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(Formerly)

D/10/59.	D/10/59.

Relagic whaling at ~~South Georgia~~.

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CONNECTED FILES.

NUMBER

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Extract from letter to the Colonial Secretary from the  
Administrative Officer, South Georgia, dated 22nd April, 1959.  
Original filed in D/13/58.

.....

The Dutch (Govt: subsidised) floating factory expedition  
has had a 127,000 barrel season in the seas around the South  
Shetlands. Our whales, which because the ice stayed South,  
went down there to feed along the edge of it!

Extract from letter to the Colonial Secretary from the  
Administrative Officer, South Georgia, dated 22nd April, 1959.  
Original filed in D/13/58.

.....

Pelagic whaling is in the melting pot. It is almost certain to go onto system of quotas for each expedition in terms of Blue Whale units I gather. The result will be more economic whaling and less catchers used to take a longer time to get the quota. So far as we are concerned, it will probably mean less catchers used from Leith for the Harvester and Venturer.

for  
1/6/59

4  
WHALING



Copy sent  
with  
S.

Treaty Series No. 89 (1963)

# Arrangements for the Regulation of Antarctic Pelagic Whaling

London, June 6, 1962

[The United Kingdom accepted the Arrangements and the Supplementary Arrangements on November 27, 1962, which entered into force on April 13, 1963, and on February 22, 1963 respectively]

*Presented to Parliament by the Secretary of State for Foreign Affairs  
by Command of Her Majesty  
November 1963*

LONDON  
HER MAJESTY'S STATIONERY OFFICE  
EIGHTPENCE NET

Cmnd. 2210

**ARRANGEMENTS FOR THE REGULATION OF ANTARCTIC  
PELAGIC WHALING**

The Governments of Japan, the Kingdom of the Netherlands, the Kingdom of Norway, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, being Parties to the International Convention for the Regulation of Whaling, signed at Washington on December 2, 1946<sup>(1)</sup> (hereinafter referred to as "the Convention");

Have agreed upon the following Arrangements:

**ARTICLE 1**

For the purposes of the present Arrangements the term "season" shall mean the season during which the taking of baleen whales is permitted under paragraph 7(a) of the Schedule to the Convention.

**ARTICLE 2**

The present Arrangements shall be operative until the end of the 1965-66 season.

**ARTICLE 3**

The total annual catch authorised under the Convention shall be divided among the countries of the Contracting Governments in the following quotas:

Japan	...	...	...	...	33%
Netherlands	...	...	...	...	6%
Norway	...	...	...	...	32%
Union of Soviet Socialist Republics	...	...	...	...	20%
United Kingdom	...	...	...	...	9%

These quotas are not transferable except as provided in Article 5 hereof and in Articles 3 and 4 of the Supplementary Arrangements signed at London on this day's date.

**ARTICLE 4**

None of the Contracting Governments shall permit any increase in the number of factory ships under its jurisdiction operating in the Antarctic except by purchase from the country of another Contracting Government of factory ships engaged at the time of purchase in Antarctic pelagic whaling, save that the Government of the Union of Soviet Socialist Republics may permit one additional factory ship to be added to the fleet operating during the 1960-61 whaling season.

<sup>(1)</sup> "Treaty Series No. 5 (1949)", Cmd. 7604.

**ARTICLE 5**

(1) None of the factory ships under the jurisdiction of any of the Contracting Governments shall be transferred to the jurisdiction of another Government which is a party to the Convention, unless a part of the quota of the transferor Government is allocated to the transferee Government and the latter agrees to accept the obligations of the present Arrangements, or unless the transferee country gives a satisfactory guarantee that the factory ship will not be used as such in Antarctic pelagic whaling during the period of the present Arrangements.

(2) The part of the quota of the transferor country to be allocated shall be settled between the two Governments concerned, provided that no such allocation shall result in any country with only one factory ship having a quota exceeding 6% of the total annual catch authorised under the Convention. The part of the quota allocated shall be notified by the two Governments concerned to the Government of the United Kingdom of Great Britain and Northern Ireland, which shall notify the other signatory Governments.

**ARTICLE 6**

If a factory ship under the jurisdiction of a Government which is not a party to the present Arrangements should engage in Antarctic pelagic whaling otherwise than as a result of a transfer as provided under Article 5 above, and that Government is or becomes a Party to the Convention, the present Arrangements shall be terminated.

**ARTICLE 7**

The present Arrangements shall enter into force on the date on which all the signatory Governments shall have notified their acceptance to the Government of the United Kingdom of Great Britain and Northern Ireland.<sup>(2)</sup>

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed the present Arrangements.

Done at London the 6th day of June, 1962 in the English language in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland. The Government of the United Kingdom shall transmit certified copies thereof to all other signatory Governments.

For the Government of Japan:

**KATSUMI OHNO**

<sup>(2)</sup> The Arrangements entered into force on April 13, 1963.



For the Government of the Kingdom of the Netherlands:

C. W. BOETZELAER  
on behalf of the European part of the Kingdom

For the Government of the Kingdom of Norway:

E. ULSTEIN

For the Government of the Union of Soviet Socialist Republics:

A. SOLDATOV

For the Government of the United Kingdom of Great Britain and Northern Ireland:

DUNDEE

#### ACCEPTANCES

	<i>Country</i>	<i>Date</i>
United Kingdom	... ..	November 27, 1962
Japan	... ..	November 5, 1962
Netherlands	... ..	February 22, 1963
Norway	... ..	October 25, 1962
Soviet Union	... ..	April 13, 1963

#### SUPPLEMENTARY ARRANGEMENTS FOR THE REGULATION OF ANTARCTIC PELAGIC WHALING

The Governments of Japan, the Kingdom of the Netherlands, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland, having agreed upon the Arrangements for the Regulation of Antarctic Pelagic Whaling signed at London on this day's date (hereinafter referred to as "the Main Arrangements");

Have agreed upon the following Supplementary Arrangements:

##### ARTICLE 1

For the purposes of the present Supplementary Arrangements

- (a) the term "blue whale unit" shall have the meaning given to it in paragraphs 8 and 18 of the Schedule to the International Convention for the Regulation of Whaling, 1946 (hereinafter referred to as "the Convention");
- (b) the term "season" shall mean the season during which the taking of baleen whales is permitted under paragraph 7(a) of the Schedule to the Convention;
- (c) the term "due date" shall mean in relation to any season the date on which 80% of the season shall have elapsed.

##### ARTICLE 2

The present Supplementary Arrangements shall be operative during the period of operation of the Main Arrangements and shall be terminated by the termination of the Main Arrangements.

##### ARTICLE 3

(1) An additional number of blue whale units shall be allowed to the Kingdom of the Netherlands in accordance with the following provisions:

If by the due date in any season the Kingdom of the Netherlands shall have caught

- (a) not less than 75% of their quota under the Main Arrangement but less than 80%, the number of additional blue whale units for that season shall be 45;
- (b) not less than 80% but less than 85% of their quota, the number of additional units for that season shall be 60;
- (c) not less than 85% of their quota, the number of additional units for that season shall be 70.

(2) The number of additional units, if any, to be allowed to the Kingdom of the Netherlands in respect of each season shall be determined by the Bureau of International Whaling Statistics, and the Bureau shall inform the

Contracting Governments of their determination. The Contracting Governments shall furnish the Bureau with such information as the Bureau may require, additional to that required to be provided pursuant to Article VII of the Convention, for the purposes of these provisions.

(3) Any additional units allowed to the Kingdom of the Netherlands under the present Supplementary Arrangements shall not be transferable to any other country.

#### ARTICLE 4

The Governments of Japan, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland shall reduce the catches made by their countries within their permitted quotas under the Main Arrangements by the number of blue whale units allowed to the Kingdom of the Netherlands under Article 3 of the present Supplementary Arrangements. The number of blue whale units to be contributed to the Kingdom of the Netherlands by each of the three Governments mentioned above shall be determined by agreement between the three Governments.

#### ARTICLE 5

The present Supplementary Arrangements shall enter into force on the date on which all the Governments shall have notified their acceptance to the Government of the United Kingdom of Great Britain and Northern Ireland.<sup>(3)</sup>

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed the present Supplementary Arrangements.

Done at London the 6th day of June, 1962 in the English language in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland. The Government of the United Kingdom shall transmit certified copies thereof to all other signatory Governments.

For the Government of Japan:

KATSUMI OHNO

For the Government of the Kingdom of the Netherlands:

C. W. BOETZELAER

on behalf of the European part of the Kingdom

For the Government of the Kingdom of Norway:

E. ULSTEIN

For the Government of the United Kingdom of Great Britain and Northern Ireland:

DUNDEE

#### ACCEPTANCES

	<i>Country</i>	<i>Date</i>
United Kingdom	... ..	November 27, 1962
Japan	... ..	November 5, 1962
Netherlands	... ..	February 22, 1963
Norway	... ..	October 25, 1962

<sup>(3)</sup> The Supplementary Arrangements entered into force on February 22, 1963.

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*W.P.*  
*2000*  
*1/2*

Miscellaneous No. 21 (1963)

*Si*

# Agreement

concerning an

## International Observer Scheme for Factory Ships Engaged in Pelagic Whaling in the Antarctic

London, October 28, 1963

[The United Kingdom has not accepted this Agreement]

*Presented to Parliament by the Secretary of State for Foreign Affairs  
by Command of Her Majesty  
November 1963*

LONDON  
HER MAJESTY'S STATIONERY OFFICE  
EIGHTPENCE NET

**AGREEMENT CONCERNING AN INTERNATIONAL OBSERVER  
SCHEME FOR FACTORY SHIPS ENGAGED IN PELAGIC  
WHALING IN THE ANTARCTIC**

The Governments of Japan, the Kingdom of the Netherlands, the Kingdom of Norway, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, being Parties to the International Convention for the Regulation of Whaling, signed at Washington on December 2, 1946<sup>(1)</sup> (hereinafter referred to as "the Convention") and to the Arrangements for the Regulation of Antarctic Pelagic Whaling, signed at London on June 6, 1962;<sup>(2)</sup>

Proceeding from the mutual concern of the Antarctic pelagic whaling countries for the conservation of whale stocks, for the maintenance of the proper productivity of pelagic whaling and the ensuring of its being carried out rationally;

Have agreed on the following scheme for International Observers on board factory ships engaged in pelagic whaling in the Antarctic pursuant to Article V of the Convention and paragraph 1 (a) of the Schedule to the Convention:—

**ARTICLE 1**

**Appointment of Observers**

Observers shall be appointed by the International Whaling Commission to expeditions engaged in pelagic whaling in the Antarctic under the flags of member countries. These observers shall be responsible to the Commission and shall be appointed in accordance with the following provisions.

- (a) Each Government party to this scheme has the right in any season in which an expedition under its flag is operating in Antarctic pelagic whaling to nominate to the Commission not more than one observer of its nationality in respect of each foreign expedition, and shall nominate at least as many observers as it has expeditions operating under its flag.
- (b) From the observers so nominated the Commission shall appoint one to each and every expedition engaged in Antarctic pelagic whaling, so that the number of each nationality is equal to the number of that country's expeditions.
- (c) The remaining observers shall be appointed to such expeditions as the nominating Government may require, provided that not more than one observer of any nationality shall be appointed to any expedition.
- (d) The Commission shall inform all Governments party to this scheme of all appointments made under sub-paragraphs (b) and (c) of this Article.

<sup>(1)</sup> "Treaty Series No. 5 (1949)", Cmd. 7604.

<sup>(2)</sup> "Treaty Series No. 89 (1963)", Cmnd. 2210.

**ARTICLE 2**

**Rights and Functions of Observers**

(1) The observers shall have the status of a senior officer, and shall be entitled to subsistence and accommodation accordingly. They are not invested with any administrative power in regard to the activities of the expeditions to which they are appointed, and shall have no authority to interfere in any way with those activities. They shall neither seek nor receive instructions from any authority other than the Commission. They shall be given the necessary facilities for carrying out their duties, including the use of radio for open communication.

(2) An observer shall be enabled to observe freely the operations of the expedition to which he is appointed, so that he may verify the observance of the provisions of the Convention and the Schedule in regard to the taking of whales and their rational utilisation. In particular the observer shall be given facilities to ascertain the species, size, sex and number of whales taken.

(3) All reports required to be made, and all records and data required to be kept or supplied in accordance with the Schedule, shall be made freely and immediately available to observers for examination, and they shall be given all necessary explanations as regards such reports, records and data.

(4) The master, manager or senior officers of any of the vessels forming part of the expedition, or the national inspectors, shall supply any information that is necessary for the discharge of the observer's functions.

(5) An observer shall draw up a report covering any infractions of the provisions of the Convention and the Schedule which have taken place during the season, and shall submit it both to the master or manager and to the senior national inspector for information and such explanations or comments as they may wish to make. Any such explanations and comments shall be attached to the observer's report, which shall be transmitted to the Secretariat of the Commission.

(6) Any infraction not due to excusable error shall be brought in writing to the immediate notice both of the master or manager and of the senior national inspector by an observer, who shall, if he deems it sufficiently serious, at once inform the Secretariat of the Commission of the said infraction together with the explanation or comments of the master or manager and the senior national inspector.

**ARTICLE 3**

**Finance**

(1) Each observer shall be appointed for one Antarctic whaling season at a time and shall receive from the Commission a remuneration of £750 for any one season. The nominating Government may pay the observer an additional remuneration if it deems fit.

(2) The observer may be required to pay the factory ship to which he has been appointed not more than 15 shillings per day for subsistence, and the Government nominating him may repay any such charge to the observer.

(3) The Government nominating an observer shall defray his travel expenses between his own country and the port of embarkation/disembarkation.

(4) The Government appointing an interpreter in accordance with paragraph (1) of Article 4 below shall bear the cost of his salary and all other expenses, including subsistence, the charge for which shall not exceed 15 shillings per day.

(5) The Governments nominating observers shall arrange through their Commissioners for the advance of the remuneration due to the observers under paragraph (1) above. After each season each nominating Government shall transmit to the Secretary to the Commission an itemized statement covering such payments. The Secretary to the Commission shall include the expenses of administering the scheme and shall divide the total sum of expenses among the Governments party to this scheme under whose flags expeditions in that season took part in Antarctic pelagic whaling as to one-half in proportion to their quotas under the Arrangements for the Regulation of Antarctic Pelagic Whaling signed at London on June 6, 1962, and as to the other half in proportion to the number of expeditions operating in Antarctic pelagic whaling under each country's flag in that season. In the event that any Government in any season has no expedition operating in Antarctic pelagic whaling under its flag it shall not bear any expenses other than a share of the administrative expenses which the Secretary to the Commission certifies have been incurred for that season. This share shall be proportionate to the number of Governments party to this scheme.

#### ARTICLE 4

##### Language

(1) Any observer who does not know the language of the flag country of the expedition to which he is appointed, or the English language, may be accompanied by an interpreter who shall be of the same nationality.

(2) Where an observer does not speak the language of the expedition to which he is appointed but speaks English or is accompanied by an English-speaking interpreter, then the expedition is required to provide at least one English-speaking person on the factory ship.

#### ARTICLE 5

##### Entry into Force

(1) The present Agreement shall enter into force on the date on which all the signatory Governments shall have notified their acceptance to the Government of the United Kingdom of Great Britain and Northern Ireland.

(2) The Government of the United Kingdom of Great Britain and Northern Ireland shall inform all other signatory Governments of the receipt of each such acceptance.

#### ARTICLE 6

##### Duration

The present Agreement shall remain in force for the duration of the Arrangements for the Regulation of Antarctic Pelagic Whaling, signed at London on the 6th of June, 1962.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed the present Agreement.

Done at London the 28th day of October, 1963 in the English language in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland. The Government of the United Kingdom shall transmit certified copies thereof to all other signatory Governments.

For the Government of Japan:

KATSUMI OHNO

For the Government of the Kingdom of the Netherlands:

C. W. VAN BOETZELAER

For the Government of the Kingdom of Norway:

ARNE SKAUG

For the Government of the Union of Soviet Socialist Republics:

A. SOLDATOV

For the Government of the United Kingdom of Great Britain and Northern Ireland:

PETER THOMAS

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FALKLAND ISLANDS

JAPAN

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Treaty Series No. 18 (1964)

## Exchange of Notes

between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Government of Japan

concerning the transfer to Japan of the United Kingdom  
quota under the Arrangements for the Regulation of  
Antarctic Pelagic Whaling, 1962, in connexion with the  
sale to Japan of the "Southern Harvester"

London, 6th January, 1964

*Presented to Parliament by the Secretary of State for Foreign Affairs  
by Command of Her Majesty  
May 1964*

LONDON  
HER MAJESTY'S STATIONERY OFFICE  
FIVEPENCE NET

Cmd. 2337

*Copy sent to R.G.*

**EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF  
THE UNITED KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND AND THE GOVERNMENT OF JAPAN  
CONCERNING THE TRANSFER TO JAPAN OF THE UNITED  
KINGDOM QUOTA UNDER THE ARRANGEMENTS FOR THE  
REGULATION OF ANTARCTIC PELAGIC WHALING, 1962,  
IN CONNEXION WITH THE SALE TO JAPAN OF THE  
"SOUTHERN HARVESTER"**

No. 1

*Her Majesty's Principal Secretary of State for Foreign Affairs to the  
Japanese Ambassador*

G 63/1

*Foreign Office, S.W. 1,  
January 6, 1964.*

Your Excellency,

I have the honour to inform Your Excellency that in connection with the sale of the whaling expedition "Southern Harvester" by Messrs. Charles Salvesen and Company Limited to Nippon Suisan Kaisha Limited, the Government of the United Kingdom of Great Britain and Northern Ireland wish to propose, in accordance with Article 5 of the Arrangements for the Regulation of Antarctic Pelagic Whaling signed at London on the 6th of June, 1962,<sup>(1)</sup> that the present United Kingdom quota of five per cent of the total annual catch as qualified by the terms of the agreement reached in accordance with Article 4 of the Supplementary Arrangements of the 6th of June, 1962,<sup>(1)</sup> be now transferred to Japan, subject to the following conditions:

- (a) that the Government of Japan undertake to accept the obligations of the United Kingdom under the above mentioned Arrangements; and
- (b) that if Messrs. Charles Salvesen and Company Limited repurchase the vessel during the currency of the Arrangements or of any prolongation of them, the Government of Japan shall transfer back to the United Kingdom the above mentioned quota, and the Government of the United Kingdom shall reassume the obligations referred to in sub-paragraph (a) above.

If the foregoing proposals are acceptable to the Government of Japan, I have the honour to suggest that the present Note, together with Your Excellency's reply in that sense, shall be regarded as constituting an Agreement between the two Governments in this matter.

I have, etc.

(For the Secretary of State)

**DENYS BROWN.**

<sup>(1)</sup> "Treaty Series No. 89 (1963)", Cmnd. 2210.

No. 2

*The Japanese Ambassador to Her Majesty's Principal Secretary of State  
for Foreign Affairs*

*London,*

*6th January, 1964.*

Sir,

I have the honour to acknowledge receipt of your Note number G 63/1 dated 6th January, 1964, which reads as follows:

[As in No. 1]

In reply, I have the honour to inform you that the foregoing proposals are acceptable to the Government of Japan, who therefore regard your Note and this reply as constituting an Agreement between the two Governments in this matter.

I avail, etc.

**KATSUMI OHNO.**



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