no doubt in connection with their meetings. I would hope that the Whaling Commission would be prepared to finance those sort of expenses.

If I may, while I am speaking, just add a further word on the various forms of words which have been suggested in addition to that originally proposed by New Zealand, I wonder whether perhaps one could resolve this by slightly changing the words proposed by New Zealand. I find it difficult to envisage collaboration with advice as such, and I was wondering therefore whether we could change those words to say, "In the light of the advice and data available to the Commission" This would, in fact, include anything which did emanate from a workshop if the Commission decides to set one up, and I think would probably cover the point made by New Zealand, and I hope also the various suggestions made by Australia and the United States.

The CHAIRMAN: May we at this point ask the Secretary to give us a clean draft taking this into account as it is one o'clock and I imagine the Commission would like to break for lunch. Is that agreeable? (Agreed)

Shall we resume at 2.30? We have a good deal to do, and I believe some delegations wish to leave tonight.

Dr. A. R. KELLOGG (U.S.A.): Not later than 2.30.

(The Meeting adjourned at 1.00 p.m.)

The CHAIRMAN: May we resume, Gentlemen. You have before you the redraft made by the Secretary over lunch of the resolution one. This includes the suggestions which were made in the course of our discussion this morning.

The Canadian Commissioner this morning raised the question of the cost of this enterprise and how it would be met. It is an important factor. Could anyone give the Commission an idea of what the cost might be likely to be? This is a matter we might then have to consider in the context of the Finance and Administration Committee's Report a little later, but it would be helpful to have some idea of the figure involved.

Mr. W. C. HERRINGTON (U.S.A.): Mr. Chairman, various suggestions have been tossed around here. I think some are based on assumptions. One question is who the Commission would nominate to serve on this committee. It might be that in some cases, if the individual were employed by a Government, possibly that Government might make his services available. I do not think we can assume they would, but it is a possibility. If Governments did that would affect the cost of the committees' operation.

Another question is how the meetings would be arranged, how long they would take, whether the committee should meet at the time of the meeting of your Scientific Committee which would presumably minimise the cost of consultation. I do think that you would require time for them perhaps to meet twice, once at the time of the meeting of the Scientific Committee, and an opportunity to study the data that they would get before or during that time. And then to confer again before they prepared their report, or when they prepared their report so that the costs will vary according to the place they meet, and the places from which they come and whether or not they are employed by a Government who would make their services available.

One might also think that since the countries which are directly concerned in Antarctic whaling are the countries which are chiefly interested, whether they would bear a substantial part of the cost.

The CHAIRMAN: Those countries may like to answer on that point.

Mr. B. C. ENGHOLM (United Kingdom): Mr. Chairman, perhaps in order to give some basis for discussion I might make this suggestion. It is, I think, very difficult to try and estimate exactly what the cost might be before we know exactly from which particular areas the members of this committee might be drawn, and therefore know what possible travel expenses might be involved. I think all one can do at this particular stage is to make a broad case. It seems to me likely that it will take a little time, as was said this morning, to get the committee appointed, and it is not therefore likely to start meeting until probably the autumn at the earliest. Therefore, its work is likely to be carried on into the next financial year and therefore the cost would be spread over two financial years. One takes that into account, even if one puts the figure for expenses of travelling and subsistence at a very rough estimate, somewhere of the nature of £2,500 to £3,000. If that were to be spread over two years it would mean a cost of the order of £1,500 a year.

As regards the suggestion that perhaps the three Antarctic whaling countries should bear the major cost, there are I think three points that I would like to make. One is the point which I made - perhaps at considerable length - this morning, namely that two of the Antarctic whaling countries are no longer members of the Commission, therefore it is a little

difficult to expect the three of the remaining members to bear the cost of this.

Secondly, there are certain other countries - as again we have heard during this meeting - that have a very direct interest in Antarctic whaling, as they have land stations which are affected by Antarctic whaling.

Thirdly, I would suggest that our main object in considering these suggestions is - as I think Mr. Horrington himself said this morning - with the idea of trying to save this Convention, which is in the interests of all the member Governments. Since that is so, I would suggest that it is perhaps more equitable and more sensible to think in terms of the cost being spread throughout the Commission, as is in fact the normal practice in relation to the scientific work which is carried out.

I make this suggestion merely for the Commission to consider.

The CHAIRMAN: Thank you. If Mr. Engholm is right in the assumption he has just made, it would seem that this would mean an increase in contribution this year and next from the figure, which I think is £250, which the Financial Committee is proposing to raise perhaps to £350 per country. That would be one method any way. That would be a method of meeting the cost if it were equally shared between all the countries, if the calculations or estimates made by Mr. Engholm are correct.

There is also, of course, the workshop proposal which we have to consider. If the Commission looked favourably on that, there is the question of whether the two things could be married at least in terms of meetings and expenditure.

Mr. W. C. HERRINGTON (U.S.A.): It seems to me that the amounts of money that we are talking about are rather small when compared with the cost to the nations of the world to have another conference negotiate a new whaling convention if this does not work. It would be worthwhile to make this one function even if it does cost a little more.

The United States Government are prepared, if a United States scientist is nominated to consider - and I am not making a commitment now - whether his services might be supplied. It would also be prepared to consider some increase in the assessment. But, granted that we all have a very great interest in the general problem of conservation, I do think that the pelagic whaling countries have a somewhat greater interest than do the rest of the countries. They are interested in the harvest from the stocks, the rest of us are primarily interested in conservation of the stocks.

Mr. G. R. CLARK (Canada): Mr. Chairman, it seems that we are at an impasse on this problem. But it occurs to me, Mr. Chairman, that in the past the Commission has had an Ad Hoc scientific committee which has met each year - usually in the month of May or some time like that. In trying to make some progress, Mr. Chairman, I have one or two suggestions that I should like to make to the Commission.

First of all, while it is true that we have not dealt with the Scientific Committee's report, particularly item 35 in that report, I should like to attempt to get at least these two thoughts that have been placed before the Commission: the one in the Scientific Committee's report and the resolution which we have been discussing, if not married are at least engaged.

- 77 -

Therefore, Mr. Chairman, taking as a basis some of the recommendations in the Scientific Committee's Report, I suggest that the Commission might consider something along these lines:-

"It is recommended that the Ad Hoc Scientific Committee which has functioned in previous years be asked to undertake the following:-

- (i) To review the data available and make a statement on their deficiencies
- (ii) To study the manipulative and analytical methods employed in whale research and propose ways of improvements and standardisation, or if such proposals would appear premature, to indicate, where possible, research work leading to developments of this kind.
- (iii) To study the data available on selected problems, making the fullest use of developed methods of population dynamics research, and seek to arrive at conclusions on these data, preferably in consultation with scientists engaged in other types of population studies.
- (iv) To review the methods at present in use for measurement and calibration of the efforts expended in capturing whales with a view to proposing ways in which these methods might be improved so as to provide more effective and reliable data and if necessary to propose details of a project of research in these matters..... "

I think, Mr. Chairman, as I said this morning, in the Scientific Committee's report there was reference to the offer of Dr. Finn of F.A.O. that he would be willing to consider providing some of the technical experts in this particular field to assist in this matter.

- "(v) To consider what specific collections and observations could usefully be made as a routine in whaling factories. For example, comprehensive collections of ear plugs for age determination and certain records of whales observed are desirable."

I might interject here, Mr. Chairman, that this may not be the precise wording, but you can follow the idea. Then, Mr. Chairman, I would go on to get these two things engaged, there is another paragraph:-

"In order to assist in the scientific assessment of the condition of the whale stocks in the Antarctic the Commission requests the Chairman in consultation with the Vice-Chairman and the Chairman of the Scientific Committee to obtain the services of three scientists qualified in population dynamics or other appropriate science and drawn from countries not engaged in pelagic whaling in the Antarctic to examine in the light of the advice and data available to the Commission the scientific evidence and to the extent justified by this evidence report to the Commission within one year of their appointment on the condition of the Antarctic whale stocks, on the level of sustainable yield that can be supported by those stocks and on any conservation measure that would increase this sustainable yield. This special group of scientists should be asked to work with the Ad Hoc Scientific Committee.

"It is the intention of the Commission in setting up this special group of scientists that the Commission should, not later than 31st July, 1964, bring the Antarctic catch limit into line with the scientific findings, having regard to the provision of paragraph 2 of Article V of the Convention."

The CHAIRMAN: Thank you, Mr. Clark, for a very nicely arranged engagement.

- 78 -

Mr. G. R. CLARK (Canada): May I also point out that it has been the practice of the Commission to have this Ad Hoc Scientific Committee, and the countries who have representatives on the Ad Hoc Scientific Committee have paid their expenses in coming to London where, I think, the meeting has usually been held. So there remains then the question of obtaining the services, or endeavouring to obtain the services, of these three specialists and, if they cannot be provided by certain countries who are interested in the Whaling Commission, I think it might be possible that their services and their expenses could be paid as a contribution to this overall problem in which we are all interested, which is the conservation of the living resources of the sea.

I should think, too, Mr. Chairman, that one outstanding man we might ask for through Dr. Finn would be Mr. Holt, who is well up in this particular field of population dynamics.

Mr. K. NISHIMURA (Japan): Mr. Chairman, I would like to support in principle the ideas presented by Mr. Clark. Although I said we shared the views of the United Kingdom proposal this morning, as I stated before, we did not have enough time to go over it thoroughly. But on this occasion I should like to make a brief statement of the views of my delegation.

First of all I would like to draw the attention of the members of the Commission to the various scientists who have been working for the Commission and who have made a splendid and extremely important contribution to the work of the Commission. I think we all appreciate the contribution made by these scientists.

This appreciation inevitably raises a doubt in my mind as to whether it is necessary for the Commission to establish a special committee composed of three scientists drawn from countries not engaged in pelagic whaling. I think it is unnecessary to say that the most important biological data and information are available in the countries that are engaged in the Antarctic pelagic whaling, and there are numbers of useful data which are not published yet. For instance, Mr. Chairman, Japanese scientists have invented a new method of collecting wax plugs and, in the season of 1959/1960 wax plugs were collected, more than 8,000 of them, by this new method. Most of the whales are caught by the Japanese expeditions. I think the Japanese would be willing to submit the data made available by this new method to the Ad Hoc Scientific Committee.

Should the Commission need data relating to population dynamics, the Ad Hoc Scientific Committee or the workshop of the Commission, proposed by the Australian delegation, may consult with any scientists who are qualified in this field.

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

Mr. B. C. ENGHOLM (United Kingdom): I, too, would like to support the proposal put forward by Mr. G. R. Clark and the United Kingdom would be very happy to give the bride away on this occasion.

The CHAIRMAN: Thank you very much. The suggestions which Mr. Clark has made, as he has pointed out, would help with the financial and the mechanical problem.

Could I just raise one other aspect of that? I am not clear in my own mind what the workshop, as the Scientific Committee called it, would entail in regard to time. The Ad Hoc Committee meets in London for one week each year. Would the workshop be something that would last about the same time? Or, is it something of much longer duration?

Dr. N. A. MACKINTOSH (United Kingdom): Rather longer, Mr. Chairman, I think. We had in mind something like three weeks. But if you think of three weeks it might stretch into something a little longer. But it all depends on how it functions, what are its terms of reference finally, and how far it can be expected to go. There are a good many things which come into this which I have not quite been able to tie up, but among the sort of points that occur to me are, first of all, the existing data, existing statistics; and what we had in mind for the workshop was to add to these statistics and data and see what more could be done with them.

We also have to distinguish between statistical data of the kind collected in Sandefjord and shown in the international whaling statistics that are published, and additional material which Mr. Vangstein provides and, on the other hand, the more purely biological data which includes such things as what have been mentioned just now, the Japanese collections of ear plugs, I think it was, and data of that kind, which is more in the hands of research institutions. We have to consider how all these things should be used.

Just one other thing. I would rather imagine the workshop spending some part of its time perhaps in Norway, where they could look at what further data may be available on the purely statistical side. But that is one of the things which one has to think about.

Mr. G. R. CLARK (Canada): On the suggestion which I put forward in attempting to break through this barrier that we appear to be up against, the effect, I think, in my suggestion of the Ad Hoc Scientific Committee would be to give them specific terms of reference, as outlined in the part that I read from the Scientific Committee's Report. Then, in addition, that you would have these three specialists who would be working with them and who would also bring in a report to the Commission as of the length of time. I can quite see Dr. Mackintosh's view that it probably would take longer than a week, but, Mr. Chairman, if this is important, as we apparently consider it to be, then I think two or three weeks is not going to matter very much. Otherwise, if it is not of any value or importance, we should forget about it.

The CHAIRMAN: Thank you, Mr. Clark. May I suggest that we proceed in this way: first of all, I would propose asking whether delegations as a whole are in principle in favour of the suggestion made by Canada, supported by Japan and the United Kingdom, and, if so, I wonder whether Mr. Clark, as the originator of the proposal, would be kind enough to get in on paper so that we could look at it later this afternoon. If we agreed it in principle now we could pass on to other items of our business knowing that it was only a matter of details and approving a text. May I, therefore, ask whether delegations are in principle agreeable to the proposal made by Mr. Clark?

- 80 -

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.) (interpretation): In principle we agree to Mr. Clark's proposal, but we would like to have it in a written form for detailed study.

The CHAIRMAN: Thank you very much. We will certainly have it in written form.

Mr. W. A. HORROCKS (South Africa): We will support that, Mr. Chairman.

The CHAIRMAN: Is anyone opposed to this idea in principle?

Mr. W. C. HERRINGTON (U.S.A.): It seems that this wording, without having it written out in detail, still leaves the question of setting up this committee on an uncertain basis. I believe the wording was that the Commission would endeavour to set up a committee. If this is the kind of action taken, it would mean that we would have to change our position regarding the other point, that is the question of the suspension of the ceiling for two years. We have very little latitude here in what we can do.

The CHAIRMAN: Do I understand the difficulty is the proposal itself in broad terms, or how the proposal might actually be put down?

Mr. W. C. HERRINGTON (U.S.A.): As I understand the proposal now it does not provide any assurance that such a committee will be set up, and will be set up and will render a report at the time required.

The CHAIRMAN: I think that raises the question, does it, whether the last paragraph of the original United Kingdom proposal - as mentioned this morning - would go into this text. Was it the intention of Canada and the United Kingdom that the last paragraph should go into the text?

Mr. B. C. ENGHOIM (United Kingdom): As I understood it, Mr. Chairman, when Mr. Clark read out his statement he did include the last paragraph and certainly we would support the inclusion. Although I have not had the wording which Mr. George Clark read out in front of me, I had understood that he had, in fact, adopted the wording of the resolution in toto, and that there was certainly to my understanding no ambiguity about the setting up of this specialist group. Perhaps Mr. Clark would like to say a word on that.

Mr. G. R. CLARK (Canada): That is quite right. I did include all of the part in this resolution with some changes at the start of it. If there is any doubt about the question of the Chairman in consultation with the Vice-Chairman and Chairman of the Scientific Committee endeavouring to obtain, I would be quite willing to withdraw the word "endeavour" and just say that the Chairman,



- 81 -

in consultation with the Vice Chairman and the Chairman of the Scientific Committee be requested, or the Commission requests, and so on to obtain the services of three scientists qualified, etcetera.

Mr. W. C. HERRINGTON (U.S.A.): Would this also provide consultation with the other interested countries?

Mr. G. R. CLARK (Canada): What sort of consultation?

Mr. W. C. HERRINGTON (U.S.A.): Regarding the membership of the three-man committee.

Mr. G. R. CLARK (Canada): In the way it was read in the original proposal, Mr. Chairman, it was merely the Commission requests the Chairman to appoint. There was no suggestion in the original document on this question of consultation, but I have changed this a bit, the Commission requests the Chairman in consultation with the Vice Chairman and the Chairman of the Scientific Committee to obtain the services of three scientists qualified, and so on.

I should certainly think, Mr. Chairman, that the Chairman of the Commission would certainly wish to consult with any of the member countries of the Commission who would be helpful in the selection of these three qualified persons.

Mr. W. C. HERRINGTON (U.S.A.): Without understanding that would be acceptable.

The CHAIRMAN: We could perhaps put the wording in if it helps, could we? "In consultation" The United States would be content if that were the understanding. Is that right?

Mr. W. C. HERRINGTON (U.S.A.): Yes.

The CHAIRMAN: Thank you very much.

Dr A. R. KELLOGG (U.S.A.): How long would it take to get a clean copy?

The SECRETARY: Half an hour.

- 82 -

The CHAIRMAN: Immediately after tea.

Mr. G. R. CLARK (Canada): If I could have the services of a stenographer I could dictate this quite quickly, I think.

The CHAIRMAN: We could provide a stenographer straight away if you wish.

Dr. A. R. KELLOGG (U.S.A.): Why don't we have tea now while we wait?

The CHAIRMAN: If it is ready. I had better go and see. Gentlemen, tea is ready, so let us adjourn.

(The Meeting adjourned at 3.40 and reconvened at 4.20 p.m.)

The CHAIRMAN: Gentlemen, you have before you the draft resolution which Mr. Clark has proposed. Shall we take two minutes to study it. Perhaps Mr. Clark would just present the resolution.

Mr. G.R. CLARK (Canada): Mr. Chairman, you have the document now, I think, the suggested resolution before the Commission. As I explained when I was attempting to review this position, there might have to be some changes in the actual wording because it was done quite hurriedly. I suggest that if the members of the Commission would follow me I think we can make the changes now, and then consider the resolution.

In the first paragraph, Mr. Chairman, I suggest that it read this way: "It is recommended that the Ad Hoc Scientific Committee be asked to undertake the following". In other words, you delete the words "which has functioned in previous years".

In item (iii) I suggest that the sentence end at the word "data": "To study the data available on selected problems, making the fullest use of developed methods of population dynamics research, and seek to arrive at conclusions on these data." The reason for deleting the remaining words is that later on in the document we talk about setting up these three specialists in this particular field of science.

I think in (iv) the last sentence should be struck out in its entirety, because you will recall that what I did was quote from the Scientific Committee's Report, and I think perhaps after the Commission has had an opportunity of discussing this proposed resolution Dr. Finn might wish to make a statement to the Commission. The last sentence should be struck out in point (iv).

Carrying on, Mr. Chairman, in the paragraph starting "In order to assist in the scientific assessment", in line 8, "extent justified by this evidence report as a committee to the Commission within one year". The reason for that is that we would not wish, I assume, the three specialists to be reporting separately, but they would report as a committee.

With those changes, Mr. Chairman, which are ones only of clarification, I think, I submit this resolution for the consideration of the Commission.

The CHAIRMAN: Are there any other comments?

Mr. W.C. HERRINGTON (U.S.A.): Mr. Chairman, we should like to compliment Mr. Clark, first on his ability as go-between in bringing about the engagement of these two ideas and second on his ability as - shall I say? - a parson in bringing about the wedding. The question now is: will the marriage be consummated? The United States delegation will support such a consummation.

The CHAIRMAN: Thank you.

Mr. W.A. HORROCKS (South Africa): I have only a minor point. Why should the resolution be worded placing an obligation upon someone to ask the Ad Hoc Scientific Committee to do something? Should we not just say "It is recommended that the Ad Hoc Scientific Committee undertake the following" in the first paragraph?

The CHAIRMAN: Perhaps that wording might need a little change. This is a resolution of the Commission. We could simply leave out the first three words "The Commission resolves". Does that meet the point?

Two or three tiny points, Gentlemen. I think we might put a semi-colon after "standardisation" in the third line in (ii); it makes the punctuation rather better. In the next to last paragraph, in line 9, we might repeat the word "on", so that it reads "on the condition of the Antarctic whale stocks, on the level of sustainable yield that can be supported by these stocks and on any conservation measure" and so on. There are three separate things, as I understand it.

Mr. S.N. MARTINEZ (Argentina): I think that the actual wording of the resolution means that we shall have two reports, one with the conclusions arrived at by the Ad Hoc Scientific Committee and the other report with the conclusions arrived at by the special committee on dynamics of population which we are setting up. I refer to the third paragraph "and seek to arrive at conclusions on these data" and to the last but one paragraph "to report as a committee to the Commission within one year", and the other one is in the last paragraph, "the special group of scientists". Is the special committee we are trying to set up in the paragraph before the last and the Ad Hoc Scientific Committee, or is it just the last one? If we are calling them here a special committee, I think it is better to call them in the last paragraph a special committee too.

Mr. G.R. CLARK (Canada): May I comment, Mr. Chairman?

I think it is quite right that the effect of this would be two reports. They might not necessarily be on the same things. In regard to the special group of scientists, there is a time limit placed on that, you will notice. The Ad Hoc Scientific Committee does meet every year in any event and does these other things. So in effect there are two reports. You are quite right. I think this was the intention. This is my understanding.

The CHAIRMAN: What about Senor Martinez' second point. Would it make it clearer if we said in the last paragraph "the special group of three scientists"? I think it does mean the three, does it not? We could say that.

Mr. G.R. CLARK (Canada): I have no objection to the addition of the word "three" there, Mr. Chairman - "the special group of three scientists".

The CHAIRMAN: Are there any other comments or could we now proceed to approve this resolution if the Commission are so minded?

Mr. K. NISHIMURA (Japan): Mr. Chairman, just previously I supported in principle Mr. Clark's proposal, the marriage between two groups, but what I had in mind was something different. The marriage took place quite differently from the way I anticipated. I thought the committee

was the only body to report to the Commission and get advice from the three scientists.

The CHAIRMAN: Yes, I think that is clear, Mr. Nishimura. You really wish the group of three scientists to report through the Ad Hoc Scientific Committee ?

Mr. K. NISHIMURA (Japan): I am not so sure how the procedures will take place, but the final report should be made by the Ad Hoc Scientific Committee.

The CHAIRMAN: Thank you. On Mr. Nishimura's point, may I just remark that the last sentence of the last paragraph but one does say that the special group of scientists should be asked to work with the Ad Hoc Scientific Committee; if I understand Mr. Nishimura's point aright and the Commission wished, we could of course add there "and report through them" but that may not be the intention of the proposers. It is really a matter of procedure as I understand it.

Mr. W.C. HERRINGTON (U.S.A.): Mr. Chairman, what is the significance of this ? Does it mean that the Ad Hoc Scientific Committee can approve or disapprove the report, or just what is the purpose of going through the Ad Hoc Scientific Committee ?

The CHAIRMAN: As I understood it, it was simply a matter of procedure, but I may be wrong.

Mr. K. NISHIMURA (Japan): What is the significance ? I just wanted to make my standpoint clear. In substance it is quite different, because the Ad Hoc Scientific Committee is responsible for gaining that knowledge. I did not propose any amendment, I just wanted to make my view clear.

The CHAIRMAN: Thank you, Mr. Nishimura. This resolution is proposed by Mr. Clark. Is there someone to second it ?

Mr. W.A. HORROCKS (South Africa): I will second it, Mr. Chairman.

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.): (Interpretation): We will support the resolution.

The CHAIRMAN: Are there any opinions to the contrary ?  
If not, may I take it that the resolution is adopted ?

Mr. G.R. CLARK (Canada): With the changes suggested.

The CHAIRMAN: I think unanimously, is that correct ?  
Thank you very much.

Mr. K. NISHIMURA (Japan): I support this proposal in principle but some part of the proposal is beyond my instructions, so Japan will have to abstain.

The CHAIRMAN: Then I think I must amend what I said. The Commission does adopt the resolution but Japan has made her position clear for the record.

Now may we pass to the blue whale unit ceiling, which we might now deal with. This is the amendment to the Schedule paragraph 8 as proposed by the United Kingdom on the last page of their memorandum, IWC/12/17.

This amendment has been proposed by the United Kingdom and seconded by South Africa at our session this morning. Are there any amendments or further remarks ?

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.): (Interpretation): The Soviet delegation objects to this proposal to suspend the quota for two years.

The CHAIRMAN: Thank you. We shall have to take a vote on this proposal in any event, because it is an amendment to the Schedule. But before we take a vote, does any other delegation wish to speak ?

Dr. A.R. KELLOGG (U.S.A.): Although we are prepared to support the resolution I should draw your attention to the fact that the United States delegation has little liking for the proposal to suspend the ceiling for two years on the blue whale units in the Antarctic. We can support it.

The CHAIRMAN: Would you mind repeating it ? We did not hear very clearly.

Dr. A.R. KELLOGG (U.S.A.): I would say the United States delegation has little liking for the proposal to suspend for two seasons the ceiling on the 15,000 blue whale units limitation, but in view of the action just taken we are willing to support it.

Now should we pass on to the other United Kingdom amendment. This concerns the catch of blue whales.

-38 -

Mr. B.C. ENGHOLM (United Kingdom): Might I suggest that having taken these two particular points we might pass to the second resolution attached to the United Kingdom paper, which can now be considered, having taken a decision on the scientific committee and on paragraph 8.

The CHAIRMAN: If that is agreeable to the Commission we can take Resolution 2 next. Mr. Engholm, do you wish to say any more to Resolution 2 ?

Mr. B.C. ENGHOLM (United Kingdom): I do not want to take up the time of the Commission at all on this Resolution. I think I have explained it already this morning.. This does no more than set out the general wish, having regard to certain factors, of the Commission that Norway and the Netherlands should rejoin the Convention at the earliest possible date. I do not think I want to say anything more on that.

The CHAIRMAN: Thank you. Are there any other comments or views ?

Mr. J.V. MORONEY (Australia): Would it strengthen it to say it expresses the strong hope that Norway and the Netherlands will rejoin the Convention at the earliest possible date and that the appropriate authorities of those Governments be advised accordingly.

The CHAIRMAN: "And that the appropriate authorities": as I understand it, Mr. Moroney, this would so to speak be an instruction to the offices of the Commission to advise the Governments of Norway and the Netherlands. Is that correct ?

Mr. J.V. MORONEY (Australia): That is right.

Mr. B.C. ENGHOLM (United Kingdom): I would certainly accept that amendment, Mr. Chairman, only on a point of drafting it might be better to say instead of "the appropriate authorities", "and that their Governments be advised accordingly". I do not know whether that makes it a little clearer. This is pure drafting.

The CHAIRMAN: "And that the Governments of those countries" -

Mr. B.C. ENGHOLM (United Kingdom): Yes.

The CHAIRMAN: "And that their Governments should be advised accordingly", is that the wording, or "be advised" ? It does not really



fit, because this does not depend on the hope, does it ?

Mr. B.C. ENGHOLM (United Kingdom): Could we say, Mr. Chairman, "and resolves that the Governments of those countries be advised accordingly" or "and requests" ?

The CHAIRMAN: "Decides that". I do not think it can request because it is doing it itself; "decides that" would perhaps do.

May I take it that there are no other comments on the text of this Resolution ?

Mr. G.R. CLARK (Canada): May I suggest that to overcome this little difficulty, at the end "the Commission expresses the strong hope that Norway and the Netherlands will rejoin the Convention at the earliest possible date and that the Commission authorise the Secretary to convey this Resolution to the Governments of Norway and the Netherlands.

The CHAIRMAN: "And that the Commission instructs the Secretary" to convey this Resolution to the Governments of Norway and the Netherlands.

Mr. G.R. CLARK (Canada): "And that the Commission authorise the Secretary to convey this Resolution to the Governments of Norway and the Netherlands". I take it, Mr. Chairman, that it is the apparent desire of the Commission to send the entire Resolution to the Governments ?

The CHAIRMAN: I would think so. Mr. Engholm, is that the intention ?

Mr. B.C. ENGHOLM (United Kingdom): Yes.

The CHAIRMAN: Is it "authorises" or "instructs" ?

Mr. G.R. CLARK (Canada): "Instructs".

The CHAIRMAN: "Instructs" is more positive, I think, is it not ?

If there are no further comments on this proposed Resolution, may I ask if there are any objections to it ? Does any Commissioner wish us to go round the table ?

Mr. G.R. CLARK (Canada): Mr. Chairman, I have one small suggestion to make in connexion with this Resolution. In paragraph (c) I think, in view of the previous action taken by the Commission in connexion with the Ad Hoc Scientific Committee and the special group of scientists, that it might be better to change the wording a little, to "the action taken by the Commission in setting up a special scientific committee" rather than "independent".

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.): (Interpretation): The Soviet delegation fully agrees with the draft Resolution except paragraph (c). So far as we are against the amendment to paragraph 8 of the Schedule to the Convention, we have to abstain during the voting on this Resolution.

The CHAIRMAN: Thank you, Mr. Sukhorutchenko, for making the position of the U.S.S.R. clear on this Resolution.

Mr. K. NISHIMURA (Japan): Again Japan will abstain because it is beyond our instructions.

Mr. J.V. SCOTT (New Zealand): In the terms of my instructions I should be obliged to vote against the Resolution because of the inclusion of the words amending paragraph 8 of the Schedule of the Convention contained in sub-paragraph (c).

Mr. G.R. CLARK (Canada): We are in the same position in connexion with this wording of the amendment to paragraph 8. We abstained in the voting. If it is possible to have the mover of the Resolution strike out those words this might meet the situation, because I should think that advice will be given to everyone concerned including the Governments of Norway and the Netherlands to the effect that the Commission did amend the Schedule. In connexion with this Resolution, if those words with reference to amending paragraph 8 of the Schedule could be deleted I think I could go along.

The CHAIRMAN: Thank you, Mr. Clark.

Perhaps the proposer and the seconder of the Resolution would wish to consider what has been said and let us know what they think.

Mr. W.I. HORROCKS (South Africa): As the seconder of the Resolution I, personally, see no objection to the deletion of those words.

Mr. B.C. ENGELHOLM (United Kingdom): As the proposer of this Resolution I would be prepared to delete the whole of paragraph (c) if it would help the Commission to reach a unanimous conclusion.

- 91 -

Mr. G.R. CLARK (Canada): If the United Kingdom delegate is prepared to amend his Resolution by the deletion of paragraph (c) entirely I could support it.

Mr. J.V. SCOTT (New Zealand): If the Resolution were amended by the deletion of sub-paragraph (c) I would be able to abstain on it having regard to the fact that the Commission has, in effect, taken an earlier decision with regard to this part of the Schedule to the Convention.

The CHAIRMAN: Would Mr. Horrocks, as seconder, also be prepared to entertain the deletion of the whole of sub-paragraph (c) ?

Mr. W.A. HORROCKS (South Africa): Yes, I support that.

The CHAIRMAN: Would the Commission wish to register a vote on the Resolution with the deletion of sub-paragraph (c) and with the addition at the end of the words "and that the Commission instructs the Secretary to convey this Resolution to the Governments of Norway and the Netherlands" ?

May I ask the Secretary to take a vote ?

The SECRETARY: I will now take the vote.

Argentina	Yes
Australia	Yes
Canada	Yes
Denmark	Yes
France	Yes
Iceland	Yes
Japan	abstain
New Zealand	abstain
South Africa	Yes
Sweden	abstain
U.S.S.R.	Yes
U.S.A.	Yes
U.K.	Yes

There are ten for the proposal and three abstentions.

The CHAIRMAN: Therefore the Resolution is adopted and will be communicated to the Governments of Norway and the Netherlands.

Mr. Engholm, would you like to take the blue whale amendment ?

Mr. B.G. ENGHOLM (United Kingdom): Yes, if I may hand over.  
(Mr. Engholm then left the meeting).

The CHAIRMAN: I will call on Mr. Graham of the United Kingdom.

Mr. J. GRAHAM (United Kingdom): I think I need not say more than has already been said about the reasons why we are proposing this amendment. However, perhaps before it is put to the vote I should recall that it has been put forward in the hope that Norway and the Netherlands will rejoin so that this obligation will be binding on them. Therefore, the United Kingdom Government would wish to reserve its right to object later if, in fact, those Governments do not return within the period during which objections can be made.

The CHAIRMAN: This amendment proposes that the taking of blue whales should be prohibited before 14th February in any season instead of before 1st February as it is now.

Does the Commission wish to discuss this proposal or may we pass to the vote ?

The SECRETARY: I would remind Commissioners that this is a Schedule matter and there will have to be a three-quarter majority.

Argentina	yes
Australia	yes
Canada	yes
Denmark	yes
France	yes
Iceland	yes
Japan	abstain
New Zealand	yes
South Africa	yes
Sweden	abstain
U.S.S.R.	yes
U.S.A.	yes
U.K.	yes.

There are eleven in favour and two abstentions on the United Kingdom Resolution with none against.

The CHAIRMAN: Then I declare the amendment carried.

Before we leave these amendments to the Schedule, Gentlemen, may I draw your attention to two points. The first point is whether the amendment made to paragraph 8 (a) requires any amendment to paragraph 8(c) of the Schedule. I think we might just look at that to make sure. It seems to me that the second half of paragraph 8 (c) does not apply so long as the blue whale unit limit is suspended, but whether it is necessary to amend paragraph 8 (c) is open to question. The point about paragraph 8 (c) seems to be that if Norway and the Netherlands do join the Convention while the ceiling is suspended paragraph 8 (c) would require the Bureau of Whaling Statistics to undertake certain action and the five Antarctic countries to make certain returns which would appear completely unnecessary because the ceiling was suspended. If I might suggest it, I would have thought that the correct action would be to suspend the second half of paragraph 8 (c) for the same period for which paragraph 8 (a) is suspended. It is perhaps not very important but it might save some unnecessary work and labour.

I do not know whether Mr. Vangstein would like to make any remark on this point. He is very much concerned.

Mr. E. VANGSTEIN (Norway): I think it is correct to suspend it for a couple of years, the last half of this clause.

The CHAIRMAN: Of 8 (c).

Mr. E. VANGSTEIN (Norway): But, of course, we shall not ask for reports even if this clause stands as it is now.

The CHAIRMAN: It might anyway remain inoperative, might it, without action on the part of the Commission?

Mr. E. VANGSTEIN (Norway): Yes.

The CHAIRMAN: Perhaps we can leave it, if the Commission agrees. I simply wished to put the point.

The other point that remains from the United Kingdom paper seems to be paragraph 8 of the first page. May I just draw attention to that and ask Commissioners if they wish to take any further action in respect of paragraph 8?

Dr. A.R. KELLOGG (U.S.A.): It is my understanding that the United Kingdom has already given notice that they would object unless Norway and the Netherlands return to the Convention.

The CHAIRMAN: Yes, I think they have. Would the other two countries immediately concerned - Japan and the U.S.S.R. - wish to comment on this point?

Mr. K. NISHIMURA (Japan): Japan would like to reserve the right to object in such a case.

Mr. M.N. SUKHORUTCHENKO (U.S.S.R.)(interpretation): We have explained our position on this subject. We said that we could not agree the proposal of the United Kingdom about the suspension of the blue whale limit during these seasons. We considered that such a decision on the suspension of whaling quotas in the Antarctic means that there will be irregular and uncontrolled catching of whales in the Antarctic. We consider that this decision contradicts the main provisions of our Convention.

The CHAIRMAN: I think we have now disposed of item 6 on the agenda.

Mr. W. A. HORROCKS (South Africa): Before we proceed further, quite an important part of the United Kingdom Memorandum is contained in the concluding sentence of paragraph 6, which is to the effect that, pending agreement on quotas, each country should voluntarily limit the size of its national catch, etc. What do we do about that?

The CHAIRMAN: That is in the hands of Commissioners. You could have a resolution upon it, I suppose.

Mr. J. V. SCOTT (New Zealand): It was my understanding, from the statement made by the representative of the United Kingdom this morning when he introduced the Memorandum, that the United Kingdom intended voluntarily to limit the size of its national catch by imposing a quota not greater than that adopted for the season 1959/1960, if the suspension amendment were carried, and it has been carried. I wonder whether we may expect to hear anything from the other pelagic members of the Convention on this point?

The CHAIRMAN: As I understand it, no other delegation wishes to speak to this item. That being so, I do not think we can take this matter further in the Commission. Shall we pass on? (Agreed)

Mr. W. C. HERRINGTON (U.S.A.): To give any meaning to this part of the United Kingdom Memorandum, would it not be necessary for someone to bring to the attention of all five of the Antarctic whaling countries, in view of the action taken by the Commission in suspending the ceiling, that it is of extreme importance that each one should adopt some limitation in order not to exceed the quota which was set in 1959/1960? Otherwise, how do you give any meaning to this part of the United Kingdom Memorandum? I think all of us had this in mind when the vote was taken on the suspension of the ceiling.

The CHAIRMAN: Any delegation may make a proposal in this matter. We can consider any proposal that you may wish to table. Would you like to consider this while we are dealing with another subject? I was proposing to come on to the Humpback problem and the Australian amendments, but we can always come back to this point afterwards if the Commission wishes.

May we take item 17 (a) and the relevant paragraphs of the Scientific and Technical Committees' Reports? In the Scientific Committee's Report, this is under paragraphs 13 - 20 inclusive, and in the Technical Committee's Report, it is section 7. Would the Australian Commissioner wish to speak to this item?

Mr. J. V. MORONEY (Australia): Mr. Chairman, the statement I am about to make probably repeats several points that have been made by the members of this Delegation who sat on the Technical and Scientific Committees. However, we feel that it is important that I should make it for the purpose of a permanent record.

It was only after lengthy and very serious consideration that the Australian Government decided to list for this 12th Meeting of the International Whaling Commission its proposals for increased protection to the humpback whale populations in Antarctic Areas IV and V.

The subject is indeed a most serious one from Australia's point of view because the very existence of a whaling industry in my country is at stake. Twelve years or so ago when the Australian Government decided to enter whaling seriously it took some time to decide whether it should undertake pelagic whaling in the Antarctic, which we were geographically well placed to do, or whether it should develop a shore based industry. The Government chose the latter course and in doing so virtually tied our whaling activities to the Antarctic humpback stocks in Areas IV and V.

That is still the position. We cannot adjust our operations as the pelagic fleets at least have some opportunity to do. We have the stations, the equipment, the technical know how and the manpower. We can regulate the volume of our operations but only in respect of humpbacks. The moment we are excluded from access to migratory humpbacks we will have to close up overnight. While not a major feature of the Australian economy whaling is nevertheless very important to the welfare of some of the areas distant from State capital cities where land stations operate. This is particularly applicable in places like Carnarvon in West Australia, and at Norfolk Island. Whaling is now the only industry at Norfolk Island of any dimensions at all and so is as important to that community as is, say, fishing to Iceland.

For these reasons Australia has had to consider two major whaling issues namely conservation and industry survival.

My country has consistently supported conservation policies in fishing, pearling and whaling. We have consistently resisted moves likely to have detrimental effects on whale stocks generally. Our Government authorities have been watching closely for some years the developments in Antarctic Areas IV and V and they have been becoming increasingly anxious about them.

For some years now our task has been to resist moves towards increasing opportunities for larger takes of humpbacks in those areas. I suggest that the scientific reports now provide a clear indication of what would probably have happened well before this if that had occurred. Now the need for more positive action has become very evident and that is the reason for the Australian move on this occasion. However, it is a matter of the degree of action that is most appropriate to the situation. In other words, is there a course of action which is objective as regards conservation and which is also reasonably equitable to nations with a direct interest in the issue? We are prepared to be objective in our approach to a solution while at the same time recognising and asking our fellow members of the Commission to recognise that the Areas IV and V humpback problem is far more vital to Australia and New Zealand than it is to any other whaling nation.

I would wish first to briefly review the Australian position. Our industry is governed by legislation that gives Australian Governments, both Federal and State, full authority to implement the principles and requirements of the International Whaling Convention. We have gone further than that. For the past eleven years we have operated a quota system under which maximum quotas have been applied each season to each of our whaling stations. In earlier days of course our scientific information was not as conclusive as it is now becoming. There is no doubt, however, that the quota system operated restrictively for a number of years. Without it existing stations could have taken many more whales and would have expanded their capacities further. New stations would have commenced operations if their applications for licences had been granted. All available evidence points to Antarctic Area IV stocks being the in worst shape. I will therefore touch briefly on the operation of the quota system on the west coast

of Australia. Some years ago the combined quotas of the west coast stations totalled 1,320 humpback units. Following an assessment of the 1954 season results the west coast quota level was reduced to 1,120 units. For this season - 1960 - it has been cut to 870 units. Admittedly for the first time that figure exceeds the 1959 catch but, as has been claimed in respect of the 1959/60 Antarctic season, the major west coast whaling company attributes the relatively low 1959 catch to very adverse weather conditions that militated against the northern migration. Another company on the west coast which took 174 whales last year has been given a 1960 quota of only 120 units.

So much for the fact that whaling operations on the Australia coast, both east and west, have been far from being what we call 'whaling unlimited'.

I now turn to the Australian proposals as listed in Item 17 of the Commission agenda. They have been submitted as three alternative proposals.

At the time they were listed the records of pelagic performances in the Antarctic in the 1959/60 season were not available to us. If they had been it is quite conceivable that proposal (i) would have been expanded to provide maximum protection in Area V as well as in Area IV. Of course the question may then well have been asked - as in fact it may now be asked - why should the Commission impose such a restriction on pelagic fleets while the Australian stations concerned would continue to operate, even if on a reduced basis. One facet of the answer must be - I have mentioned this earlier in this statement - that the pelagic fleets can in fact operate at a reasonable level of take in the Antarctic without working on the humpback populations at all, while the exclusion of humpbacks from Australian operations simply means the end of the baleen whaling industry in our country.

Secondly, the capture of humpback whales in the warmer northern waters is to be preferred to their capture in Antarctic waters by reason of the fact that a much greater proportion of the females in the Antarctic are found to be pregnant than is the case in warmer waters. The life of the 'Antarctic' foetus is regarded by our scientific advisers as having significant actuarial value. This point in itself has special importance in present circumstances and emphasises the desirability of a closure or severe restriction of humpback whaling in the Antarctic itself.

Moreover we contend that maximum use of the carcasses is being made in our industry. A relatively high oil yield is obtained and full use is made of every portion of the carcass.

Again the virtual reservation of humpback whaling to Australia that would follow from closure of the Antarctic humpback whaling can be supported by the fact that this whaling gives Australia only a small proportion of the total world whale catch, in blue whale units; even if the humpback whale stocks could be restored to their previous levels, exclusive exploitation of them by Australia would still not give her a large proportion of the whale catch. Furthermore, I think we can claim some credit on the research side of things. Dr. Chittleborough's series of reports are, we consider, very valuable in a field that has been lacking in that direction. The wider the field of research is, the more valuable is the research itself.

My purpose in making this statement is to ensure that in their consideration of our proposals and the reports of the Scientific and Technical Committees, all members of the Commission are fully aware of the Australian position and of our thinking in the matter. Australia is internationally minded and conservation conscious but I am sure it will be appreciated by the whaling nations generally, whether members of this Commission or not - and I would hope the present regrettable situation of Commission membership can be remedied - that it would be an untenable position for us to agree to entirely close down a worthwhile industry with no guarantee whatever of protection at some indefinite later stage.



We do appreciate however that we in on our part should be expected to make a practical and meaningful gesture towards long term conservation of humpback whaling stocks and we will not shirk our responsibilities in that regard. We have the necessary administrative machinery in our licensing and quota systems. I have a legislative and personal responsibility in the granting of licences to conduct whaling operations and I can assure the Commission we have no intention of licensing any new stations. Moreover, future quota revisions will be downward and not upward ones so long as the other established whaling nations accord Australia sympathetic and friendly treatment in her particular and peculiar problems. Our commercial whaling interests are conservation minded and are unlikely to resent or resist any reasonable Government action taken in the interests of conservation. My delegation and I have reviewed the Australian proposals in the light of the discussions in the Scientific and Technical Committees and of their findings. The conclusions of the Technical Committee are naturally not ideal from our point of view but we appreciate that they have been arrived at only after a painstaking, honest and objective study of all facets of the problem. We are prepared to accept them as such.

Therefore, Mr. Chairman, if it is correct procedure, I ask leave to withdraw the present Australian proposals appearing in the Commission papers and to substitute the text of the recommendations presented by the Technical Committee for the consideration of the full Commission. Accordingly Mr. Chairman, I now formally move:

(1) That the following amendments be made to the Schedule to the International Whaling Convention by changing Para. 6 in the following way -

- (a) Retain Section 6(1)
- (b) Retain the text of the present 6(2) but call it 6(2)a
- (c) Add, as 6(2)b, It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill humpback whales in the waters south of 40° South Latitude between 70° East Longitude and 130° East Longitude during the years 1961, 1962 and 1963.

That of course, Mr. Chairman, refers to Area IV.

- (d) Amend the present 6(3) by inserting 6(3)a and b to read as follows:

6(3)a It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill humpback whales in the waters South of 40° South Latitude between 130° East Longitude and 170° West Longitude during the years 1961, 1962 and 1963, except for three days commencing 20th January in each year.

That refers to Area V.

6(3)b The wording to remain as the present 6(3).

(2) That the Governments of Norway and the Netherlands be urgently requested to agree that the proposed amendment to the Schedule should apply to their whaling fleets in the Antarctic.

I move accordingly, Mr. Chairman.

The CHAIRMAN: Thank you, Mr. Moroney.

Mr. W. A. HORROCKS (South Africa): I should like to second the Australian proposal.

The CHAIRMAN: Thank you very much. So, Gentlemen, you have the amendments to the Schedule in the Technical Committee's Report moved by Australia and seconded by South Africa. I think we will take afterwards the point about approaching Norway and the Netherlands. May we keep to the amendments in the Schedule for the present?

Mr. J. GRAHAM (United Kingdom): Before this goes to the vote I should perhaps like to say a word or two about the position of the United Kingdom.

We do accept the need for additional protection to be given to humpback whales in these areas for the reasons which are discussed in the Scientific Committee's Report, and we have great sympathy with the case which Australia has put forward for giving additional protection.

I do not propose to enter into all the arguments which have been adduced in support of that proposal, but I should like just to refer to the fact that there are already very severe restrictions on the catching of these whales by the pelagic whaling countries. We must, however, recognise that additional restrictions, if they are to achieve the desired effect, must be enforced by all the countries who are whaling in that area as a matter of equity between them, quite apart from the fact that the restrictions would be ineffective unless that is so. Therefore, whilst we are prepared to support this Australian proposal, we do so in the context of the steps which have been taken to facilitate a return of Norway and the Netherlands to the Convention; and we hope that they will, in fact, return.

If they do not join the Convention, however, then the United Kingdom must reserve its right within the prescribed period to object to this resolution which we are prepared to support.

Apart from those general remarks, there is just one very small amendment of a textual nature which I think is necessary in the amendment we are now considering, and that is in the new paragraph 6(3), the wording of which is to remain as the present paragraph 6 (3). If you read paragraph 6 (3) in the present Schedule it says it is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill humpback whales in any water south of 40° south. By the previous amendments we are making we are, in fact, completely prohibiting the killing in some waters and limiting the days to three in others. So I think we ought to amend this sub-paragraph (3) to read "in any other waters south of 40° south". That is to say, in any of the regions not covered by the previous sub-paragraphs of this particular paragraph.

Mr. J. V. SCOTT (New Zealand): Mr. Chairman, may I make just a few brief remarks to indicate why New Zealand supports the proposal which is now before the Commission.

As the Commission is aware, the shore-based whaling stations in New Zealand are entirely dependent upon the migrating stocks of humpbacks from

Area V that pass close inshore to the coast of Australia, Eastern Australia, and New Zealand. New Zealand is seriously concerned at the depletion of humpback stocks in Area IV, and the signs of depletion which are evident in Area V, although these latter stocks have been relatively stable over the past ten years, they do now appear to be showing some signs of over-exploitation.

The Technical Committee has recommended the total prohibition of catches of humpback whales in Area IV for a period of three years. New Zealand supports this proposal, but we are at least as concerned to ensure that stocks in Area V are properly conserved. Members know that 70% of the humpbacks were taken in Area V last season during the four days' limit, and that 1,338 humpback whales were taken in the Antarctic. If the taking of humpbacks in Area IV is to be prohibited and no additional restrictions imposed in Area V, it seems to us certain that increased exploitation in the latter area would result. Any undue increase in the taking of humpbacks in Area V will undoubtedly have a detrimental effect on these herds, and accordingly New Zealand whaling industry.

We, therefore, support the proposal for a further limitation on the catch in Area V by the reduction in the number of catching days from four to three.

The two New Zealand stations do not function under a quota system, but they do restrict their catch to the northward migration of the humpbacks herds. By confining their activities to the taking of whales during the short period of the winter migration, the period when the whales are in prime condition, real conservation is being practised. The short period of active whaling is further limited by the prevailing weather in winter, which limits the operation of whale catchers, and the visibility for sighting. In our case the whale catchers are small, 35-foot launches and they are therefore especially affected by the weather. The New Zealand stations thus operate a system which involves a degree of voluntary conservation, the short migrational period, seasonal limitation and weather hazard combining to ensure effective control of a modest total catch. Last year only 318 whales compared with about 2,250 humpbacks whales that were taken in Group V as a whole, namely about 13% of the total taken in Group V.

It is now proposed by my Government that the catching season, which hitherto has been of the duration of six months, will be reduced to a season of four months, and legislation to give effect to this will certainly be introduced.

Mr. Chairman, New Zealand is primarily concerned in this issue with the conservation of the humpback stocks and the welfare of our own industry. We are prepared to play our part to ensure that they are rationally exploited.

Mr. K. NISHIMURA (Japan): At this juncture I would like to state the viewpoint of the Japanese delegation on the subject.

We made it clear in the Technical Committee meeting that we are opposed to the amendment of paragraph 6 of the Schedule to the Convention, and the gist of our argument was recorded in the Technical Committee's Report as you see it now. However, I would like to clarify those points again.

First, any additional restrictive amendment to the Schedule would make it more difficult to bring Norway and the Netherlands back into the Convention.

Secondly, in the light of the fact that two Antarctic pelagic whaling countries are at the present time outside the Convention, and there is no assurance that these countries will abide by these additional restrictions, such an amendment will inevitably put the other pelagic whaling countries remaining in the Convention in an inequitable position.

Thirdly, if the proposed amendment aims at the prevention of the depletion of the humpback stocks which are migrating in the waters both to the north and to the south of 40° South latitude, the wisest action is stated in the Report of the Scientific Committee, that is to take the same restrictive measures not only in Antarctic waters but also in the waters north of 40° South.

Fourthly, although the percentage of capturable humpbacks among the catches of various kinds of whales in the Antarctic is still very small, the prohibition of the catching of humpbacks in the said area will have a considerable impact on the other kinds of whales.

These are the basic views of the Japanese delegation to the proposed amendment. Although various views and opinions have already been expressed in the Commission, I do not think I shall be in a position to alter my opinion. Should this kind of amendment be made, I am afraid my Government may eventually use its right to raise an objection, as provided for in Article V paragraph 3.

The CHAIRMAN: Thank you, Mr. Nishimura.

Captain A. N. SOLYANIK (U.S.S.R.): Our delegation agrees with this point in the reports of the Scientific and Technical Committees.

We are in favour of catching humpbacks for three days in the year in one of the areas and four days in the other, but we also agree with the point of view of the Japanese delegation and we hope that Australia and New Zealand will reduce the catch of humpback whales in the waters of Australia and New Zealand if possible.

The CHAIRMAN: If there are no other comments, Gentlemen, I think we should vote on these amendments. No one else wishes to speak, so may we take the first amendment. I do not think we need worry about the renumbering the Secretary will look after that, I think.

The first amendment is to add at 6 (2)(b) the words given at the top of page 3 of the Technical Committee's Report. This is prohibiting pelagic whaling of humpbacks in the Area IV for the next three years.

Mr. G. R. CLARK (Canada): Before you put the vote, I think you should perhaps take up the point made by Mr. Graham in regard to the present wording of the Current Schedule of 6 (3) which would then become 6 (3)(b). Mr. Graham, I think, suggested "Kill humpback whales in any other waters", I think.

T

The CHAIRMAN: I do agree with you, Mr. Clark, but I thought that it would best come after we had decided whether to change the four days to any other figure; but I will bear it in mind.

The SECRETARY: I will now take the vote.

Argentina	Yes
Australia	Yes
Canada	Yes
Denmark	Yes
France	Yes
Iceland	Yes
Japan	No
New Zealand	Yes
South Africa	Yes
Sweden	Abstain
U.S.S.R.	Yes
U.S.A.	Yes
U.K.	Yes

That, Mr. Chairman, is 11 votes for, one against and one abstention. The Motion has more than the necessary three-quarters in favour, and it is therefore carried as a Schedule amendment.

The CHAIRMAN: Thank you, Mr. Secretary. That amendment is carried.

Now we turn to the second amendment, the purpose of which is to reduce pelagic whaling for humpbacks in Area V from four days to three days for the next three seasons.

The SECRETARY: I will take the vote:

Argentina	Yes
Australia	Yes
Canada	Yes
Denmark	Yes
France	Yes
Iceland	Yes
Japan	No
New Zealand	Yes
South Africa	Yes
Sweden	Abstain
U.S.S.R.	Yes
U.S.A.	Yes
U.K.	Yes

Mr. Chairman, the result there is that there are 11 for and 1 against, and one abstention. The ratio is over 3 : 1 and the amendment is therefore carried as a Schedule amendment.

The CHAIRMAN: Thank you. That amendment is carried.

Now we turn to paragraph 6 (3) in the present Schedule which would become paragraph 6 (3)(b). The United Kingdom has proposed an amendment to substitute the phrase "in any other waters" for "in any waters". The effect of that is to leave four days, except in Area II which is closed and IV, which is now closed and Area V, where it will be three days. May we take the poll on this amendment?

IWC/12/11

- 102 -

DUMMY TO CORRECT NUMBERING

The SECRETARY: I will take the poll:

Argentina	Yes
Australia	Yes
Canada	Yes
Denmark	Yes
France	Yes
Iceland	Yes
Japan	No
New Zealand	Yes
South Africa	Yes
Sweden	Abstain
U.S.S.R.	Yes
U.S.A.	Yes
U.K.	Yes

Mr. Chairman, there are 11 in favour, 1 against and 1 abstention. The amendment is, therefore, carried.

The CHAIRMAN: Thank you, Mr. Secretary. I think that disposes of the actual amendments, but there remains the Australian Commissioner's proposal that the Commission should, I think, in effect pass a resolution that the Governments of Norway and the Netherlands should be urgently requested -- I did not get the remaining words, Mr. Moroney, would you care to let us have them again?

Mr. J. V. MORONEY (Australia): That the Governments of Norway and the Netherlands be urgently requested to agree that the proposed amendment to the Schedule should apply to their whaling fleets in the Antarctic. The word "urgently" is not necessary.

The CHAIRMAN: I wonder if I may put a point to the Commission here, as to whether any request of this character to Norway and the Netherlands should be wider than humpbacks, in view of the fact, for example, that we have ~~had~~ <sup>now</sup> ~~advanced~~ the date of the opening of the blue whale season?

Dr. A. R. KELLOGG (U.S.A.): We have suggested a resolution in view of the action taken by the nations to suspend the limit of the Antarctic whale catch until the season of 1962/1963. That the Commission considers it of extreme importance that each of those countries engaged in pelagic whaling, confines its national catch to a level in no event greater than that adopted for the season of 1959/1960, and the Commission so informs those Governments.

Mr. J. V. MORONEY (Australia): Mr. Chairman, I agree with that, but I am afraid that that does not cover my point.

The CHAIRMAN: I wonder whether it would be the convenient thing to ask if Dr. Kellogg and Mr. Moroney would consult together on this problem? We really want it in type to put round the table.

- 104 -

Mr. G.R. CLARK (Canada): May I suggest that, with all due respect to Dr. Kellogg, I think that the matter we are discussing at the moment is something a little different from what Dr. Kellogg has just presented. I think it is a matter of procedure, Mr. Chairman.

Mr. W.A. HORROCKS (South Africa): I think it would be advisable at this stage to consolidate all the matters we want to put to these Governments in one resolution and, if these two gentlemen could come together and do that, it would save our time.

The CHAIRMAN: Is that agreeable? Then we could ask the Secretary to get the result into type and we could look at it in a short while. We still have some other business.

Gentlemen, may we try to clear up some other business while we are waiting to resume this matter? One thing I forgot and which I should like to take now is that when we adopted the resolution about the special scientific committee it was my intention to ask Dr. Finn of FAO whether he would wish to say something to us about the assistance that FAO might be able to provide with regard to the workshop side of the problem.

Dr. D.B. FINN (FAO): I take it that the deletion of the words at the end of Section (iv) of paragraph 1 does not mean that the Commission does not wish to call upon any assistance that we might give. In fact, I think that the Director General will be extremely sympathetic towards assisting the whole of this proposal in any way that he can. It might help, for instance, if the Committee would consider Rome as a site for the meetings, since we would be able to make available the facilities of the Secretariat. In addition, I think that perhaps it might be possible for our Secretariat to collaborate with the Secretariat of the Commission in handling the arrangements and the pre-meeting work, which is quite onerous. We have considerable experience with other commissions in doing this sort of thing for ICES and ICNAF and other bodies, and we would be very pleased to be able to be of some assistance. Before doing so, however, it would be necessary that the Commission itself should express this desire to FAO in a formal way.

The CHAIRMAN: Thank you, Dr. Finn, for your very kind and generous offer of help. It is a question now whether the Commission would wish to make the formal request that Dr. Finn suggests. Is it the wish of the Commission that we should make this request in accordance with this very kind offer and that the Secretary be authorised to follow it up? Would that suit Dr. Finn if the Secretary took it up with FAO?

Dr. D.B. FINN (FAO): So long as the Commission regarded this as being a formal request.

The CHAIRMAN: May I take it that the Commission do formally authorise the Secretary to follow this up? (Agreed) Thank you very much.



If we may turn to our Agenda, I think we have finished Items 1 to 10 inclusive and we come to the Reports of the Committees. We may have one or two things still to look at in the Technical and Scientific Committees' Reports. I think we might now take the Finance and Administration Committee's Report. Mr. Scott has introduced it, but I think we were waiting till today because some Commissioners wished to get in touch with their Governments on certain points arising. So may we look again at this Report? There is nothing on paragraph 1; paragraph 2?

Mr. J.V. SCOTT (New Zealand): I think it would be sufficient if the Commission were to note paragraphs 2 and 3. Paragraph 2 really relates to the adoption of the statement of income and expenditure for the financial year ended 31st May, 1960 and the approval of the provisional income and expenditure account for the year ended 31st May, 1961. Paragraph 3 deals with the income and expenditure for the year 1961. The first recommendation to the Commission is in paragraph 4 where the Committee recommends that the Commission approve a slight change in the presentation of the audited accounts. I would move, Mr. Chairman, that the Commission should approve the recommendation of the Committee.

The CHAIRMAN: Are there any comments or objections on this proposal, or may I take it that the Commission do approve the arrangement proposed about the audited accounts? (Agreed)

Paragraph 5, Mr. Scott?

Mr. J.V. SCOTT (New Zealand): The next proposal is the major one to lay before the Commission the recommendation that the annual contribution of contracting Governments should be increased by £50 from £200 to £250 from the commencement of the financial year beginning 1st June, 1960. The Committee makes due allowance for those countries where the financial regulations, involving authorisation at different times of the year, might not enable them to pay this increase until some later date in the financial year. I move that the Commission should accept the suggested increase in the annual contribution.

Mr. J. HERTOFT (Denmark): I am indeed very sorry that I have to ask for the floor with regard to this matter, but I have not had sufficient time to get instructions from my Government, and I have to reserve the position of my Government on this proposal. You will remember that four years ago when the contribution was increased from £150 to £200 we had difficulty in getting the authority's approval of that increase. We ought also to remember that several countries participating in this international body only have a marginal interest in this work, and such countries may consider withdrawing from the Convention if the annual contribution has to be further increased. As far as I can see, this means that the financial position of the Commission would be worse. Under the present circumstances in which the future existence of the Commission is already in danger, I think it is unwise to take steps at the moment which might result in further withdrawals from the Convention. You say that £50 is not much; but we have heard today that maybe it will be raised £150 or £200, I do not know. What I have in mind at the moment is that if it is possible to continue with the present contribution it will be preferable and, as far as I can see, it should be possible.

As I did four years ago, I want to draw the attention of the Commission to the Commission's contribution to the cost of whale marking. We do find such a

- 106 -

contribution desirable, but we do not think it is necessary in order to secure the continuation of the work already started in this field. Much of the whale marking, as far as I understand it, takes place anyway on a national basis. If we were temporarily to suspend the contribution to the National Institute of Oceanography - in spite of the recommendation made by the Scientific Committee - there would not be a need for an increase in the contribution from individual countries to the Commission this year.

I would have appreciated it had it been possible to give us advance notification of the intention to increase the contribution. I was surprised to find that this matter had come up again so soon, and I suggest that my remarks about whale marking should be taken into consideration in order to avoid the necessity of increasing the contribution to the Commission.

Mr. E. BENEDIKZ (Iceland): I have no instructions with regard to the proposed increase in the contribution and perhaps I should, therefore, reserve the position of my Government in that respect.

Mr. J. af SILLEN (Sweden): May I just say that I also have to reserve my Government's right in this position. It has not been possible to consult them and so we have no instructions.

Mr. J.V. MORONEY (Australia): I am in a position to agree to the Commission's proceeding.

The CHAIRMAN: Of course, a further difficulty here is that, since this Report was made and presented, we have adopted arrangements for the appointment of a special scientific committee, which is going to involve us in greater expenditure. The question arises whether £250 per country is going to be enough. I think earlier this afternoon we were persuaded that it would not be enough.

Mr. W.A. HORROCKS (South Africa): I do not wish to say anything in particular, but surely, in terms of the Rules of Procedure, the Commission should draw up a budget, inform the Governments of the amount of that budget and also tell them the share they would be expected to pay towards the expenses of the Commission. No limit is placed anywhere on the expenditure of any particular country or on its contribution. I think it is perfectly within the Rules of Procedure for us to fix the budget at the point necessary to cover our expenditure and to inform each Government of its share.

The CHAIRMAN: We could do it that way. In the past I think the Commission has always approved an increase in the scale of contributions. However, this is for the Commission to decide.

May I raise the first point, whether the budget presented by the Finance and Administration Committee needs adjustment in the light of what we have decided about the future scientific work? Mr. Scott, I gather there is no money for the scientific activities which we have approved within your proposal of £250 per country?

- 107 -

Mr. J.V. SCOTT (New Zealand): As a Committee we were conscious of the fact that there might be a proposal to undertake further scientific work, but we made no provision for it in the budget for the coming year.

The CHAIRMAN: I think it was the United Kingdom Commissioner who roughly estimated the cost of the scientific activities at £1000 to £1500 for this year and the next. If that were correct we should have to add a figure of that order to the budget in this Report if we were to conduct our finances in a realistic way and not go bankrupt.

Gentlemen, we are in difficulties over our finances. May I just take up the point that Mr. Hertoft raised first of all, whether the Commission should continue this year to give £500 to whale marking? I think this is a contribution to the international work which the National Institute of Oceanography does in this field, and I would like to ask Dr. Mackintosh, as Deputy Director of the Institute, whether he has any comment, as well as in his capacity of Chairman of the Scientific Committee.

Dr. N.A. MACKINTOSH (United Kingdom): As you know, the National Institute of Oceanography co-ordinates, rather than operates, the whale marking. The cost of marks, and so on, is only a small part of the actual cost of marking which is mainly done by different Governments according to the opportunities. All the same, we do supply marks and data of various kinds and we pay some of the rewards. I do not know offhand what our total expenses are, but they are a good deal more than £500. We regard the £500 as something to reduce our expenditure a little. I do not think that if the £500 were stopped whale marking would stop, but I cannot of course actually commit the National Institute of Oceanography to saying that they can go on finding the additional money they would need if they did not get the £500, but my personal opinion is that we probably could find it.

The CHAIRMAN: At the moment the Institute is finding more than the £500 which it receives from the Commission?

Dr. N.A. MACKINTOSH (United Kingdom): Yes, but I should emphasise again that other people - the Australians, the Japanese, the Russians, and so on - are themselves bearing still more cost in the actual marking of the whales.

The CHAIRMAN: This is a question of looking for possible economies first of all. You have heard the situation with regard to whale marking. If we look at the rest of the estimates I think we shall find that there are several items which are very well fixed. There is the Secretary's fees; that is a fixed item. The services of the Ministry of Agriculture, I think that is a fixed item, is it not?

The SECRETARY: It tends to rise, Mr. Chairman, with the increasing awards to staff.

The CHAIRMAN: But it is a commitment. Travel and subsistence, I think that is largely --

- 108 -

The SECRETARY: That is 1959. That is now consolidated with the Secretary's fees; the same thing.

The CHAIRMAN: I am sorry, I am looking at the wrong sheet. The services provided by the Ministry have risen by £25 apparently as against 1959. Then there is printing, £270. There is the rent of the Secretary's office; that is a fixed item. Then there is the cost of the meeting, £900; that would be for our meeting in London next year, would it? Or is this the current meeting?

The SECRETARY: That is this year.

The CHAIRMAN: That certainly has to be met. Then there is a balance of nearly £500, but that depends upon contributions being forthcoming from every present member country and there have been certain delays. I think we cannot count upon the whole of that balance being available necessarily. Then we have to provide for the scientific work which we have agreed upon today. Are there any suggestions as to what we might best do?

Gentlemen, I have just been looking through the estimates closely with the Secretary and I should like just to amend what I said. The position, subject to whatever the Chairman of the Finance Committee, Mr. Scott, may say, seems to be that we had a balance at the end of the year just concluded of £827, but included in that is nearly £400 owing from one of the member countries which we cannot be sure of receiving during the coming year; we hope we shall, but it is not in the till. So we seem to have had a safe balance, at the end of last year, of about £400. On the expenditure side we might, if the Commission so decides, save something on whale marking to add to that £400, but we probably cannot save anything elsewhere. We have to add in whatever the cost of the scientific work is to be, and that was put at £1000 as the lowest estimate. So the net is something on the debit side on the basis of the present contribution of £200 per country. I think I am right, Mr. Scott?

Mr. J.V. SCOTT (New Zealand): Yes, I think that is correct.

The CHAIRMAN: If we were to raise the subscription to £250 per country we might get by on the present year. However, some countries have expressed reserve and, indeed, have gone further than that as regards raising the subscription to £250. I do not know whether we could meet this. Is there any way of not formally approving an increase in the contribution to £250, but recommending to Governments - in view of our situation and this new scientific work - that they should contribute £250 in the coming year if at all possible, and that we hope that Governments will, in fact, provide £250 instead of £200? The alternative to that is either to say flatly that the contribution is now £250 for next year, or to run the risk of becoming bankrupt in the course of the year and not being able to carry out some of the decisions of the Commission.

Mr. J. GRAHAM (United Kingdom): To some extent the difficulty is one in which the Commissioners have no authority now to agree to an increased subscription. If we were to accept the Chairman's suggestion that we should merely recommend an increase in the subscription, would it not be wiser to face

- 109 -

the fact that we need to recommend a higher figure than £250 having regard to this work which we have approved?

The CHAIRMAN: Making the figure £300 perhaps, do you mean?

Mr. J. GRAHAM (United Kingdom): I think if we can agree £250 at once without any difficulty we should agree it, but if we cannot we should perhaps make it £300 at least.

The CHAIRMAN: I have tried to explain the position as I see it. Would any Commissioner feel able to make a proposal, or does the Chairman of the Finance Committee wish to make any further suggestion as to how we might best meet this?

Mr. J.V. SCOTT (New Zealand): Would it help at all if you, Mr. Chairman, were to ask the members of the Commission just who could accept the increase of £50? Would that be of any help? I may say that New Zealand could accept an increase of £50.

The CHAIRMAN: Bearing Mr. Graham's suggestion in mind, we could go round the table and ask two questions: who could accept £250, and who could accept £300. That would show up the possibilities maybe. Should we do that? Would the Secretary go round the table?

The SECRETARY: Yes, Mr. Chairman, I will.

Argentina	We could accept £250, but I would have to consult my Government about £300.
Australia	I can accept £250. That is all I can do at the moment, but we possibly could do £300.
Canada	We could accept the £250 contribution, but I would have to reserve our position with regard to £300.
France	£250, subject to the approval of the French Government.
Iceland	I am afraid I cannot say any more than I have already said. I have to reserve my position on both figures.
Japan	We can accept the £250, but reserve on £300.
New Zealand	We could accept £250, but reserve on £300.

- 110 -

South Africa	I am quite prepared to take back a recommendation that the contribution should be increased to £300 if that is necessary, but I would also have to make a recommendation with regard to £250.
Sweden	I have no instructions, so I have to reserve my position on both.
U.S.S.R.	We will accept the figure of £250, and we have no reservation with regard to £300.
U.S.A.	We will accept £250 and argue them into £300 if necessary.
United Kingdom	We can accept £250 and will recommend £300. I might say that I have no doubt whatever that it will be forthcoming, although I cannot formally promise.

The CHAIRMAN: Will Commissioners now be able to propose what is the best course, having heard these answers?

/Mr. G.R. CLARK (Canada): .....

- 111 -

Mr. G. R. CLARK (Canada): Mr. Chairman, it seems to me that in view of the views expressed about the increase in the assessment to £250, and with certain reservations on the part of some of the countries, I think we should proceed to accept the proposal in the Finance Committee's report to increase the assessment to £250 for the coming year, subject to these other countries finding out from their Governments whether they can accept it or not.

It also seems to me, Mr. Chairman, that we could save perhaps this entire £500 that is used for the contribution for whale marking, and use that for this Scientific Committee's work that we have been talking about, because that is a one-shot deal. In other words, we have asked the special committee to submit a report within a year, and therefore I think that the National Institute, who hope to obtain or receive this contribution for whale marking, could be informed that the Commission intend to make the contribution in the following year.

The CHAIRMAN: Just one point, may I, Mr. Clark? I am not sure that it is a one-shot but rather a two-shot operation. Remember, the United Kingdom Commissioner suggested that the total cost might be £2,000 to £3,000 spread over two years. So it might follow from your proposal that you would have to ask the National Institute of Oceanography to forget the money for two years rather than one. Alternatively, you could ask them to forego half of it for each of the two years.

Mr. J. GRAHAM (United Kingdom): I feel I must admit that if the Commission feels, as I think we all do, that this additional work is desirable, it is a pity that we have not the courage of our convictions to finance it, and we merely think that we cut down on something else. I appreciate the difficulties, but supposing that apart from accepting the £250 we agreed to recommend the £300 level of subscription? Perhaps for the time being there could be some deferment of the payment of the £500 to the National Institute of Oceanography to keep the Commission in funds until Governments have time to consider whether they are willing to accept the £300 subscription. In other words, this should only be a deferment of payment of the subscription to the National Institute of Oceanography.

Dr. A. R. KELLOGG (U.S.A.): I have been listening to all this discussion. Is not the most urgent thing before us the setting up of this special committee? We have agreed to do so, we must provide the funds even if that means delay in certain other research like whale marking. I do not see how, in view of our financial situation, we are going to do everything.

The CHAIRMAN: What is the feeling of the Commission?

Mr. J. V. SCOTT (New Zealand): Mr. Chairman, I do not want to interrupt what you were about to say in case it was a solution that you were about to propose, but I wonder whether, even if we do adopt the Finance Committee's proposal to increase the contribution by £50; we should not in addition place an item on the agenda of next year's Commission which would enable the Commission to examine the state of its finances and the system of contributions. This could be done by the Finance Committee of the Commission, and the Committee could, if it felt it necessary, recommend a further increase

next year, or a different system of contribution if that were agreeable. But I feel we have to take some action, we cannot solve the problem only at this Session, we have got to do it again next year.

The CHAIRMAN: This may be a useful method of resolving the problem.

Mr. W. A. HORROCKS (South Africa): I would like to support that.

The CHAIRMAN: Thank you.

The proposal would be then, as I understand it, that we ask Governments for £250 for the current year while saying that we shall be examining next year our financial state and the whole system of contributions. Is that right, Mr. Scott?

Mr. J. V. SCOTT (New Zealand): Yes, Mr. Chairman. I think that has to be added on to your own earlier proposal with regard to the way we use our finances this year, and in the coming year, maybe by making some adjustment to the contribution to be paid to the National Institute of Oceanography and using what balance we have plus the additional contributions to cover the cost of the Scientific Committee.

The CHAIRMAN: On the whale marking we could say in effect that the Commission will make a payment to whale marking this year if there are sufficient funds, and that the Secretary will consult with the Chairman of the Finance Committee later in the year as to whether some contribution could be made. I am afraid that would be very indefinite, but that would give us some cover.

Dr. N. A. MACKINTOSH (United Kingdom): I do not think that we worry very much about punctual payment, or anything like that. If anything can be spared we are glad to have it, but I am sure the National Institute of Oceanography would understand your difficulty. They could have a letter perhaps from the Secretary explaining the situation.

The CHAIRMAN: Thank you, Dr. Mackintosh. I think that is very kind of you.

Have we got a solution here, Gentlemen, does it need to be formalised? Will the Chairman of the Finance Committee please put it as a proposal, just putting the several things together?

Mr. J. V. SCOTT (New Zealand): Mr. Chairman, I am not quite clear whether the proposal with regard to the whale marking contribution is a proposal to defer payment or not to make payment at all for this coming year, or to reduce the payment that is fixed in the budget. I would myself have thought, if the Commission is prepared to look at its finances thoroughly



this year, it could therefore this year defer payment to the National Institute of Oceanography; but that would be on the understanding, I suppose - and I am just thinking aloud - that we would find this a liability on our budget next year.

Mr. A. G. AGLEN (United Kingdom): If we are, in effect, going to defer the whale marking figure, that would mean scrubbing £500 in the budget and substituting, say, £1,000 for the scientific work.

If my addition is right, Sir, you would cross out also a balance of £482 and bring a total of £4,018, which is £18 more than what £250 will bring in. Although I have no authority for saying so, I should not have thought the Ministry of Agriculture and Fisheries would make very much difficulty about the £18, if that were all there was in it. I would have thought, on that basis, looking to the Rules of Procedure, if we made that alteration in the budget the £250 would be more or less automatically a request to Governments, and it would bring out a budget with a prospective deficit so far as can be seen of £18. There are, it is true, some uncertainties, but I think the uncertainties work both ways and that might be a reasonable thing to do. If there are difficulties which emerge between now and the next meeting of the Commission, I feel sure that the United Kingdom would be willing to consider how they should be met and, in effect, bring a report to the Commission at its next meeting so that when we look at the thing again, as the Chairman of the Finance Committee has proposed, we shall be able to mop it all up in a new operation after we have had time to consider all the various aspects of it and see how the science is working out.

The CHAIRMAN: Does your proposal mean no payment for whale marking this year?

Mr. A. G. AGLEN (United Kingdom): No payment for whale marking this year. Next year, if we find that a reasonable settlement does enable us to pay something in respect of this year as well as something in respect of next year, well and good. If not, I dare say Dr. Mackintosh will let it pass.

The CHAIRMAN: So the proposal would be then: 1) that the Commission asks Governments if they would pay an increased contribution this year of £250; 2) that the Commission decides to review its financial state and the present system of contributions next year; 3) that we make no payments for whale marking this year; 4) that we insert a figure of £1,000 for this scientific activity in the budget. Those are the four substantial points, are they?

Mr. A. G. AGLEN (United Kingdom): That is it.

Mr. J. V. SCOTT (New Zealand): I think that would cover it, Mr. Chairman.

The CHAIRMAN: May I ask if that is agreed? Are there any objections to that solution until next year? (Agreed) Thank you, Gentlemen.

Now may we take paragraph 6 of the Finance Committee's report, which is item 19 on our agenda, Date and Place of the next Meeting. The recommendation is London, Monday, 19th June, 1961. Is that agreeable? Are there any objections? (Agreed)

That disposes of the Finance Committee's report; and I think we should express our thanks to the Committee and its Chairman, Mr. Scott.

Now let us turn back to items 11 and 12. We must see whether there is anything remaining in these two reports of the Scientific and Technical Committees.

The Scientific Committee report: 5 is done, Blue Whales. 6 and 7, I think we have dealt with, Fin Whales, 8 and 9 we have dealt with. Stop me if I am incorrect. Blue Whale unit limit, 10, we have dealt with. Sei whales, 11, we have dealt with and sperm whales, 12, also humpbacks, 13 to 17, and 18, 19 and 20. Pacific whaling, 21 to 23 we dealt with yesterday and Whaling in the Atlantic; opening dates and length of baleen whaling season, we have dealt with that in respect of blue whales.

Is there any proposal in respect of other species of whales? I think not.

Dr. N. A. MACKINTOSH (United Kingdom): I do not think so, Mr. Chairman.

The CHAIRMAN: Whale marking, I think we have dealt with, and progress of research also. Humane killing of whales and the whale research programme. I think we have dealt with everything. Do you agree, Dr. Mackintosh?

Dr. N. A. MACKINTOSH (United Kingdom): Yes, Mr. Chairman, I cannot see anything that has been overlooked.

The CHAIRMAN: Thank you very much.

Now the Technical Committee. We have dealt with 2,3,4,5,6,7 and 8. Now here we have the draft United States' resolution which we have still to look at. Shall we come to that in a moment? 9, Blue Whale unit limit, we have dealt with; also 10 and 11.

Should we turn to the United States' resolution. This has been circulated. This is a draft resolution in three parts, Gentlemen, which I think you all have before you.

Dr. A. R. KELLOGG (U.S.A.): In the second line in the first paragraph I feel that there is a word dropped out. After 1962/63 insert the word "resolves".

Mr. G. R. CLARK (Canada): I would suggest, in the interests of time, Mr. Chairman, that if the Commission is agreed with the substance of this resolution it be accepted subject to the Secretary putting it in more formal language, if that is thought necessary.

- 115 -

The CHAIRMAN: That is seconded by Dr. Kellogg and Mr. Horrocks. The suggestion is, Mr. Sukhorutchenko, that if this resolution is broadly acceptable the detailed wording might be left to the Secretary in view of the shortness of time.

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.)(interpretation): We are not speaking about the details of the first resolution, but as to the essence of the first resolution, we shall vote against it.

The CHAIRMAN: Against the first one and the second and the third?

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.)L(interpretation): We agree as to the second and the third resolution.

The CHAIRMAN: Thank you very much. I think perhaps we ought to take a vote on the first resolution any way.

Mr. W. A. HORROCKS (South Africa): As regards the first resolution, would we not have approached Norway and all the pelagic countries to fix ceilings on their catches irrespective of the action we took regarding the blue whale limitations? In other words, if those words were deleted, the resolution might be acceptable.

The CHAIRMAN: Let us explore that.

Mr. W. A. HORROCKS (South Africa): The first two lines.

The CHAIRMAN: Would it help the U.S.S.R. if the first two lines of the first resolution were deleted?

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.)(interpretation): We should set up a total quota and not be guided by separate voluntary limits.

The CHAIRMAN: Thank you. So that the suggestion of the South African Commissioner does not, I think, assist the Soviet Union delegation.

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.): No.

The CHAIRMAN: I think, if you agree Gentlemen, we should take a vote on the first resolution. Would the Secretary do so?

- 116 -

The SECRETARY: I will now take the vote in the normal way.

Argentina	Yes
Canada	Abstain
Denmark	Yes
France	Yes
Iceland	Yes
Japan	Abstain
New Zealand	Abstain
South Africa	Yes
Sweden	Abstain
U.S.S.R.	No
U.S.A.	Yes
U.K.	Yes.

Mr. J. V. MORONEY (Australia): I would like to remind the Secretary that the Australian delegation is still here.

The CHAIRMAN: We beg your pardon, Mr. Moroney.

The SECRETARY: I am sorry.

Australia	Yes
-----------	-----

I am awfully sorry. Apart from my inefficiency, it is the shape of this piece of paper.

Altogether there are 9 for, 1 against and 4 abstentions. As this is not a matter for the Schedule, the matter would therefore be carried, Mr. Chairman.

The CHAIRMAN: Thank you. The second and third resolutions. May we take it that they are acceptable to all the delegations? Is there any objection to the second or third resolutions? May I take it that they are adopted unanimously, or without dissent? (Agreed) Thank you very much.

Now Gentlemen, item 16 of the agenda, the Observer Scheme. Is there anything more to be said on that? May I take it that no delegation wishes to speak to item 16?

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.)(interpretation): Mr. Chairman, ladies and gentlemen, as is known, the Soviet Union has ratified the Protocol of 19th November, 1956 to the 1946 International Convention on the Regulation of Whaling. This Protocol gives the right to the International Whaling Commission to adopt regulations on methods of supervision of whaling in the Antarctic.

The Soviet Union proceeds from the fact that the strengthening of the control over the rules of whaling will promote more rational whaling. Thus the Soviet position on this problem is absolutely clear. At the present moment, however, two countries possessing half of the total number of whaling ships operating in the Antarctic, namely Norway and the Netherlands, have withdrawn from the Convention, thus releasing themselves from the obligations to observe the quota set up by the Convention and other rules of whaling.

- 117 -

In such conditions the setting up of any system of control would serve no useful purpose. I am authorised to say that the Soviet Government confirms its agreement to take part in any conference to discuss questions relating to the supervision of whaling on the high seas when all the countries engaged in pelagic whaling in the Antarctic are equally bound by the obligations of the 1946 Convention. Thank you, Mr. Chairman.

The CHAIRMAN: Thank you, Mr. Sukhorutchenko. Are there any other observations on this item? If not, we will take note of the Soviet statement, and pass on to the next item.

I have overlooked one small matter, Gentlemen, may I turn back to it? Item 14, the Annual Report. Yesterday it was arranged that we should present you with a redraft of section 12. I have circulated a paper in which I have redrafted sections 12 and 13, assembling them together into one, and I should like to ask whether anyone has any objection to this redraft of those sections of the Eleventh Annual Report. May I take it that this redraft is acceptable, or am I too hopeful? No objection. (Agreed) Thank you very much.

/Item 20, Arrangements for Press Release....

## Item 20, Arrangements for Press Release.

I am afraid that we have no draft to show you because we have completed our main business so late that the Secretary has had no time to prepare the draft this afternoon. It could be done tonight or tomorrow morning. Would any Commissioners remaining here tomorrow wish to join the Secretary in preparing a draft Press Release. How would you like this handled?

Dr. A. R. KELLOGG (U.S.A.): Can we authorise the Secretary to prepare the annual release which is all the same except for a few different figures and trust him to do so?

The CHAIRMAN: This may be rather more difficult than usual because we have to say something about the suspension of the blue whale unit ceiling and maybe the approaches to . . . Norway and the Netherlands which the Commission have decided upon, I think we want to be sure what we should include and how we say it.

Would you like to leave it to the Secretary and the Chairman, but if any Commissioner would like to join in the drafting I am sure the Secretary would be very happy to have his help. Perhaps anyone who feels like helping would like to let the Secretary know. Could we leave it like that? (Agreed) Thank you very much.

Mr. J. V. MORONEY (Australia): When is it proposed?

The CHAIRMAN: It would be desirable to issue it tomorrow would it not? It will become stale news and the Press will be asking what we have done, but again, what views are there?

The SECRETARY: I should say we shall not have the raw material to begin with until well on into the morning tomorrow, because we have worked rather later today than we expected. The Reporting Organisation will not finish the waxes tonight and they will have to be done in the morning and it does mean a little delay in starting.

The CHAIRMAN: You have the working papers and I think you can prepare it on the working papers.

In any case, may I take it that the Commission is content to leave this in the hands of the Secretary and the Chairman, the new Chairman?

Mr. G. R. CLARK (Canada): Oh no!

The CHAIRMAN: Gentlemen, we have two items left.

Mr. J. V. MORONEY (Australia): A statement issued here may or may not receive prominence in, say, our own country, and I was just wondering what the position would be if our Minister wanted to say a few words concerning us. Is there any restriction on that or anything as far as protocol is concerned.

The CHAIRMAN: What does the Commission feel - I would have thought not myself.

Mr. J. V. MORONEY (Australia): I think it would be public knowledge once the Press Statement is released.

The CHAIRMAN: As long as the Commission's Press Statement is issued first, I think that is what matters most. Would that be agreed? Thank you.

The two items remaining are Any Other Business and The Resignation of the Chairman. Perhaps we ought to take the resignation of the Chairman before Any Other Business.

The time has come for me to stand down and may I just say that I think the rules of procedure are not clear as to what happens when a Chairman resigns or even dies. They only deal with what happens when he is absent or ill. So, I would ask the Commissioners for any proposals about my replacement which they wish to make.

Dr. A. R. KELLOGG (U.S.A.): Mr. Chairman, our delegation would like to nominate George Clark for Chairman for the next three years.

Mr. M. N. SUKHORUTCHENKO (U.S.S.R. interpretation): We support the nomination of Mr. Clark as Chairman of the Commission.

The CHAIRMAN: Thank you. Mr. Clark of Canada has been proposed as Chairman for the next three years by the United States and seconded by the Union of Soviet Socialist Republics. Is there any other nomination? If not, may I take it and declare that Mr. Clark is elected Chairman? (Applause)

Mr. G. R. CLARK (Canada): Mr. Chairman, may I say a word, first of all, of thanks to the Commission for the confidence which they have expressed in nominating me for the Chairman of the Commission for the next three years. I think it is regrettable that you, Mr. Chairman, should have to leave the Chair before your term of office is up. You have done a magnificent job as Chairman to this Commission and I am sure that we all regret seeing you leave the Commission. But I do wish to say, Mr. Chairman, that in this honour that has been given to me to be Chairman of the International Whaling Commission I shall try to do my best in the interests of the Commission. Thank you very much. (Applause)

The CHAIRMAN: Gentlemen, may I thank Mr. Clark very much for the kind words he has said and may I wish the Commission, and all of you, well in the future.

Now I think Mr. Clark would like to take the Chair and continue with the next item of business.

Mr. G. R. CLARK (Canada): I think, Mr. Chairman, it would be quite proper for you to continue. You have said that your resignation would not take effect until the end of the Twelfth Meeting and we are not yet at the end. Thank you.

The CHAIRMAN: Thank you for the courtesy Mr. Clark. Then I will ask for nominations for the Vice-Chairmanship.

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.) (interpretation): Mr. Chairman, we propose Mr. Engholm for the post of Vice-Chairman. From our point of view the election of the representative of the United Kingdom to the post of Vice-Chairman, whose permanent residence is in London where the Secretariat of the Commission is permanently working, corresponds to the interests of speedy settling of important questions which may arise in the periods between the sessions of the Commission, taking into consideration the present situation in the Convention. It would promote taking measures together with a new Chairman and it would facilitate the Chairman and Vice-Chairman in performing their important duties.

Efforts which were made by Mr. Engholm during the present session testify that he is the very candidate for this post of Vice-Chairman and it would promote the strengthening of our Convention and the successful realisation of the decisions adopted by this Commission today. Thank you, Mr. Chairman.

J. HERTOFT (Denmark): I second the proposal of Mr. Engholm as Vice-Chairman.

The CHAIRMAN: Any other nominations?

Mr. J. GRAHAM: Mr. Chairman, I am sure that if Mr. Engholm were here he would express much better than I can the honour which has been bestowed on him in having his name proposed by the Soviet Delegation and the Danish Delegation, and indeed to the United Kingdom, but I know that he would feel that it was not a proposal which we in the United Kingdom would really feel to be in the best interests of the Commission, because we do feel that it is important that all the countries in the Commission should share in the offices of the Commission. ~~We feel that the retiring Chairman was a United Kingdom Commissioner, and if Mr. Engholm were to become the Vice-~~ Chairman, altogether it would give the United Kingdom too prominent a part in the Commission. We should very much hope, therefore, that among the many other distinguished and, I am sure, highly qualified, candidates, someone else could be found. I know that those would be his views if he were here to express them, and so I hope you will allow me to do so on his behalf.



The CHAIRMAN: Thank you Mr. Graham. Would the Commission wish to consider the matter further in the light of Mr. Graham's remarks? Are there, in fact, any other nominations? If not, I think we shall have to ask Mr. Engholm not to be too worried because it seems that the Commission is proposing to elect him as Vice-Chairman. Am I correct? (Agreed) Mr. Engholm is elected as Vice-Chairman for the next three years. (Applause)

Now, gentlemen, Any Other Business.

There is one item from our side. The Commission has been invited by the International Council for the Exploration of the Sea to send an observer to the Meeting of the Council which is being held in Moscow this year in September. The Commission was not represented at the last Meeting of the Council in Copenhagen last year - Mr. Hertoft was, in fact, nominated but he was not able to attend. If the Commission should wish to have a representative at the Meeting in Moscow as an observer on their behalf the Commission might wish to ask if a representative of the Soviet Government, perhaps Mr. Sukhorutchenko himself, could represent this Commission at the International Council. But what would the Commission desire?

Mr. M. N. SUKHORUTCHENKO (U.S.S.R.) (interpretation): Mr. Chairman, I may be present at this session of the International Council as the delegate of the Soviet Union. That is why it is desirable that some other member of the Commission represent this Commission at the Moscow session, but I do not refuse. Thank you.

(United Kingdom)

Mr. J. GRAHAM: I think the reasons which Mr. Sukhorutchenko used for urging the nomination of Mr. Engholm apply with equal force to our nominating him in Moscow. (Applause)

The CHAIRMAN: Well, gentlemen, we customarily like to ask the observers from the International Organisations if they would like to speak to us before we close our Meetings and we have Mr. Finn from F.A.O. and there is Mr. Aglen who is representing the I.C.E.S. at this Meeting. Would Mr. Finn like to speak.

Dr. D. B. FINN (F.A.O.): Thank you very much Mr. Chairman. First I would like to thank the Commission for inviting F.A.O. to send an observer. I have followed your proceedings with a very great deal of interest and I am asked by the Director-General to state that he regards the Commission and its crises as concerning much more than the whaling industry. He believes that this is the first instance in which a body such as the Whaling Commission has faced a situation which may threaten to become active in other fishery situations, as was expressed by the United States delegate this morning. The action of this Commission goes beyond the whaling industry in the sense that if it succeeds it will have solved one of the very difficult problems that will face fisheries in the other treaty bodies, and so I feel that he would do everything he could to ensure, or assist, a solution at which we hope you will all arrive. Thank you very much Mr. Chairman.

The CHAIRMAN: Thank you, Dr. Finn.

Mr. A. J. AGLEN (United Kingdom): May I just step aside momentarily, Mr. Chairman, from the United Kingdom delegation and put on my other hat and say thank you to the Commission on behalf of the International Council for the Exploration of the Sea, for allowing them to be represented at this Meeting and to follow the proceedings of the Commission. The Council, as you know, has been concerned with conservation matters for nearly sixty years, and although latterly they have been concentrating mainly on fish rather than on whales they have a very close interest in everything concerning the resources of the sea and their conservation. I am sure they will be deeply interested to know of the proceedings this year, and appreciative of the difficulties which have faced the Commission and the steps which the Commission are taking to deal with them. Thank you Mr. Chairman.

The CHAIRMAN: Thank you Mr. Aglen. Is there any other matter that any delegation wishes to raise before we finish?

Mr. G. R. CLARK (Canada): Mr. Chairman, may I just express, I think on behalf of the Commission, our thanks to our Secretary, Mr. Wimpenny, and his staff and also the temporary staff for the very fine job that they have done during the annual Meeting. I think we do owe them a great deal of thanks because they have had to work long hours and turn out papers at very short notice. I should like to record our thanks to them. (Applause)

The SECRETARY: Mr. Chairman, may I most unworthily reply for those people who have done the work? I have done very little, I must admit. But my staff here, of whom you have spoken so kindly and to whom I will convey your message, have indeed borne one or two little storms during the course of this week, and I do believe they have responded properly when they have been asked to do things and when unusual demands have been made of them. As most of you will know, they have to do a great deal of this work when the Commission's sessions are ended, and they have to stay up late at night preparing the waxed reports for the next day so that they are in time; and, during the day time, they often have to try and do what appears to be rather impossible and I feel very grateful that you have proposed this appreciation on their behalf.

As far as I am concerned, I feel that I have been quite unworthy of anything that has been said by our new Chairman. I can only say, however, that I do thank you very much indeed on all our behalfs.

I want to say in return, for I think all of us in the Secretariat, that both this year and last the Commissioners and the Advisers have all been most extraordinarily forbearing with us about our mistakes, and it may be that if you continue to behave in that way we shall make fewer mistakes. But we do make mistakes and my final word is, should any Commissioner find any mistakes that are important enough, please let us know so that we can make the record clean. Thank you very much Mr. Chairman.

The CHAIRMAN: Well, gentlemen, there being no other business, it remains for me to declare the Twelfth Meeting of the Commission closed, and thank you very much.

(The Conference closed at 8.0 p.m.)

INTERNATIONAL WHALING COMMISSION

EAST BLOCK, WHITEHALL PLACE, LONDON, S.W.1

Telephone: TRAFALGAR 7711 (Extension 383)

Chairman: G. R. CLARK (Canada)

Vice-Chairman: B. C. ENGHOLM (U.K.)

Secretary: R. S. WIMPENNY.

16th August, 1960

Circular letter to all Contracting Governments  
and Commissioners and to Others present at Twelfth  
Meeting of the Commission.

Since the Twelfth meeting the Secretary has been asked to make a number of corrections to the Verbatim Report (document --- IWC/12/11). These are listed in the attached corrigenda to that document.

Copies of this circular are being sent where possible to all those present at the Twelfth Meeting; but where the Secretary does not have the addresses of those attending the meeting he is sending additional copies to the Commissioners and he would be grateful if these could be forwarded as appropriate.

---

IWC/12/11

INTERNATIONAL WHALING COMMISSION

Correction to Verbatim Report  
of 1st Plenary Session

On page 7 in the 4th line of the second paragraph delete  
"Dr. Budker" and insert after "time" the words "no doubt  
Dr. Budker will tell him".

---

INTERNATIONAL WHALING COMMISSION

TWELFTH MEETING - VERBATIM RECORD - IWC/12/11

CORRIGENDA

Page 1	line 4	delete "the" when it first occurs and insert "a";
"	" 5	insert comma after Leburn
" 2	" 35	after "Item 2" delete "the" and insert " - arrangements for the Meeting".
" 3	" 13	insert comma after "understand"; delete "But" and insert "The".
" 3	" 24	insert full stop after "Sea"
" 3	" 25	after "Statistics" add "is with us".
" 4	" 20	delete "that".
" 7	" 7	after "time" delete comma and insert "- no doubt Dr. Budker will tell him - "
" 7	" 8	delete the words after "USSR".
" 7	" 19	insert full stop after "agree" and dash after "so".
" 14	" 8	second sentence should read "Under (a) there are proposals from the Australian Commissioner"
" 14	" 17	delete "(II)".
" 15	" 11 & 21	delete "that" and insert "it".
" 17	" 9	delete "a" and insert "the"; insert full stop after "Committee".
" 17	" 35	delete "permission to take" and insert "for".
" 19	last line	delete "concentration", insert "consideration".
" 21	line 3	"paragraph" should be "paragraphs".
" 27	" 10	delete "competition defines" and insert "there is competition to find"
" 27	" 23	delete "are given"
" 36	lines 13 & 14	delete "then be left for the last sentence" insert "leave other sentences"
" 36	" 21	delete "the corrections" insert "corrections except the correction "
" 39	last line	delete "with"
" 40	line 4	delete "with" insert "as regards"
" 40	" 8	delete "are" insert "is".
" 40	" 25	delete "feeling" insert "appreciation"
" 41	" 2	delete "are a great many" insert "is a great deal"
" 46	" 8	delete "Financial Administration" insert "Finance and Administration".
" 58	" 4	delete "on a small" insert "with a short".
" 64	" 8	delete "concluding" insert "considering".
" 76	" 16	delete "to raise"
" 80	" 24	last word should read "text? "
" 87	" 10	between "to paragraph" insert "Schedule"; after "8(a)" delete comma and insert "at"; after "paper" add colon
" 87	between line 35 and 36	insert "The Secretary: yes".
" 87	line 36	delete "Secretary" insert "Chairman".
" 92	" 41	delete "do join" insert "rejoin".
" 103	lines 28 & 29	delete "had advanced" insert "now retarded".
" 111	line 19	delete "forget" insert "forego"
" 120	" 37	delete "We feel that".

---

INTERNATIONAL WHALING COMMISSION  
VERBATIM REPORT OF TWELFTH MEETING

INDEX OF MAIN ITEMS

	<u>Page</u>
Appointment of Committee	5-8
Review of Previous Season's Catches	8-13
Draft Annual Report	13, 32-36, 117
Report of Scientific Committee	18-22, 26-28, 39-44, 114
"    "    Technical Committee	23-26, 31-39, 44-45, 114
"    "    Finance Committee	28-30, 105-114
Summary of Financial Conclusions	113
Report of Working Party on Humane Killing of Whales	19, 24, 36-37, 39
Scientific Committee's Views	19
Technical Committee's Views	24, 36-37, 39
Adoption	39
 <u>Regulation of Antarctic Pelagic Whaling</u>	
<u>General discussion on U.K. Memorandum</u>	47-61
Statement by U.K.	47-50, 60-61
"    "    U.S.A.	51-52, 56-57
"    "    U.S.S.R.	52-53
"    "    Japan	54
"    "    France	54
"    "    South Africa	54
"    "    New Zealand	54
"    "    Canada	55
"    "    Netherlands	56
"    "    Australia	58
 <u>Schedule Amendments</u>	
<u>Suspension of Blue Whale Unit Limit (Para. 8(a))</u>	
Relation to proposed scientific investigation	61-63
Voting	86-87
Rights of objection	93
 <u>Alteration of Blue Whale Season (Para. 7(a))</u>	
Voting	92
Rights of objection	92
 <u>Additional protection for Humpbacks (Para. 6)</u>	
Scientific Committee's comments	18-19
Technical Committee's proposals	24-25
Australian statement	95-98
U.K.                "	98
New Zealand       "	98-100
U.S.S.R.          "	100
Voting:-	
prohibition on Area IV (para. 6(2)(b)	101
reduction of catching period in Area V	
(para. 6(3)(a)	101
retention of 4 days catching in "other"	
areas (para. 6 (3)(b)).	103
Rights of objection	98
 <u>Resolutions</u>	
<u>U.K. Resolution</u> for Norway & the Netherlands	
to rejoin Convention	88-91
Amendment	91

<u>U.S.A. Resolution</u>	<u>Page</u>
(1) for voluntary limitation of national quotas by all the Antarctic pelagic whaling countries	94, 103-104, 114-116
Voting	116
(2) for Norway and the Netherlands to observe the new restrictions on taking humpbacks	103-104, 114-116
Adoption	116
(3) for Norway and Netherlands to observe blue whale season	114-116
Adoption	116
<u>Canadian Resolution for work of Ad Hoc Scientific Committee and appointment of special group of three scientists:-</u>	
Scientific Committee's report	19-22, 43-44
Discussion of original proposals in U.K. Memo.	62-75
Estimate of cost	75
Revised proposals (by Canada)	75-82
Final amendments	83-86
Adoption of Resolution	87
Fin Whales (Scientific Committee's report)	18
Sperm & Sei Whales (Scientific Committee's report)	18, 39-40.
Infractions	23, 31
Implementing Legislation	23-24.
Observer Scheme	116-117
Election of Chairman and Vice Chairman	119-121