

XI

The International Whaling Conference

Recognizes:

The desirability of achieving a large measure of uniformity among the various Contracting Governments with respect to the nature and severity of penalties imposed, for contraventions of the Convention, upon persons or ships operating under their jurisdiction. It recognizes that even under the most favorable management and with the most conscientious and experienced gunners and crews, it is inevitable that some whales will be taken illegally and that a certain latitude should be allowed in assessing penalties for such unavoidable taking. It may be that legal and administrative differences among the Contracting Governments will prevent the adoption of a uniform system of penalties, but it is the view of the Conference that it is desirable that the Governments should provide for the imposition of penalties sufficiently severe to discourage the illegal killing or taking of whales.

The Conference accordingly recommends that the Commission should study the reports regarding infractions made to them in accordance with the provisions of Article IX, paragraph 4, of the Convention, with a view to making recommendations to Governments as provided for in Article VI of the Convention for the purpose of achieving the greatest possible uniformity in the penalties imposed for contraventions of the Convention.

IN WITNESS WHEREOF, the following representatives sign this Final Act.

DONE in Washington, this second day of December, 1946, in the English language, the original of which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the other Governments represented at the Conference.

(Here follow the names of the representatives of Argentina, Australia, Brazil, Canada, Chile, Denmark, France, the Netherlands, New Zealand, Norway, Peru, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, together with the names of the observers for Iceland, Ireland, Portugal, Sweden, the Union of South Africa.)

ADDENDUM

As a result of the discussion of certain matters raised at the Conference, the Netherlands Delegate invited the Conference to include in its Final Act a resolution in the following terms:

"The Conference recommends that in the interest of effective conservation and development of whale stocks the Governments represented at the Conference refrain from taking any measures which might prevent any country adhering to the principles of the international whaling agreements from ratifying or entering into the international regulations for the preservation of whale stocks."

This resolution was, however, defeated by nine votes to three, some delegates disagreeing with the substance of the resolution and others considering that it contained implications outside the purview of the conference. At the express request of the Netherlands Delegate these facts are recorded in this addendum to the Final Act.