

3.2 REPORT OF THE WORKING GROUP ON INSPECTION AND OBSERVATION

Copenhagen, 3 November 1995

The Working Group met in the offices of the Greenland Home Rule Government, Copenhagen, 3 November 1995. The meeting was attended by Einar Lemche (Greenland), Anna Maria Fossá (Faroe Islands), Snorri Rúnar Pálmason and Kristján Loftsson (Iceland), Halvard P. Johansen (retiring Chairman, Norway) and Egil Ole Øen (new Chairman, Norway). Halvard P. Johansen attended the first two items on the agenda. The Assistant Secretary was rapporteur.

1. ADOPTION OF AGENDA

The Agenda was adopted.

2. ELECTION OF CHAIRMAN

The Chairman, Halvard P. Johansen, Norway, retired from the Chair due to the fact that he is now Chairman of the Council, and on his suggestion Egil Ole Øen (Norway) was elected new Chairman of the Working Group. In this connection the value of spreading official responsibilities among persons in the organization was noted.

In handing over the Chair, the retiring Chairman thanked the Working Group for its support during his chairmanship. The new Chairman thanked the Working Group for its confidence in him and he especially thanked the retiring Chairman for the very efficient job he had done during his term of office.

3. UPDATE ON NATIONAL REGULATIONS

The Chairman suggested that the members update the Working Group on whaling regulations in their respective countries.

a) Norway

Øen reported that only hunting of minke whales is allowed in Norway. Licences are issued on a one-year basis to hunters who have carried out whaling over the past 3 years. The licence holder must own at least 50% of the boat for which the licence is issued (unless the boat is owned by a company), and is not allowed to possess more than one boat. In 1995 the number of vessels hunting minke whales was 33 with one or two gunners on board each.

A number of minke whales (between five and twelve) are allocated to each vessel. The whales are flensed on board the vessel.

The following conditions must be met to obtain a licence for hunting minke whales:

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- There must be an inspector on board every vessel.
- Gunners must pass a yearly official course and a shooting test with harpoon cannon and rifle.

Steps have been taken to ensure that harpoon cannons and harpoons are checked and approved every year. Furthermore, on land the catch is occasionally checked by weighing the meat and comparing it with the logbooks. For veterinary reasons it has been suggested that all meat should be weighed.

b) Iceland

In Iceland no commercial whaling has been carried out since 1989. The regulations which applied to whaling were introduced in 1949 (*Whaling Act, No. 26, May 3, 1949*) when Iceland became a member of the IWC. Iceland resigned from the IWC with effect from July 1992.

The representatives of Iceland stated that the use of penthrite grenades will inevitably be required when Iceland resumes whaling.

Minke whaling was carried out from small vessels that transported whales to land, where they were flensed. In the case of larger whales, one land station had a licence to carry out whaling from a maximum of four vessels.

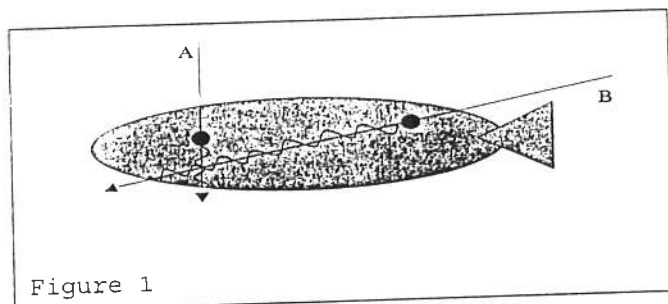
c) Greenland

The system of recording hunting in general was changed in 1993. Until then, the registration system required a local hunter from every municipality to send in information on catches to central authorities. Now all hunters - professional or otherwise - must record their own catches and send the records once a year to the Home Rule Authorities in order to obtain a *hunters licence*, without which hunting is not permitted. Licences are issued for two categories of hunters, professional and recreational.

Only professional hunters are issued a licence for hunting minke and fin whales. One licence is issued per whale, and when the whale is caught, the hunter is authorised by the municipal office, which dates and signs the licence, to sell the meat from the whale. When the meat is sold, the seller must be in possession of this authorised licence.

Under this item the Working Group discussed the amount of meat being destroyed by the penthrite grenade. Greenlandic hunters claim the loss to be larger using the grenade than it was when they used the cold harpoon. In the view of Øen this is a question of hunting and shooting techniques. The penthrite grenade is designed to explode c. 60 cm inside the whale. The meat penetrated by the harpoon after the explosion will be somewhat affected by penthrite gasses. The smaller the angle from which the whale is struck, the larger is the quantity of meat affected, as the explosion will more frequently occur in the muscle or blubber, and the harpoon will travel farther through these tissues after the strike than with a perpendicular strike. Two extremes are illustrated in Figure 1: Perpendicular strikes (A) will give the best chance of an instant kill, while angled shots (B) are more likely to result

in a longer time-to-death, and thereby poorer quality and more damaged meat. (See also Section 1.2, item 3.1).



Furthermore, in order to minimize uncertainty regarding the precision of the shots, the weight of harpoons should be standardised as they are in the Norwegian hunt.

Øen stressed the importance of training hunters in patience as well as accuracy of shooting.

d) Faroe Islands

In the Faroes a limited-scale drive hunt of Northern bottlenose whales has been conducted for centuries and some off shore catches occurred earlier this century. All in all c. 1.5 Northern bottlenose whales have been caught a year on average since 1584.

The local police - in some places the fire brigade - supervise the hunt of pilot whales. Every hunt is a public event and therefore quite transparent, from an inspection point of view.

The hunt of pilot whales is led by four *grind foremen* (and two substitutes) in each whaling bay. The local chief of police sends a report describing the details of the hunt to the Government.

The Working Group concluded item 3 by agreeing that the Secretariat should be provided with copies of legislation and the latest changes in specific regulations for whaling and sealing operations in member countries.

4. INSPECTION CHECKLIST

It was noted that the elements of the checklist had been approved by the Council.

The Working Group agreed that of cooperation in this area could be based on either: 1) the national checklists in which certain common elements should be included, or 2) a common list, to which other, national elements could be added to the extent the members find it appropriate.

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It was agreed that a common list would be preferable as long as it could be created without being complicated by too many specific elements related to individual countries.

The Working Group decided that two checklists should be developed: a hunter's checklist to send to the authorities, and an inspector's checklist. It was agreed that the development of common checklists would not imply any level of inspection - the inspector's checklist would be used only to the extent inspection is actually carried out in each country.

Iceland provided a suggestion for concrete elements to be included in the hunter's checklist (*WG-10/3/2*) and the IWC inspection checklist was also distributed at the meeting. At the second meeting of the Working Group the *Logbook for minke whaling in Norway* as well as the Greenland record form used by whalers (*Rapport om fangst af hval*) had been provided by Norway and Greenland respectively, and are contained in the Report of the 2nd Meeting of the Working Group (NAMMCO Annual Report 1995 - pp 55-65). The material was reviewed and the Working Group agreed that biological data should also be included in the lists. In this connection it was stressed that especially the hunter's checklist should be user-friendly.

It was further agreed that the Secretariat should prepare the draft lists, which would be reviewed by the Chairman and then distributed to the Working Group members and possibly discussed at a telephone meeting.

The question was raised of using genetic fingerprints as a means of monitoring whether meat that has been sold derives from a registered whale catch. The general feeling was that the techniques are not sufficiently developed to produce fingerprints that are reliable for monitoring.

It was noted that the checklists could only apply to offshore whaling with harpoon guns.

In conclusion, the Working Group agreed

- to compose two checklists - one for the license holder and one for inspectors;
- that the lists should contain at least the relevant elements required by the IWC Schedule; if elements are included in the IWC Schedule but left out of the NAMMCO checklist the reason should be explained;
- that the list provided by Iceland as well as the Greenlandic and Norwegian recording forms should provide the basis for the work of the Secretariat;
- that data relevant for scientific use should be included on the lists, and that therefore the checklists should be submitted to the Scientific Committee for additional comments.

5. DEVELOPMENT OF A RECIPROCAL OBSERVER'S SCHEME

At its 5th Meeting, the Council agreed to the recommendation from the Management Committee to request the Working Group "to consider the details of a reciprocal observer scheme between NAMMCO member countries and further develop these". The basis for

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the discussion in the Management Committee was the recommendation from the report of the Working Group's meeting in Copenhagen, 8 November 1994.

Iceland distributed WG-IO and also provided WG-IO/3/4.

Iceland pointed out that the draft agreement was not put forward as a proposal but merely as a basis for discussion.

Greenland distributed NAFO/FC Doc. 95/17 and NAFO/FC Doc. 95/19. Greenland noted that NAMMCO measures should not be less stringent than those agreed on in NAFO.

The Working Group reviewed the material and discussed the Icelandic draft in detail. The following comments were made:

ad Art. 1

It was agreed that the agreement should also cover vessels on which whales are not flensed.

ad Art. 2

It was agreed that either the "observer state" should decide which vessels are to be observed, or that the appointment of observers to vessels should be organized through the NAMMCO Secretariat.

The question of financing the scheme was raised again, and it was agreed that the costs of observers should not be paid by the flag state. The observer must remain independent of the flag state. The question was also raised as to whether NAMMCO should finance the scheme or whether the observing country should cover the costs for the individual observer, and further, whether a system by which NAMMCO finances the scheme would result in a situation where the observer and the observed vessel were of the same nationality. No conclusions were reached at the meeting on either question.

It was also noted that when using international observers a communication problem might arise from the fact that not all of NAMMCO member citizens speak and understand more than one other Nordic language or English very well.

The Working Group agreed that it would be up to the individual member country to determine the extent of its participation in the scheme.

The question was raised whether the flag state, the owner of the vessel/the captain on board or neither should have the option to reject specific persons as observers. The question was not resolved, but it was noted that the scheme would be weakened if this option existed.

ad Art. 3

Greenland suggested that the task of the observer should be to oversee that the national regulations of the flag state in question are followed. The Secretariat should be able to provide observers with guidance on national regulations and to give other forms of support.

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The Working Group agreed that the Secretariat should prepare a proposal for a common observer scheme including details of the role and function of international observers. The proposal should be based on the Icelandic draft (Appendix 4), and the NAFO, IWC and national regulations should also be taken into consideration.

6. ANY OTHER BUSINESS

Øen corrected the wording of a sentence in the Report of the 2nd Meeting of the Working Group in Copenhagen, 8 November 1994. The first sentence of the 8th paragraph under item 4.1 should read as follows: "*In summing up ... in Greenland it was obligatory to have harpoon guns checked, ...*".

7. ADOPTION OF REPORT

The Working Group agreed that the draft report of the meeting should be circulated. It was adopted at the Fourth Meeting of the Working Group, 22 January 1996.

LIST OF DOCUMENTS

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| WG-IO/3/1 | Agenda |
| WG-IO/3/2 | Comments for the Working Group Meeting on Inspection and Observation to be held in Copenhagen on 3rd November 1995 - By Iceland. |
| WG-IO/3/3 | Agreement between the Governments of the Republic of Iceland and of the Kingdom of Spain concerning an international observer scheme for land-based whaling stations in the North Atlantic area. |
| WG-IO/3/4 | WG-IO Working Paper on a reciprocal NAMMCO Observer's Scheme. |

REFERENCES

- Government of Iceland, 1949. *Whaling Act, No. 26, May 3, 1949.*
- International Whaling Commission, 1991. *International Convention for the Regulation of Whaling - Schedule, Chapter VI.*
- Northwest Atlantic Fisheries Organization, 1995. Pilot Project for Observers and Satellite Tracking, *NAFO/FC Doc. 95/17.*
- Northwest Atlantic Fisheries Organization, 1995. Infringements, *NAFO/FC Doc. 95/19.*
- North Atlantic Marine Mammal Commission, 1995. Report of the Fourth Meeting of the Management Committee, Nuuk, February 22 1995, Annex 1, Appendix 3. In: *NAMMCO Annual Report 1995.*