

Annex I

Report of the Infractions Sub-Committee¹

Friday 21 October 2016, Portorož, Slovenia

Summary of Main Outcomes

Issue and Agenda Item	Main outcomes
Infractions Reports for 2014 and 2015 <i>Item 3.1</i>	A summary of infraction reports received by the Commission for 2014 and 2015 was reviewed and is given in Appendix 3, Tables 1 and 2.
Follow-up on earlier reports <i>Item 3.2</i>	Information on the completion of the one previously unresolved infraction from earlier seasons is given in Appendix 3, Table 3.
Other Information Items 4-6	Information on the surveillance of whaling operations in the 2014 and 2015 is summarised under Item 4. The information provided as required or requested under Section VI of the Schedule is summarised under Item 5. A summary of national legislation supplied to the Commission is given in Table 1.
Other Matters	Some members considered that the catches taken in Greenland 2013 and 2014 should be reported as infractions. The Kingdom of Denmark, supported by others, did not agree with this view. There was support for measures to ensure that a situation in which no ASW catch limits are set should not occur in the future, such as the change to the Rules of Procedure suggested by the Working Group on Operational Effectiveness and Cost Saving Measures. The issue was referred to the Commission.

¹ Presented to the meeting as IWC/66/Rep04.

1. INTRODUCTORY ITEMS

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

A list of participants is given in Appendix 1.

1.1. Appointment of Chair

Ms Hild Ynnesdal, Norway was appointed Chair. She welcomed participants to the meeting.

1.2. Appointment of Rapporteurs

Cherry Allison (Secretariat) was appointed rapporteur with assistance from Robert Munroe and Pablo Sinovas.

1.3. Review of Documents

The following documents were available to the Sub-Committee:

IWC/66/INF01	Revised Draft Agenda
02rev	Annotated Draft Agenda
03	National Legislation Details Supplied to the IWC
04rev	Draft Summary of Infraction Reports Received by the Commission for 2014 and 2015

1.4. Observer Participation

Following the change in the Commission's Rules of Procedure agreed at IWC65 in 2014, the Chair welcomed observers to the Infractions Sub-Committee. She explained that, so long as time permitted, she would call observers to speak at the end of discussions on each agenda item.

2. ADOPTION OF AGENDA

The Agenda was adopted unchanged, see Appendix 2.

3. INFRACTIONS REPORTS FROM CONTRACTING GOVERNMENTS

The Secretariat circulated forms for annual reporting of current and unresolved infractions on 14 April 2016 (Circular Communication IWC.CCG.1199) and on 11 March 2015 (Circular Communication IWC.CCG.1145). While the use of the form is not compulsory, Contracting Governments must fulfil reporting obligations under Article IX.4 of the Convention.

3.1. Reports for 2014 and 2015

The Sub-Committee reviewed IWC/66/Inf04, the draft summary of infraction reports received by the Commission for 2014 and 2015, which is given as Appendix 3 to this report.

3.2. Follow-up on earlier reports

Information on the completion of the one previously unresolved infraction from earlier seasons (by Denmark (Greenland)) is given in Appendix 3.

4. SURVEILLANCE OF WHALING OPERATIONS

The Infractions Report submitted by the USA and the Russian Federation stated that 100% of their catches are under direct national inspection. Catches by Denmark (Greenland) are subject to a random check (1%) and in 2014 1% of the catch was inspected by an observer from NAMMCO. For Iceland 33.5% of the catch was under direct national inspection in 2014 and 15.2% in 2015.

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

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

The available information is summarised below.

Denmark: Information on date, species, length, sex, whether the whale is lactating and the length and sex of any foetus if present is collected for between 68-100% of the catch, depending on the item. The position of each whale killed is collected for 58-63% of the catch and the name of the area where whales are hunted is reported for the remainder. Information on killing methods and numbers of struck and lost animals are also collected.

USA: Information on date, time, species, position, length, sex, the length and sex of any foetus if present, killing method and number of struck and lost is collected for 80-100% of the catch. 39-83% of the adult females were checked for lactation. Biological samples are collected from at least 50% of animals.

Russian Federation: Information on date, time, species, position, length, sex, the length and sex of any foetus if present, whether the whale is lactating, the killing method and numbers struck and lost is collected for 100% of the catch.

Norway, Iceland and St. Vincent and the Grenadines: The required information has been submitted to the Secretariat as noted in the Scientific Committee reports (IWC/66/Rep 1 (2015) and (2016)).

6. SUBMISSION OF NATIONAL LAWS AND REGULATIONS

A summary of national legislation supplied to the Commission is given in Table 1.

7. OTHER MATTERS

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

The Commission has adopted a number of Resolutions inviting Contracting Governments to report on the availability, sources and trade in whale products. This agenda item provides the opportunity for Contracting Governments to provide the information specified in these Resolutions.

- 1994-7 on international trade in whale meat and products.
- 1995-7 on improving mechanisms to prevent illegal trade in whale meat.
- 1996-3 on improving mechanisms to restrict trade and prevent illegal trade in whale meat.
- 1997-2 on improved monitoring of whale product stockpiles.
- 1998-8 *inter alia* reaffirmed the need for Contracting Governments to observe fully the above Resolutions addressing trade questions, in particular with regard to the problem of illegal trade in whale products, and urged all governments to provide the information specified in previous resolutions.

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

7.2. Other

Argentina recalled the unresolved issues concerning catches taken in Greenland in 2013 and 2014. At the IWC64 meeting, no ASW quota was assigned for Greenland. In view of this, Argentina noted that it and the Buenos Aires group maintain that the catches taken by Denmark (Greenland) in 2013 and 2014 should be considered as infractions. Following discussion at IWC65, unresolved issues relating to these catches were referred to Working Group on Operational Effectiveness and Cost Saving Measures (WG-OE). The WG-OE considered that it did not have the mandate to make recommendations as to whether these catches should be considered as infractions. Argentina stated that it was important to resolve this issue both for the 2013/14 situation and any future situations.

Mexico, Chile and Cetacean Conservation Centre agreed with Argentina. They consider the 2013 and 2014 Greenlandic catches to be infractions and urged that the matter be resolved in order to prevent reoccurrences in the future.

The Kingdom of Denmark responded that it considers it to be the responsibility of the government concerned to report data to the Infractions Sub-Committee. Accordingly, it regularly reports the relevant data to this body. The situation following IWC64 was exceptional, when an indigenous people of Greenland had a significant subsistence need which had to be met. The Kingdom of Denmark engaged in comprehensive and substantial efforts to address this issue and to find a solution consistent with the Convention. At IWC65 a solution was adopted.

The Kingdom of Denmark has continued to engage in efforts to improve ASW management, including through participation in the ASWWG (IWC/66/AWS Rep02) and by hosting the IWC expert workshop on aboriginal subsistence whaling held in Maniitsoq in 2015 (IWC/66/ASWRep01). It is committed to ensuring the IWC does not find itself in a similar situation in the future. The Kingdom of Denmark shares the commitment to the International Convention on the Regulation of Whaling and its Schedule and fully recognises the competence of the IWC under this framework.

The USA noted that it is the responsibility of each country to interpret the Schedule and determine what to report as an infraction. It did not view extended discussion on this issue as productive, nor will it be resolved at this meeting. In its view, it is more important to move forward and avoid repeating what happened at IWC64. Recommendations from the IWC Expert Workshop on Aboriginal Subsistence Whaling will help, as will recommendations from the WG-OE.

Iceland supported the Kingdom of Denmark, noting that there is no benefit in reconsidering past events. It also agreed with the USA. Japan observed that the 2013-14 situation was an unfortunate and exceptional case. It is more important that the IWC move towards avoiding this situation in future rather than trying to define violations and what happened in the past.

Russia drew attention to the wording in Para 13(b)3 of the Schedule. At IWC64 the Commission rejected a proposal to increase the Greenlandic catch limits. Therefore para 13(b)3 remained as follows: “the taking by aborigines of minke whales from the West Greenland and Central stocks and fin whales from the West Greenland stock and bowhead whales from the West Greenland feeding aggregation and humpback whales from the West Greenland feeding aggregation is permitted and then only when the meat and products are to be used exclusively for local consumption”. Thus Russia believes that Denmark (Greenland) may legally take whales for aboriginal purposes without any quota. Russia faced a similar situation in 2002 in relation to bowhead whales, but the matter was resolved at a Special Meeting of the Commission. Appropriate amendments of the Rules of Procedure will help to avoid such situations in future.

Australia strongly believes that aboriginal subsistence whaling should only proceed under agreed strike limits. It regretted that such was not the case for Greenland at that time, and that what it believed to be unregulated whaling was carried out. Australia recognises that there are legitimate arguments to record this as an infraction, but the case is not sufficiently clear given historic precedent. However, it was concerned that undertaking aboriginal subsistence whaling in the absence of an IWC-approved quota should not be seen as an acceptable default. Australia is willing to work together with others to prevent such an occurrence in future.

In conclusion, the Chair noted that this matter cannot be resolved here and hence it should be forwarded to the Commission for further discussion. She noted the proposed change to the Rules of Procedure from the WG-OE which could help to prevent a situation in which no ASW catch limits are set in the future.

ADOPTION OF THE REPORT

The report was adopted by correspondence on 22 October 2016.

Table 1

Country	Date of most recent material	Country	Date of most recent material
Antigua and Barbuda	None	Kiribati	None
Argentina	2003	Korea, Republic of	2011
Australia	2000	Laos	None
Austria	1998	Lithuania	None
Belgium	2002	Luxembourg	None
Belize	None	Mali	None
Benin	None	Marshall Islands, Republic of	None
Brazil	2008	Mauritania	None
Bulgaria	None	Mexico	2006
Cambodia	None	Monaco	None
Cameroon	None	Mongolia	None
Chile	2011	Morocco	None
China, People's Republic of	1983	Nauru	None
Colombia	None	Netherlands, The	2002
Congo, Republic of	None	New Zealand	1992
Costa Rica	None	Nicaragua	None
Cote D'Ivoire	None	Norway	2000
Croatia, Republic of	None	Oman	1981
Cyprus	None	Palau, Republic of	None
Czech Republic	None	Panama	None
Denmark (including Greenland)	2014	Peru	1984
Dominica	None	Poland	None
Dominican Republic	None	Portugal	2004
Ecuador	2000	Romania	None
Eritrea	None	Russian Federation	1998
Estonia	2008	San Marino	None
Finland	1983	Saint Kitts and Nevis	None
France	1994	Saint Lucia	1984
Gabon	None	Saint Vincent and The Grenadines	2003
Gambia	None	Senegal	None
Germany	1982	Slovak Republic	None
Ghana, Republic of	None	Slovenia	None
Grenada	None	Solomon Islands	None
Guatemala	None	South Africa	1998
Guinea-Bissau	None	Spain	2008
Guinea, Republic of	None	Suriname	None
Hungary	None	Sweden	2004
Iceland	1985	Switzerland	1986
India	1981	Tanzania	None
Ireland	2000	Togo	None
Israel	None	Tuvalu	None
Italy	None	UK	1996
Japan	2008	Uruguay	2002
Kenya	None	USA	2004

NOTES:

- Up to the 20 October 2016. Dates in the table refer to the date of the material not the date of submission.
- Member states of the European Union (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and UK) are subject also to relevant regulations established by the Commission of the European Union. The date of the most recent EU legislation supplied to the International Whaling Commission is 2005.

Appendix 1

List of Participants

ARGENTINA

Juan Pablo Paniego
Miguel Inguez

AUSTRALIA

Nick Gales
Frank Lamacchia
Pam Eiser
William de la Mare

AUSTRIA

Andrea Nouak
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BELGIUM

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Fabian Ritter

CAMBODIA

Ing Try

CHILE

Barbara Galletti Vernazzani

CZECH REPUBLIC

Barbora Hirschova

DENMARK

Nette Levermann
Amalie Jessen
Gitte Hundahl

FINLAND

Penina Blankett

FRANCE

Nadia Deckert
Vincent Ridoux

GERMANY

Andreas Taeuber
Jurgen Friedrich
Nicole Hielscher

ICELAND

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Gisli Vikingsson
Kristjan Loftsson

JAPAN

Joji Morishita
Hideki Moronuki
Naohito Okazoe
Toshinori Uoya

KENYA

Susan Imende

KOREA, REPUBLIC OF

Hawsun Sohn
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MEXICO

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NORWAY

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Alessandro Astroza
Arne Bjørge
Hild Ynnesdal
Kathrine Ryeng

RUSSIAN FEDERATION

Ayvana Enmynkau
Igor Mikhno
Kirill Zharikov
Nataliia Slugina
Olga Safonova

SLOVAK REPUBLIC

Branislav Hrabkovsky
Lucia Vlckova

SOUTH AFRICA

Ed Couzens

SPAIN

Gloria Delgado Rojas

ST. KITTS & NEVIS

Marc Williams

ST. LUCIA

Horace Walters

SWEDEN

Anders Alm

SWITZERLAND

Bruno Mainini
Martin Krebs
Patricia Holm

UNITED KINGDOM

Catherine Bell
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UNITED STATES OF AMERICA

Russell Smith
Ryan Wulff
Brian Gruber
David Weller
DJ Schubert
Greig Arnold
Harry Brower
Arnold Brower
Jordan Carduner
Lisa Phelps
Michael Gosliner
Michael Tillman
Robert Brownell
Robert Suydam
Roger Eckert

INVITED EXPERT

Dalee Sambo Dorough

VIETNAM

Nguyen Thi Trang Nhung
The Cong Tran

NAMMCO

Charlotte Winsnes

Alaska Eskimo Whaling Commission

John Hopson
Jessica Lefevre
Taquik Hepa
Arnold Brower
Christopher Winter

Animal Welfare Institute

Kate O'Connell
Sue Fisher

Centro de Conservacion Cetacea

Maria Jimenez
Peter Sanchez

Dolphin Connection

Helena Symonds
Paul Spong

Fundacion Cethus

Carolina Cassani

Greenpeace

Phil Kline
John Frizell

Humane Society International

Bernard Unti
Claire Bass
Cristobel Block

Inst. de Conservacion de Ballenas

Roxana Schteinbarg

Makah Indian Tribe

Keith Johnson

OceanCare

Fabienne McLellan
Nicolas Entrup

Pro Wildlife e.V.

Sandra Altherr

Robin des Bois

Tamara Vilarins

University of Tasmania, Faculty of Law

Lucy Smejkal

Whale and Dolphin Conservation

Astrid Fuchs

Whaleman Int.

Jeff Pantukhoff

World Animal Protection

Nicola Beynon

World Conservation Trust (IWMC)

Nikolas Sellheim

IWC

Cherry Allison
Greg Donovan
Kate Wilson
Simon Brockington
Katie Penfold

Rapporteurs

Robert Munroe
Pablo Sinovas

Appendix 2

Agenda

1. INTRODUCTORY ITEMS
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Appendix 3

Summary of Infractions Reports Received by the Commission for 2014 and 2015

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

Aboriginal subsistence catches and infractions are summarised in tables 1a-b. Catch and associated data for commercial and scientific permit catches were submitted to the IWC Secretariat (IWC/66/Rep 1 (2015) and (2016)). The data for commercial catches and other infractions are summarised in tables 1c-d.

Table 2 gives details of the infractions reported in the 2014 and 2015 seasons and Table 3 gives information on the unresolved infractions from previous years.

Table 1a. Summary of Aboriginal subsistence catches and infractions reported for the 2014 season.

Country	Species	Males	Females	Total landed	Struck and lost	Total Strikes	Infractions / Comments
Denmark							
West Greenland	Fin	6	5	11	1	12	None
Greenland	Minke	27	115	144 ¹	2	146	None
	Humpback	2	4	6	1	7	None
East Greenland	Minke	1	9	11 ²	0	11	None
St Vincent and The Grenadines							
	Humpback	0	0	0	2	2	None
USA							
	Bowhead	19	18	38 ²	15	53	None
Russian Federation							
	Gray	42	80	122	2	124	None

Table 1b. Summary of Aboriginal subsistence catches and infractions reported for the 2015 season.

Country	Species	Males	Females	Total landed	Struck and lost	Total Strikes	Infractions / Comments
Denmark							
West Greenland	Fin	2	8	10	2	12	None
Greenland	Minke	26	101	130 ³	3	133	None
	Humpback	2	4	6	0	6	None
	Bowhead	0	1	1	0	1	None
East Greenland	Minke	0	6	6	0	6	None
St Vincent and The Grenadines							
	Humpback	1	0	1	0	1	None
USA							
	Bowhead	20	19	39	10	49	1 (Infraction 2015.1)
Russian Federation							
	Gray	49	75	124 ⁴	1	125	None

¹ Includes 2 whales of unknown sex

² Includes 1 whale of unknown sex

³ Includes 3 whales of unknown sex

⁴ Includes 1 whale that was inedible due to strong chemical smell

Table 1c. Summary of Commercial catches and any infractions reported for the 2014 season.

Nation	Species	Males	Females	Total Landed	Lost	Total	Infractions / Comments
ICELAND							
	Fin	81	53	134	3	137	None (see note ⁵)
	Minke	16	7	23	1	24	None
NORWAY							
	Minke	235	494	731 ⁶	5	736	None
REPUBLIC OF KOREA							
	Minke					11	11 (Infractions 2014.1-11)

Table 1d. Summary of Commercial catches and any infractions reported for the 2015 season.

Nation	Species	Males	Females	Total Landed	Lost	Total	Infractions/ Comments
ICELAND							
	Fin	87	67	154	1	155	None
	Minke	21	8	29	0	29	None
NORWAY							
	Minke	159	501	660	0	660	None
REPUBLIC OF KOREA (see ⁷)							
	Minke					14	14 (Infractions 2015.3-16)
	Fin whale ⁸					1	1 (Infraction 2015.17)
	Unidentified					1	1 (Infraction 2015.2)

⁵ The catch included a lactating whale but it was not accompanied by a calf and could not be identified as such until after it was caught. Hence it is not reported as an infraction.

⁶ Includes 2 whales of unknown sex

⁷ Korea also reports that 23 porpoises were taken illegally

⁸ Originally reported as a right whale. Corrected at the meeting of the IWC/66 Infractions Sub-Committee.

Table 2a. List of infractions from the 2014 season

No. 2014-	Nation	Species	Sex	Length	Date	Infraction (specify) ¹	Explanation ²	Penalty/Action ³	Investigatn. complete?
1	Korea	Minke whale (1)	Unk.	Unk.	11 Nov. 2014	No Quota (Illegal Catch)	On 11 Nov 2014 ~12:20 a Minke whale was seen 6 miles east of Samcheok Port. The violators harpooned the whale which died from blood loss. A vessel waiting nearby dismembered and transported the whale.	Total : Eight violators - 2 violators: 8-month imprisonment - 2 violators: 7-month imprisonment, 2-year probation - 2 violators: monetary penalty(KRW 5 million) - 1 violators: monetary penalty(KRW 3 million)	Yes
2	Korea	Minke whale (1)	Unk.	Unk	27 Jan. 2014	No Quota (Illegal Catch and transportation)	On 27 Jan 2014 ~12:00 the suspected ship, <i>Chilsan</i> , departed from Yeonggwang for gray mullet. On the same day ~16:00 at the southeast from Ahnma-do, an unidentified fishing vessel in preparation for fishing operation suddenly approached and asked for the destination. After identifying the destination as Jeollanam-do, Yeonggwang-gun, Yeomsan-myun, Weolpyung, they handed over one mobile phone and ~50 sacks onto the <i>Chilsan</i> and stated that a car will approach on entry into the port and hand over KRW 3 million. Thus, while transporting the 50 sacks, the ship got caught in a fishing net then they disposed the sacks.	Total : Two violators - 1 violator: monetary penalty(KRW 5 million) - 1 violator: prosecution suspended	Yes
3	Korea	Minke whale	Unk.	Unk.	3 Mar 2014	No Quota (Illegal Catch and Transportation)	On 3 Mar 2014 ~18:00, the captain of the ship 2011 <i>Dongjin</i> received an offer of KRW1.5 million in return for transportation by an unknown person when he was about to board the ship. He received 3 sacks of dismembered whale (approximately 500kg) in waters between Okdo-myun, Bangchook-do and Myung-do, and took them to the oil depot of National Fisheries Federation Cooperation in Gunsan-si, Bieung-do the same day. They were found on arrival when they were about to be transshipped to a 1 ton refrigerator truck and distributed.	Total : Seven violators - 1 violator: monetary penalty(KRW 3 million) - 1 violator: non-prosecution - 1 violator: monetary penalty(KRW 1 million) - 1 violator: monetary penalty(KRW 3 million) Dismembered whale meat: confiscated	Yes
4	Korea	Minke whale	Unk.	Unk.	20 May 2014	No Quota (Illegal Transportation)	On 20 May 2014 ~00:20, at the Yamido dock of Okdo-myun, Yamido-ri, chief Yamido branch officer identified ship <i>Youngjin</i> unloading products which he assumed to be an illegal catch from a refrigerator. The ship was arrested at once while transferring dismembered whale (approximately 1,500 kg) from a refrigerator truck.	- 1 violator: 6-month imprisonment, 1-year probation Dismembered whale meat: confiscated	Yes
5	Korea	Minke whale	Unk.	Unk (Dismembered)	20 Mar 2014	No Quota (Illegal Transportation and Storage)	On 20 Mar 2014 ~03:00, on the road near Gyeongju-si, Angang-eup, Nodang-ri, a violator was approached by an unknown person transporting an illegal Minke whale on a ton porter vehicle, and moved it to a rented workplace in 496 Nodang-ri, Angang-eup, for dismemberment. 93 sacks of illegally captured and dismembered whale meat were handed over and stored.	Total : Four violators - Two violators : on trial - Two violators : non-prosecution (lack of evidence)	No

No. 2014-	Nation	Species	Sex	Length	Date	Infraction (specify) ¹	Explanation ²	Penalty/Action ³	Investigatn. complete?
6	Korea	Minke whales (1)	Unk.	4.5m	1 Apr 2014	No Quota (Illegal Catch)	On 1 Apr 2014, ship 205 <i>Gwangsung</i> departed Yangpo port and on 3 Apr, ~13:30, a Minke whale was found caught in the line while hauling up the fishing trap set on an unidentified date. The whale was raised and then reported to Yangpo branch office.	Non-prosecution (stay of prosecution) Suspect unidentified	Yes
7	Korea	Minke whale	Unk.	Unk	27 Jun 2014	No Quota (Illegal Catch)	On 27 Jun 2014, ~19:50, at sea 2 miles east from Pohang-si, Songra-myun, Hwajin-ri, a violator was caught while pulling up 3 nets of whale meat from a signal buoy. An unknown person informed on him.	- 1 violator: monetary penalty (KRW 5 million)	Yes
8	Korea	Minke whales (1)	Unk.	6m	21 Jul. 2014	No Quota (Illegal Catch)	On 21 Jul 2014, ~07:00, at Chuksan port of Gyeongbuk, Yeongdeok-gun, Chuksan-myeon, a captain departed for illegal snow crab fishing boat observation. On the same day, around 10:50, a dead Minke whale caught using a harpoon was found and reported.	Non-prosecution (prosecution suspended) Suspect unidentified	Yes
9	Korea	Minke whale	Unk.	Unk.	21 Aug. 2014	No Quota (Illegal Catch)	On 21 Aug 2014, ~12:00, at sea about 14 miles northeast from Jukbyun port of Uljin-gun, Jukbyun-myeon, ship 212 <i>Hochang</i> (57ton, Jukbyun vessel, trawler, 10 crew on board) in operation detected a piece of meat (length 110cm, circumference 140cm) which was assumed to be a Minke whale when hauling the net, and reported it to the Jukbyun police substation.	Conclusion of examination Suspect unidentified	Yes
10	Korea	Minke whale	Unk.	Unk.	28 Sep. 2014	No Quota (Illegal Catch)	On 28 Sep 2014, ~11:00, at Chiksan port of Uljin-gun, Pyeonghae-eop, the violators boarded the ship <i>Haeju</i> (4.91 ton) for an unknown sea where they caught a Minke whale, dismembered it on board, put the meat into sacks and concealed them under water near the seawall of Uljin-gun, Pyeonghae-eop, Jiksan-ri. (14 net sacks of whale meat found)	- Three violators : on trial	No
11	Korea	Minke whale	Unk.	Unk.	20 Oct. 2014	No Quota (Illegal Transportation and Storage)	On an unknown date, an unknown ship caught a Minke whale in an illegal way not permitted by the Fishing Act, transported 20 boxes of meat to the Ilshin Machinery's cold storage area and stored them.	- Two violators : on trial - One violator: non-prosecution (lack of evidence)	No

Table 2b. List of infractions from the 2015 season.

No. 2015-	Nation	Species	Sex	Length	Date	Infraction (specify) ¹	Explanation ²	Penalty/Action ³	Investigation complete? ⁴
1	USA	Balaena mysticetus	F	5.7m	5 May 15	Calf	A very experienced crew inadvertently struck a calf, having incorrectly identified it as a larger whale.	The AEWG staff and Board of Commissioners conducted an investigation of the incident and held a hearing to take testimony from the captain and crew. Under the circumstances, including recognition of the fact that this experienced captain had never before committed an infraction, it was determined that a warning would be issued but no penalty would be imposed.	Yes
2	Korea	Unidentified	Unk.	Unk.	13 Jan. 2015	No Quota (Illegal Transportation)	On 13 Jan 2015 at 5:00 pm the violators departed from a port in Eocheong Island (Okdo-myeon, Gunsan city) on board the vessel <i>Changshin</i> in order to transport illegally captured whales. The <i>Changshin</i> was moored with another whaler (7 tons, no other details) 0.5 miles northeast of Eocheong Island at 8:00 pm. The two violators illegally captured and dismembered a whale, and were arrested 0.5 miles north of Hyeonggyeongdo (Okdo-myeon) at 11:30 pm.	Total : Two violators - 1 violator: monetary penalty (US\$5 thousand) - 1 violator: prosecution suspended Dismembered whale meat: confiscated	Yes (Gusan Police office)
3	Korea	Minke whale (1)	Unk.	4.6m	21 Feb. 2015	No Quota (Illegal Catch)	It was reported as follows: When hauling a set net at a point about two miles east of Osan Port at 4:10 am on 21 Feb 2015, the violators found a live minke whale entangled in the net. They tied a rope to the whale's tail and kept it hanging upside down with its head and blowhole submerged under the sea. By doing so, they let whale die and illegally captured it.	Total : Three violators - 3 Violators : non-prosecution (lack of evidence)	Yes (Pohang Police office)
4	Korea	Minke whale	Unk.	Unk	10 June 2015	No Quota (Illegal Transportation and Storage)	After plotting in advance, the violator received about 68 bags of illegally caught whale meat (1,100kg) from an unknown vessel on 10 June 2015 at a prearranged place. On the same date, the vessel was detected by police officers while mooring at Hajeong 3-ri Port (Guryongpo-eup, Nam-gu Pohang-si) at 3:50 p.m. and the violators ran away abandoning the vessel.	Total : Seven violators - 5 violators: on trial - 1 violator : non-prosecution (suspension of prosecution) - 1 violator: non-prosecution (lack of evidence)	No (Pohang Police office)
5	Korea	Minke whale	Unk.	Unk.	24 Aug. 2015	No Quota (Illegal Transportation & Storage)	Upon proposal by an unknown person to transport whale meat, the violator went on board the vessel <i>Biyong</i> at Jigyeong Port at 2:00 pm on 23 Aug 2015. The vessel received 40 bags of dismembered whale meat at a point twelve miles east of Jigyeong Port.	Total : Three violators Three violators: on trial	No (Pohang Police office)

6-9	Korea	Minke whales (4) & porpoise (23)	Unk.	1*6.3 m Others: unk.	2 April 2015	No Quota (Illegal Catch)	In the period from early Nov. 2014 to late April 2015, four minke whales and 23 porpoise (total of 27) had been captured.	Total : Eight violators - 1 violator: 10-month imprisonment, monetary penalty (US\$ 3 thousand) - 1 violator : 6-month imprisonment, monetary penalty (US\$ 1 thousand) - 1 violator : 6-month imprisonment, monetary penalty (US\$ 2 thousand) - 2 violators : monetary penalty (US\$ 4 thousand) - 1 violator : 6-mth imprisonment, monetary penalty (US\$ 1 thousand) -1 violator: 6mth imprisonment, 2yr probation monetary penalty (US\$ 1 thousand) - 1 violator : non-prosecution (lack of evidence)	Yes (Ulsan Police office)
10-13	Korea	Minke whales (4)	Unk.	Unk.	25 April 2015	No Quota (Illegal Catch)	In February 2015, a minke whale was captured in the waters off Jeollanam-do. In April 2015, three minke whales were captured in the East Sea.	On trial	No (Ulsan Police office)
14	Korea	Minke whale (1)	Unk.	Unk.	29 May 2015	No Quota (Illegal Catch)	A minke whale swimming in the coastal sea of Dong-gu, Ulsan was captured illegally.	On trial	No (Ulsan Police office)
15	Korea	Minke whale	Unk.	Unk.	16 June 2015	No Quota (Illegal transportation)	Violators were prompted by unknown person(s) to transport illegally captured and dismembered whale meat to land in return for KRW 3.5 million. At 5:00 pm on 16 June 2015, the violators received 34 bags of illegally captured and dismembered minke whale meat (340.2 kg, confiscated) from the captain of unknown illegal whaler in waters near Songi Island (Yeonggwang-gun, Jeollanam-do) and retained them on board. They were alleged to take the meat to waters 1.5 miles from Songseok-ri, Muan-gun Jeollanam-do at 00:17 am on 17 June 2015.	Total : Three violators - 1 violator: monetary penalty US\$ 5 thousand Proceeds from sale of whale meat: confiscated (sentence handed down on April 12 / not yet finalized) - 2 violators :non-prosecution	No (Mokpo Police office)
16-17	Korea	Minke whale (1) & Fin Whale (1)	Unk.	Unk.	19 Oct. 2015	No Quota (Illegal Catch and transportation)	Violators were arrested while transporting illegally captured and dismembered whales by a leisure boat in the coastal waters of Ilsan-dong, Dong-gu, Ulsan. The whaler(s) is being traced.	Total : Seventeen violators - 1 violator : 8-month imprisonment - 16 violators : under investigation	No (Ulsan Police office)

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

Year & No.	Nation	Species	Sex	Length	Date	Infraction (specify) ¹	Explanation ²	Penalty/Action ³	Investigation complete? ⁴
2012-1	Denmark (Greenland)	Humpback whale	Female	14 m	7/11 2012	Killing method, use of cold harpoon	Iilussat (West Greenland). Report from regional Wildlife Officer on killing method (cold harpoon) used for secondary killing.	Reported to the Police. Investigation stopped, expired	Stopped.