



Treaty Series No. 61 (1946)

PROTOCOL  
ON THE INTERNATIONAL  
REGULATION OF WHALING

London, 7th February, 1944

*Presented by the Secretary of State for Foreign Affairs  
to Parliament by Command of His Majesty*

LONDON  
HIS MAJESTY'S STATIONERY OFFICE

ONE PENNY NET

Cmd. 6990

# PROTOCOL ON THE INTERNATIONAL REGULATION OF WHALING

*London, 7th February, 1944*

THE Governments of the Union of South Africa, the United States of America, the Commonwealth of Australia, the United Kingdom of Great Britain and Northern Ireland, Canada, Eire, New Zealand and Norway,

Being parties or signatories to the International Agreement for the Regulation of Whaling signed at London on the 8th June, 1937<sup>(1)</sup> (hereinafter referred to as the Agreement of 1937), and to the Protocol signed at London on the 24th June, 1938,<sup>(2)</sup> introducing certain amendments into the Agreement of 1937 (hereinafter referred to as the Protocol of 1938); and

Desiring, in view of the fact that pelagic whaling operations in the area to which Article 7 of the 1937 Agreement applies have been interrupted for a considerable period by the existence of hostilities and in order to meet the present emergency without prejudicing the conservation of stocks of whales, to put into force by agreement such provisions as may be necessary with regard to pelagic whaling in this area when whaling operations are resumed there:

Have agreed as follows:—

## ARTICLE 1

(i) The period fixed by Article 7 of the Agreement of 1937, during which factory ships or a whale catcher attached thereto may be used for the purpose of taking or treating baleen whales, shall be extended for the first season in which whaling operations are resumed in the area referred to in the said Article 7, so as to cover the period from the 24th November to the 24th March, both dates inclusive.

(ii) Each Government party to the present Protocol shall give notice to the Government of the United Kingdom when whale factory ships registered under the law of any territory under its authority or otherwise under its jurisdiction engage in whaling operations in the area defined in Article 7 of the Agreement of 1937. The Government of the United Kingdom will inform the other Governments party to the present Protocol of all notices received under this paragraph and shall itself similarly give notice to the other contracting Governments if whale factory ships registered under the law of any territory under its authority or otherwise under its jurisdiction engage in whaling operations in the said area.

(iii) For the purposes of paragraph (i) of this article the first season in respect of which any notice has been given under paragraph (ii) above, shall be deemed to be the first season in which whaling operations are resumed. This season is hereinafter referred to as "the first season."

## ARTICLE 2

The provisions of Article 1 of the Protocol of 1938 relating to the taking of humpback whales in any waters south of 40 degrees south latitude shall apply during the first season.

<sup>(1)</sup> "Treaty Series No. 37 (1938)," Cmd. 5757.

<sup>(2)</sup> "Treaty Series No. 18 (1939)," Cmd. 5993.

## ARTICLE 3

(i) During the first season, the number of baleen whales caught in the area referred to in Article 7 of the 1937 Agreement shall not exceed 16,000 blue whale units.

(ii) For the purposes of paragraph (i) of this article, blue whale units shall be calculated on the basis that one blue whale equals—

(a) 2 fin whales, or

(b)  $2\frac{1}{2}$  humpback whales, or

(c) 6 sei whales.

(iii) The Government of the United Kingdom shall consult all the Governments who have given notice under Article 1 (ii) of this agreement in order to arrange by co-operation and agreement the measures necessary to ensure that the total number of baleen whales caught during the first season does not exceed the number specified in paragraph (i) of this article.

## ARTICLE 4

In the absence of agreement to the contrary none of the provisions of the present Protocol shall operate except in the first season.

## ARTICLE 5

The present Protocol shall be ratified and the instruments of ratification deposited as soon as possible with the Government of the United Kingdom.

## ARTICLE 6

(i) The present Protocol shall be open to accession on behalf of any Government which was a party to the 1937 Agreement and has not signed the present Protocol.

(ii) Accession shall be effected by means of a notification addressed to the Government of the United Kingdom.

## ARTICLE 7

(i) The Government of the United Kingdom shall inform the Governments of the United States of America, Canada, Eire, Mexico, New Zealand and Norway of all ratifications of this Protocol or accessions thereto.

\* (ii) The present Protocol shall come into force as soon as ratifications or accessions have been deposited on behalf of all Governments referred to in paragraph (i) of this article and of the Government of the United Kingdom.

(iii) The ratification of or accession to the present Protocol by a Government which is a signatory but not a party to the Agreement of 1937 shall not become effective until such Government becomes a party to that agreement by ratification.

In witness whereof the undersigned plenipotentiaries, being duly authorised to this effect by their respective Governments, have signed the present Protocol and affixed thereto their seals.

Done at London this 7th day of February, 1944, in a single copy which shall remain deposited in the archives of the Government of the United

\* See "Treaty Series No. 44 (1946)," Cmd. 6941.

Kingdom by whom certified copies will be transmitted to all the Governments referred to in Article 7 (i).

For the Government of the Union of South Africa :

(L.S.) DENEYS REITZ.  
(L.S.) A. P. VAN DER POST.

For the Government of the United States of America :

(L.S.) LOYD V. STEERE.

For the Government of the Commonwealth of Australia :

(L.S.) S. M. BRUCE.

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

(L.S.) A. T. A. DOBSON.  
(L.S.) J. E. DE WATTEVILLE.

For the Government of Canada :

(L.S.) VINCENT MASSEY.

For the Government of Eire :

For the Government of New Zealand :

(L.S.) W. J. JORDAN.

For the Government of Norway :

(L.S.) BIRGER BERGERSEN.

<i>Signatory States.</i>					<i>Date of Deposit of Ratification.</i>
United Kingdom	...	...	...	...	28th June, 1944.
Canada	...	...	...	...	24th August, 1944.
Australia	...	...	...	...	
New Zealand	...	...	...	...	8th March, 1945.
South Africa, Union of	...	...	...	...	18th March, 1946.
Norway	...	...	...	...	31st March, 1944.
United States	...	...	...	...	10th July, 1944.
<i>Acceding States.</i>					<i>Date of Accession.</i>
Argentine Republic	...	...	...	...	18th June, 1946.
Denmark	...	...	...	...	10th November, 1945.
Mexico	...	...	...	...	29th June, 1944.