INFRACTIONS SUB-COMMITTEE,

ANNOTATED DRAFT AGENDA

Thursday 24th May 2007

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).

1. INTRODUCTORY ITEMS

1.1 Appointment of Chairman
Bruno Mainini (Switzerland) is proposed

1.2 Appointment of Rapporteur
Cherry Allison (Secretariat) is proposed.

1.3 Review of Documents
To date, the following documents have been submitted to the sub-committee.

Document No.	Title	Agenda item	On website?
IWC/59/INF 1	Revised Draft Agenda		Yes
2	Secretariat: Annotated Draft Agenda	1-8	No
3	Secretariat: National Legislation Details Supplied to the Commission	6	No
4	Draft Secretariat: Summary of Infraction Reports for 2006 Received by the Commission	3	No
IWC/59/ASW 8rev	White paper on hunting of large whales in Greenland	4	No

2. ADOPTION OF THE AGENDA

In previous years under this agenda item Norway and Japan have referred to the terms of reference and stated their belief that Item 7.1, covering stockpiles of whale products and trade questions, is outside the scope of the Convention. Consequently, they have proposed that this item be deleted. The USA and New Zealand have not agreed with this view. Nevertheless, in previous years, it has been agreed that an exchange of views was nonetheless useful.

3. INFRACTIONS REPORTS FROM CONTRACTING GOVERNMENTS, 2006

Last year at IWC/58, the Sub-committee adopted a revised form for reporting infractions, including reporting details of any infractions committed in previous years that remain unresolved. This revised form was circulated to Contracting Governments by the Secretariat. While use of the form is not compulsory, Contracting Governments do have to fulfil their reporting obligations under Article IX.4 of the Convention.

3.1 Reports for 2006
The infractions reports from Contracting Governments for 2006 are summarised in IWC/59/Inf 4, Tables 1-2.

3.2 Follow-up on earlier reports
Reports from Contracting Governments concerning infractions which were not fully resolved last year are summarised in IWC/59/Inf 4, Table 3.

4. SURVEILLANCE OF WHALING OPERATIONS

The Infractions Report submitted by the USA stated that 100% of their catches are under both international inspection and direct national inspection; those submitted by the Russian Federation and St. Vincent and the Grenadines stated that 100% of their catches are under direct national inspection. Denmark (Greenland) stated that 2% of their catch was inspected under an international program (by an observer from NAMMCO) and in addition their catches are subjected to a random check. Denmark (Greenland) reports on monitoring in IWC/59/ASW 8rev (pages 12-15).

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

This 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 fill in the Checklist although, of course, they do have to fulfil their obligations under this Section of the Schedule.

The available information is summarised below:

Denmark: Information on date, species, length, sex and the length and sex of any foetus if present is collected for between 80-100% of the catch, depending on the item. The position of each whale killed is collected for 59% of the catch and the name of the area where whales are hunted is reported for most of the remainder. Information on killing methods and struck and lost animals are also collected.

USA: Information on date, species, position, length, sex, the length and sex of any foetus if present, killing method and number of struck and lost is collected for 100% of the catch. Biological samples are collected for about 67% of animals.

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

St. Vincent and the Grenadines: Information on date, time, species, position, length and sex is collected for 100% of the catch. Biological samples are also collected.

Norway and Iceland: the required information has been submitted to the Secretariat as noted in the Scientific Committee report (IWC/59/Rep 1).

6. SUBMISSION OF NATIONAL LAWS AND REGULATIONS

A summary of national legislation supplied to the Commission is given as IWC/59/Inf 3.

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:

- 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.

This agenda item provides the opportunity for Contracting Governments to provide the information specified in these Resolutions.

7.2 Other

To date, no country has indicated that it wishes to raise anything under this item.

8. ADOPTION OF REPORT