

Conference to Prepare an Agreement
on the Conservation of Polar Bears

Oslo, 13 to 15 November 1973

Final Act
and
Summary Record

OSLO

1974

CONFERENCE TO PREPARE AN AGREEMENT
ON THE CONSERVATION OF POLAR BEARS

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FINAL ACT
AND
SUMMARY RECORD

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FOREWORD

The Conference to Prepare an Agreement on the Conservation of Polar Bears was convened by the Government of Norway and was held at Oslo Militære Samfunn from 13 to 15 November 1973.

Representatives of the Governments of Canada, Denmark, Norway, the Union of Soviet Socialist Republics and the United States of America took part in the Conference. A representative of the International Union for the Conservation of Nature and Natural Resources (IUCN) was also present.

The Conference had its origins in a proposal made by representatives of the USSR at a meeting of the IUCN Polar Bear Specialist Group held in Morges, Switzerland, in February 1972. A draft of an Agreement on the Conservation of Polar Bears prepared by IUCN was sent to the five Governments for consideration. This draft as modified after consultation with the Governments was used as the Working Paper for the Conference.

The present document sets out the text of the Final Act of the Conference, and the text of the Agreement on the Conservation of Polar Bears, and contains a summary record of the proceedings of the Conference.

The working language of the Conference was English and accordingly this record is presented in that language. The Final Act and the Agreement are in the English and the Russian languages but only the English texts are presented here.

FINAL ACT

FINAL ACT OF
CONFERENCE TO PREPARE AN AGREEMENT ON THE
CONSERVATION OF POLAR BEARS
OSLO, 13 TO 15 NOVEMBER 1973

Representatives of the Governments of Canada, Denmark, Norway, the Union of Soviet Socialist Republics and the United States of America, met at Oslo from 13 to 15 November 1973 for the purpose of preparing and adopting an Agreement on the Conservation of Polar Bears, on the invitation of the Government of Norway.

A representative of the International Union for the Conservation of Nature and Natural Resources, which in consultation with the Governments represented had prepared the draft of the Agreement, was invited to take part in the proceedings of the Conference.

The Conference elected Mr. Erik Lykke (Norway) as Chairman. Mr. Frank G. Nicholls (IUCN) acted as Chairman of the Working Committee.

Following its deliberations, the Conference adopted the text of an Agreement on the Conservation of Polar Bears. The Government of Norway accepted an invitation from the Conference to act as Depositary Government.

The Conference adopted the annexed Resolution with regard to the Russian Language Text of the Agreement.

The original of this Final Act, the English and Russian texts of which are equally authentic, shall be deposited with the Government of Norway, which shall transmit certified copies thereof to all States which participated in the present Conference.

Представители правительств Дании, Канады, Норвегии, Соединенных Штатов Америки и Союза Советских Социалистических Республик по приглашению Правительства Норвегии собрались в Осло с 13 по 15 ноября 1973 г. в целях выработки и принятия Соглашения об охране белого медведя.

Представитель Международного союза по охране природы и природных ресурсов, подготовившего проект Соглашения по консультации с представленными правительствами, был приглашен участвовать в работе Конференции.

Конференция избрала своим председателем г-на Эрика Люкке (Норвегия). Председателем Рабочей группы был назначен г-н Франк Г. Никольс (МСОП).

В ходе своей работы Конференция выработала и одобрила текст Соглашения об охране белого медведя. Правительство Норвегии по просьбе участников Конференции согласилось быть государством-депозиторием.

Конференция приняла приложенную резолюцию, касающуюся текста Соглашения на русском языке.

Подлинник настоящего заключительного акта, английский и русский тексты которого являются одинаково аутентичными, должен быть передан на хранение Правительству Норвегии, которое разошлет его заверенные копии всем государствам, принимавшим участие в настоящей Конференции.

IN WITNESS WHEREOF the Representatives have signed this Final Act.
DONE at Oslo, on the fifteenth day of November of the Year One
Thousand Nine Hundred and Seventy-Three.

For the Government of Canada

John S. Tener

For the Government of Denmark

Jørgen Adamsen

For the Government of Norway

Erik Lykke

For the Government of The Union of Soviet Socialist Republics

Maksimov

For the Government of The United States of America

Curtis Bohlen

RESOLUTION WITH REGARD TO THE RUSSIAN LANGUAGE TEXT
OF THE AGREEMENT

THE CONFERENCE,

NOTING that the Agreement on the Conservation of
Polar Bears provides that the Russian text of the
Agreement shall be an authentic text,

RESOLVES:

That the Government of Norway, as host to the Conference, shall be invited to arrange for the preparation of the text of the Agreement on the Conservation of Polar Bears in the Russian language, and to communicate such Russian language text to all States participating in this Conference with a request that any comments or suggestions regarding the conformity of the text with the English language text be communicated to the Government of Norway within one month after the date on which that text is transmitted to the participating States. The Government of Norway shall thereupon take into account any comments and suggestions received during the said one month period and, after resolving any inconsistencies, shall join the Russian language text to the English text of the Agreement.

AGREEMENT
ON
THE CONSERVATION OF POLAR BEARS

AGREEMENT
ON
THE CONSERVATION OF POLAR BEARS

THE GOVERNMENTS of Canada, Denmark, Norway, the Union of Soviet Socialist Republics, and the United States of America,

RECOGNIZING the special responsibilities and special interests of the States of the Arctic Region in relation to the protection of the fauna and flora of the Arctic Region;

RECOGNIZING that the polar bear is a significant resource of the Arctic Region which requires additional protection;

HAVING DECIDED that such protection should be achieved through co-ordinated national measures taken by the States of the Arctic Region;

DESIRING to take immediate action to bring further conservation and management measures into effect;

HAVE AGREED AS FOLLOWS:

ARTICLE I

1. The taking of polar bears shall be prohibited except as provided in Article III.
2. For the purpose of this Agreement, the term "taking" includes hunting, killing and capturing.

ARTICLE II

Each Contracting Party shall take appropriate action to protect the ecosystems of which polar bears are a part, with special attention to habitat components such as denning and feeding sites and migration patterns, and shall manage polar bear populations in accordance with sound conservation practices based on the best available scientific data.

ARTICLE III

1. Subject to the provisions of Articles II and IV, any Contracting Party may allow the taking of polar bears when such taking is carried out:
 - (a) for bona fide scientific purposes; or
 - (b) by that Party for conservation purposes; or
 - (c) to prevent serious disturbance of the management of other living resources, subject to forfeiture to that Party of the skins and other items of value resulting from such taking; or
 - (d) by local people using traditional methods in the exercise of their traditional rights and in accordance with the laws of that Party; or
 - (e) wherever polar bears have or might have been subject to taking by traditional means by its nationals.

2. The skins and other items of value resulting from taking under sub-paragraphs (b) and (c) of paragraph 1 of this Article shall not be available for commercial purposes.

ARTICLE IV

The use of aircraft and large motorized vessels for the purpose of taking polar bears shall be prohibited, except where the application of such prohibition would be inconsistent with domestic laws.

ARTICLE V

A Contracting Party shall prohibit the exportation from, the importation and delivery into, and traffic within, its territory of polar bears or any part or product thereof taken in violation of this Agreement.

ARTICLE VI

1. Each Contracting Party shall enact and enforce such legislation and other measures as may be necessary for the purpose of giving effect to this Agreement.
2. Nothing in this Agreement shall prevent a Contracting Party from maintaining or amending existing legislation or other measures or establishing new measures on the taking of polar bears so as to provide more stringent controls than those required under the provisions of this Agreement.

ARTICLE VII

The Contracting Parties shall conduct national research programmes on polar bears, particularly research relating to the conservation and management of the species. They shall as appropriate coordinate such research with research carried out by other Parties, consult with other Parties on the management of migrating polar bear populations, and exchange information on research and management programmes, research results and data on bears taken.

ARTICLE VIII

Each Contracting Party shall take action as appropriate to promote compliance with the provisions of this Agreement by nationals of States not party to this Agreement.

ARTICLE IX

The Contracting Parties shall continue to consult with one another with the object of giving further protection to polar bears.

ARTICLE X

1. This Agreement shall be open for signature at Oslo by the Governments of Canada, Denmark, Norway, the Union of Soviet Socialist Republics and the United States of America until 31st March 1974.

2. This Agreement shall be subject to ratification or approval by the signatory Governments. Instruments of ratification or approval shall be deposited with the Government of Norway as soon as possible.
3. This Agreement shall be open for accession by the Governments referred to in paragraph 1 of this Article. Instruments of accession shall be deposited with the Depositary Government.
4. This Agreement shall enter into force ninety days after the deposit of the third instrument of ratification, approval or accession. Thereafter, it shall enter into force for a signatory or acceding Government on the date of deposit of its instrument of ratification, approval or accession.
5. This Agreement shall remain in force initially for a period of five years from its date of entry into force, and unless any Contracting Party during that period requests the termination of the Agreement at the end of that period, it shall continue in force thereafter.
6. On the request addressed to the Depositary Government by any of the Governments referred to in paragraph 1 of this Article, consultations shall be conducted with a view to convening a meeting of representatives of the five Governments to consider the revision or amendment of this Agreement.

7. Any Party may denounce this Agreement by written notification to the Depositary Government at any time after five years from the date of entry into force of this Agreement. The denunciation shall take effect twelve months after the Depositary Government has received the notification.
8. The Depositary Government shall notify the Governments referred to in paragraph 1 of this Article of the deposit of instruments of ratification, approval or accession, of the entry into force of this Agreement and of the receipt of notifications of denunciation and any other communications from a Contracting Party specifically provided for in this Agreement.
9. The original of this Agreement shall be deposited with the Government of Norway which shall deliver certified copies thereof to each of the Governments referred to in paragraph 1 of this Article.
10. The Depositary Government shall transmit certified copies of this Agreement to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Agreement.

DONE at Oslo, in the English and Russian languages, each text being equally authentic, this fifteenth day of November, 1973.

For the Government of Canada

John S. Tener

For the Government of Denmark

Jørgen Adamsen

For the Government of Norway

Erik Lykke

For the Government of The Union of Soviet Socialist Republics

S.K. Romanovski^{x)}

For the Government of The United States of America

Curtis Bohlen

^{x)} The signature of the plenipotentiary of The Union of Soviet Socialist Republics was affixed on 1 February 1974 at the Ministry of Environment in Oslo.

SUMMARY RECORD

SUMMARY RECORD
OF
THE CONFERENCE TO PREPARE AN AGREEMENT
ON THE CONSERVATION OF POLAR BEARS

Tuesday, 13 November 1973

1. Opening of the Conference

The Conference was opened at 10.30 a.m. by Mr. Tor Halvorsen, Minister of Environment, Norway. The Minister's address is given in Annex A.1.

Delegations from Canada, Denmark, Norway, the Union of Soviet Socialist Republics, and the United States of America took part in the Conference. A representative of the International Union for the Conservation of Nature and Natural Resources (IUCN) was also present.

A list of participants is given in Annex B.

2. Election of Chairman

Mr. Erik Lykke, Head of the Delegation of Norway, was elected Chairman of the Conference.

3. Adoption of the Agenda

The Agenda as adopted is set out in Annex C.

4. Organization of Work

The Conference decided to form a Working Group of the whole to consider the proposed Agreement on the Conservation of the Polar Bear and to report back to the Conference in plenary session. It was further decided that the Working Group would have the power

to form sub-groups as necessary and that it would conduct its work in closed session.

Mr. Frank G. Nicholls (IUCN) was invited to act as Chairman of the Working Group.

5. Opening Statements

The Chairman invited Delegations to indicate their general approach to the proposed Agreement before commencing an examination of the details of the proposal.

Statements made by the Delegations of Canada, the Union of Soviet Socialist Republics, Denmark, and the United States of America are attached as Annexes A.2, 3, 4 and 5 respectively.

A statement made by the Representative of the International Union for the Conservation of Nature and Natural Resources (IUCN), Mr. Frank G. Nicholls, is attached as Annex A.6.

6. Adjournment

The Conference adjourned at 12.00 noon on 13 November 1973 for meetings of the Working Group and commenced its work again at 11.30 a.m. on 15 November 1973 to receive the report of the Working Group.

Thursday, 15 November 1973

7. Report of the Working Group

The Chairman of the Working Group, Mr. Frank G. Nicholls (IUCN), presented the report of the group.

The Conference dealt with the recommendations of the Working Group in regard to the text of the Agree-

ment, the Final Act and Resolutions of the Conference (see items 8, 9 and 10 below) and agreed that statements in explanation (see Annex D) should be incorporated in the Summary Record.

8. Agreement on the Conservation of the Polar Bear

The Conference considered the draft Agreement prepared by the Working Group and approved the English text.

Immediately after the Conference closed, the Heads of the Delegations of Canada, Denmark, Norway, and the United States of America signed the Agreement. The Delegation of the Union of Soviet Socialist Republics indicated that it could not sign the Agreement at this stage because of procedural considerations but it expected that its Government would sign in the relatively near future.

9. Resolutions

The Conference passed Resolutions as follows:

- (1) Resolution with regard to the Russian language text of the Agreement. (see Annex to the Final Act). This resolution was passed unanimously.

The Delegations of Denmark and Norway stated that the fact that the Agreement is written in the English and Russian languages does not prejudice their position with regard to the use of their respective languages in other multilateral treaties which they may conclude in the future.

- (2) Resolution on special protection measures (see Annex E).

This resolution was passed. The Delegation of the Union of Soviet Socialist Republics reserved its position on the resolution for procedural reasons.

10. Final Act

The Conference approved the text of the Final Act prepared by the Working Group. Immediately after the Conference closed the Heads of the Delegations of Canada, Denmark, Norway, the Union of Soviet Socialist Republics, and the United States of America signed the Final Act.

11. Closing of the Conference

Statements by Delegations of the five participating Governments and the representative of the IUCN at the conclusion of the Conference are set out in Annex F.

The Chairman closed the Conference at 4.00 p.m. on 15 November 1973.

Annex A.1

OPENING ADDRESS BY H.E. TOR HALVORSEN, MINISTER OF ENVIRONMENT, NORWAY

It is a great pleasure for me to wish you welcome to this three day conference for the conclusion of an Agreement on the Conservation of Polar Bears. As far as I know this is the first time our five countries have been gathered on an official level for discussion of questions of common interest in the Arctic.

New means of transportation, increasing tourism and above all a steadily increasing economic activity are all creating new problems for those countries which have responsibilities in the Arctic. The Polar Bear is one of those species whose survival will surely be endangered if we do not now take effective measures to protect it. Here, as in other areas where environmental protection is needed, we must acknowledge that uncoordinated national measures are no longer adequate.

We recognize with gratitude the role played by the International Union for Conservation of Nature and Natural Resources (IUCN) in paving the way for these negotiations in Oslo. We are also grateful to the Soviet representative in IUCN's Polar Bear Group for having stressed, as far back as 1970, the need for immediate protection of the Polar Bear.

We all know that the natural environment in the Arctic is especially vulnerable and that protective measures must therefore come about quickly and effectively.

An agreement on the Conservation of Polar Bears could in our view carry significance over and beyond the immediate scope of the agreement itself. We for our part would hope to see this meeting, and its outcome, as an

expression of willingness on the part of the five circumpolar countries to enter into constructive and long-term cooperation on matters of joint environmental concern in the Arctic. An expansive technological development brings with it a steadily increasing pressure on the very basis for existence in these areas. Coordinated measures between the countries concerned will be required in many fields in order to avoid irreversible damage in the future.

The Polar Bear has always stood as a symbol for the distinctive character of the polar region - endowed by nature with the same toughness and resilience as the peoples who inhabit this very special part of the world. Our efforts to protect the Polar Bear will therefore also be understood as a symbol of our common will and desire to protect the whole of the Arctic natural environment.

With these words I wish all participants the best of success for this meeting and a very pleasant stay in our country. I herewith pronounce the meeting open.

Annex A.2

OPENING STATEMENT BY DR. JOHN S. TENER, HEAD OF THE
DELEGATION OF CANADA

On my own behalf and that of my delegation and on behalf of the Canadian Government I wish to thank the Government of Norway for its generosity in organizing this very important meeting.

Canada's interest in this negotiation is self-evident. Over one half of the world's polar bear population is found in Canada. This is not an accident since we have for many years been conducting a research programme ensuring the thorough and careful management of this resource. This management program has now resulted in not only the maintenance of polar bear numbers but a recent increase in population in certain areas. Canada therefore does not necessarily require the Agreement we are here to negotiate. We have had no problems with Canadian hunters extending their activities for great distances into areas of Arctic ice or using abusive hunting techniques. We appreciate that this has been a problem for some of the participants here. We further appreciate that the state of polar bear stocks in other countries is not the same as in Canada. For these reasons we are anxious that these negotiations succeed. We feel that an Agreement on the Conservation of the Polar Bear is a desirable development. We further feel that this Agreement will be an important exemplary environmental instrument consistent with decisions taken at the recent Stockholm Conference, particularly the Declaration on the Human Environment.

The form this Agreement takes is of particular importance to my Delegation. It must be drafted in terms which take into account the unique position of Canada - unique because of the distribution of large numbers of polar bears throughout the Canadian Arctic island system and

and far beyond Canadian land territory. This geographic fact poses difficulties in establishing an area beyond which the hunting of polar bear by Canadian nationals would be prohibited.

The identification of such an area of prohibition through the use of juridical terminology is perhaps the most troublesome aspect. If we use terminology such as territorial sea, internal waters, high seas, for example, any such formulations would create an unmanageable patchwork of prohibited areas throughout the Arctic islands. Such an approach would also possibly prejudice the position Canada has adopted on the protection of our Arctic environment. For this reason we have attempted to avoid controversial legalistic issues by avoiding the utilization of such terminology. We would not want such issues to complicate our work or to detract from our central objectives, namely, the protection of the polar bear. Draft (5) may or may not be adequate to do this.

Canada wishes to propose that rather than adopting imprecise, unnecessarily generalized formulations, it would be preferable if each participant were to identify an area of management within which that participant would manage polar bear stocks in accordance with sound biological principles and beyond which, with perhaps one minor exception, the hunting of polar bear would be prohibited.

The exception, which I refer to, concerns the traditional hunting practices of the local people - the Inuit (Eskimos) and Indians. We do not envisage new hunting patterns being developed by these people, but only the maintenance of traditional hunting patterns. Occasionally these patterns may extend some distance seaward - in effect, into that area we envisage becoming the prohibited zone. This exception does not pose a risk of indiscriminate, uncontrolled killing; the hunt will be controlled carefully and will be managed in the same manner as the hunt is managed internally. I emphasize this point because Canada considers the traditional hunt to be an im-

portant component of the Inuit and Indian culture and as such an essential component of the Agreement.

In concluding, I should like to underline Canada's support of one of the early objectives of the Agreement, namely, that each participant manage its polar bear stocks as it sees fit. These managerial techniques may differ, but they must, however, be consistent with the objectives of this Agreement, namely, the conservation and protection of the polar bear and its habitat.

These are just some very general comments I wanted to make early in this meeting. Our time is short and it is therefore essential that we have at the outset a clear understanding of what is and what is not negotiable. Perhaps a little later, I may have something to say about how we might organize our work.

OPENING STATEMENT BY MR. IGOR IVANOVITSJ JAKOVLEV,
DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS

Allow me on behalf of the Soviet Delegation to express our sincere gratitude to the Government of Norway for making the arrangement of this meeting possible for the preparation of an agreement on the conservation of Polar Bears.

We also wish to express our gratitude to the International Union for Conservation of Nature and Natural Resources and especially to Mr. Nicholls for the excellent preparations for the meeting and we esteem very highly the work he has done in this respect.

We think very positively about an Agreement on universal prohibition of hunting of the polar bear. In the Soviet Union hunting of the polar bear has been prohibited since 1956, with the aim of protecting it.

During the period since 1965 when the first conference on the conservation of the polar bear was held in Fairbanks our knowledge of this species has been considerably extended, and the data obtained by scientists show that the concern displayed on behalf of the polar bear has not been in vain.

These data substantiate scientifically the necessity of the implementation by all the Arctic States of effective measures for the conservation of the polar bear. The main thing in this protection should, in our opinion, be prohibition of hunting. At the present time in all the world voices are heard more and more loudly on the necessity for strengthening the protection of the fauna for the good of future generations.

National and international measures on the protection of nature are being realized to a constantly greater

extent. The special session of the Supreme Council of the USSR in 1972 on the conservation of nature and the joint resolution of the Council of Ministers of the USSR and the Central Executive Committee of the Communist Party to the Soviet Union may serve as a clear example of this. Among international measures can be mentioned adoption of an international convention on trade in rare species of wild animals and plants which was to be prepared in March 1973 in Washington. And the most recent document in this connection is the agreement between USSR and Japan on conservation of migratory birds.

We think it necessary that the pearl of the Arctic - the polar bear - as a result of our work and by means of an agreement on its protection - also should be granted safeguards by representatives of our countries.

Annex A.4

OPENING STATEMENT BY MR. JØRGEN ADAMSEN, HEAD OF THE
DELEGATION OF DENMARK

On behalf of the Government of Denmark and of the Danish Delegation I want to express our sincere gratitude to the Government of Norway for hosting this Conference, and for the hospitality it is extending to all of us.

For some time, there has been a growing realization that many species of wild life are threatened, and in several fora there has been discussion over how the most efficient means to protect them can be contemplated. A prominent position has been held by the IUCN, and we would like to pay tribute to this organisation for the high quality of its work and for the results it has achieved. The Draft Agreement on the Conservation of Polar Bears, prepared by the IUCN in consultation with the interested Governments, is in our opinion a very good and useful basis for the work of the Conference.

We do not consider that the polar bear in Greenland is seriously threatened at present, but nor do we doubt for a moment that international cooperation is required in order to assure the long term survival of the polar bears. National regulations alone will not be sufficient.

Thus, we are in full accord with the views on this subject expressed by the IUCN Polar Bear Specialist Group at its meeting in February 1972. Also, the task before us is in full accord with the recommendation adopted by the UN Environment Conference held in Stockholm last year which requested governments to give attention to the need to enact international conventions for the protection of species which migrate from one country to another.

A specific aspect of the problem was dealt with by the Conference held in Washington, D.C., in February - March this year at the invitation of the US Government, which adopted the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

With regard to the hunting of polar bears in Greenland, strict regulations were enacted as early as in 1956, and last year a special law was enacted to enable the Government to prohibit hunting by airplane and snowmobiles. The Greenland Council has accepted that the whole area of North East Greenland be established as a National Park, where no hunting whatsoever may take place, and we expect that this plan will be approved by the Danish Parliament in the near future. On the research side, Denmark has initiated a large scale project covering the three years 1973 - 1975. The project was submitted in advance to the Polar Bear Specialist Group for information, and in a special resolution the Group highly commended and welcomed the project.

At this stage, I shall not speak at length on the draft before us, Mr. Chairman. As I said, we consider it a very useful basis for discussion, and we note with satisfaction that it takes into account and makes room for the traditional rights of local people to hunt polar bears. This hunting is a special necessity for the Polar Eskimos at Thule, and it represents an essential part of their cultural heritage.

My delegation is looking forward, Mr. Chairman, to a fruitful exchange of views on the draft before us, and we shall endeavour to contribute actively to the work of the Conference.

Annex A.5

OPENING STATEMENT BY MR. CURTIS BOHLEN, HEAD OF THE
DELEGATION OF THE UNITED STATES OF AMERICA

On behalf of the United States Government and its Delegation I wish to express my appreciation to the Government of Norway for their farsightedness in convening this Conference and for their hospitality.

The United States position is simply to ensure strong, permanent protection for the polar bear. We view this magnificent animal as one that belongs to all the peoples of the world and we view the role of the five polar nations represented here to be that of trustees. It is our special responsibility on behalf of all mankind to ensure not only the protection of the "isbjørn", but also the restoration of its populations to optimum level whenever possible. It must be allowed to find its own population level in its own ecosystem.

To accomplish this in our view the treaty must provide for 5 measures: 1) a strong research programme with continuing exchange of scientific and management data among the signatory nations; 2) the designation of a large portion of the Arctic region as an area where the polar bear would enjoy total protection; 3) the adoption of certain common measures which would govern the taking of polar bears within all national areas. I have in mind such regulations as prohibiting the taking of cubs and mothers with cubs; 4) the protection of the polar bear's ecosystem including his habitat and food supply; and particularly the preservation within national areas of critical denning areas; 5) the adoption of national and international measures to control the sale of polar bear hides in order to minimize poaching.

The U.S. Delegation would be willing to sign a treaty that embodies these principles. Anything less would be

unacceptable to the American people for whom the polar bear, like the whale, has become both an example of wanton killing for the sake of short-term economic gain and a symbol in the fight to stop the continuing destruction of man's own ecosystem. In seeking ratification of this treaty before the U.S. Senate we will have to test its merits before the court of public opinion.

The U.S. has been slow to put its own house in order. It is only a year since we stopped the senseless hunting of polar bears from aircraft. We commend our Soviet colleagues for having had the foresight to stop polar bear hunting 17 years ago. We also commend the IUCN for organizing the Polar Bear Specialist Group and laying the groundwork for this proposed treaty. We believe that the principles we have outlined should be acceptable to all Arctic scientists and administrators, and we would hope that we can all avoid drowning in Law-of-the-Sea concerns. We are flexible as to actual wording as long as we maintain the principle of a strong and permanent protection for the polar bear. Let us all make the most of this opportunity.

STATEMENT BY MR. FRANK G. NICHOLLS, REPRESENTATIVE OF IUCN

IUCN is honoured to participate in this important Conference. It thanks the Government of Norway for its kind invitation to be present and the other participating Governments for their cooperation.

The Working Paper which has been referred to as Draft (5) was prepared by IUCN on the basis of a draft proposed by its Polar Bear Specialist Group as modified by subsequent consultations, both formal and informal, with the five Governments. We are glad to have such a close working accord with the participating Governments, all five of which have appointed representatives as members of the Polar Bear Specialist Group; three of the Governments, Canada, Denmark and Norway, are State members of the Union.

IUCN has submitted a revised version of the Working Paper, Draft (6), which incorporates proposals received from the Governments concerned since the earlier draft was prepared. The changes are relatively slight and are clearly distinguished in the new document. A set of Supplementary Explanatory Notes have also been prepared which complement those circulated with Draft (5).

IUCN hopes that the Conference will be able to conclude an effective Agreement for the Conservation of Polar Bears. It is at the service of the five Governments for any tasks that they may wish to assign to it in this connection.

Annex B

LIST OF PARTICIPANTS

CANADA

Dr. John S. Tener, Department of the Environment,	Head of Delegation
Mr. T.C. Bacon, Department of External Affairs,	Deputy Head of Delegation
Dr. C. Jonkel, Department of the Environment,	
Mr. Pierre des Meules, Department of Indian and Northern Affairs,	
Mr. P.R. Toews, Department of External Affairs,	
Mr. George Kolenosky, Ontario Ministry of Natural Resources.	

DENMARK

Mr. Jørgen Adamsen, Ministry of Foreign Affairs,	Head of Delegation
Mr. W. Winther Schmidt, Ministry of Foreign Affairs,	
Mr. K. Budde Lund, Ministry for Greenland,	
Mr. Lars Chemnitz, Council for Greenland,	
Dr. Christian Vibe, Zoological Museum, Copenhagen.	

NORWAY

Mr. Erik Lykke, Ministry of Environment,	Head of Delegation
Mr. Haakon B. Hjelde, Ministry of Environment,	

Mr. Per Tresselt, Ministry of Foreign Affairs,

Mr. Olav Hjeljord, Ministry of Environment,

Mr. Thor Larsen, Norwegian Polar Institute,

Mr. Magnar Norderhaug, Ministry of Environment.

UNION OF SOVIET SOCIALIST REPUBLICS

Mr. Ivan Anatoljevitsj Maksimov, Administration of Environment, Head of Delegation

Dr. Savva Mikailovitsj Uspenskij, Ministry of Agriculture,

Mr. Igor Ivanovitsj Jakovlev, Ministry of Foreign Affairs,

Mr. Juri Saveliev, Embassy of the USSR, Oslo.

UNITED STATES OF AMERICA

Mr. Curtis Bohlen, Department of the Interior, Head of Delegation

Mr. Henry Heyman, State Department,

Mr. Ernest Kerley, State Department,

Mr. Jack Lentfer, Department of the Interior,

Mr. Richard Parsons, Department of the Interior,

Mr. Frank M. Potter, Congressional Assistant, House of Representatives.

IUCN

Mr. Frank G. Nicholls, Deputy Director General.

Secretariat: Mr. Richard Fort
Mrs. Irene Siguenza
Mrs. Aina Westerberg.

Annex C

AGENDA AS ADOPTED

1. Opening of the Conference by H.E. Tor Halvorsen,
Minister of Environment
2. Election of Chairman
3. Adoption of the Agenda
4. Organization of work, including appointment of
Working Groups
5. Consideration of the proposed Agreement on the
Conservation of the Polar Bear
6. Any other business
7. Closing of Conference

Annex D

EXPLANATORY STATEMENTS AND OTHER MATTERS PRESENTED TO
THE CONFERENCE BY THE WORKING GROUP

1. Disturbance of the Management of other Living
Resources.

The following statement was prepared by the Norwegian Delegation concerning the taking of polar bears during sealing operations - see Agreement, Article III, paragraph 1(c).

Statement by Norwegian Delegation:

The situation as to the Norwegian catches of harp and hooded seals is set out in the following statement.

The major Norwegian seal catch is connected with cub lairs of harp and hooded seals in the drift ice off Greenland, off Newfoundland and in the White Sea area. These seal species have their cubs in lairs often in great concentrations of individuals. Occasionally such lairs attract polar bears which kill unusually large numbers of seal cubs that are not eaten. Also, in these areas polar bears may present a danger to the men working on the ice. Since the capture of seals is the major objective, the killing of bears is avoided whenever possible. However, approximately as many as 5 bears are killed annually.

The intention of Norwegian authorities is to promulgate regulations under which skins and other items of value resulting from killing of polar bears during sealing operations would be forfeited to the State.

Norwegian sealing operations are subject to close Government supervision and Government inspectors accompany sealing fleets.

2. Taking of Polar Bears by Local People.

The Canadian Delegation made an explanation to the Working Group on the situation in Canada relating to the taking of polar bears by local people using traditional methods in the exercise of their traditional rights - see Agreement Article III, paragraph 1(d) and (e).

The Delegation stated that a more comprehensive statement would be submitted to the Depositary Government for circulation to the other participating Governments at the time Canada deposits its instrument of ratification of the Agreement.

3. Use of Aircraft and other means of Transport.

Several Delegations tabled statements relating to current practice in their countries concerning regulation of use of aircraft in connexion with taking of polar bears - see Agreement, Article IV.

Statement by Canadian Delegation:

Under the present laws of the provinces and territories concerned in Canada the hunting of polar bears by aircraft is prohibited. There is no reason to expect this situation to change. However, the use of aircraft for the capture of polar bears is a present practice, in particular during research programs or where the relocation of bears is required. The regulation of the means employed in the taking of a polar bear is a matter falling within both provincial and federal competence, depending on the location of the bear. The Canadian objective is the uniform application of the Agreement throughout Canada, but given the legal situation there may at times be regional disparities.

Statement by Danish Delegation:

So far aircraft and snowmobiles have not been used by people hunting Polar Bears in Greenland. The Danish Government is contemplating introducing a specific prohibition against the use of aircraft and snowmobiles in taking Polar Bears.

Statement by Norwegian Delegation:

The Norwegian Regulations on Polar Bear Hunting, given by Royal Decree of 26 June 1970, under which a total ban on such hunting has been established, contain a specific prohibition in Section 3, second paragraph, on the use of aircraft for polar bear hunting.

Statement by United States Delegation:

The United States, by Federal law, forbids the use of aircraft in any way as a means of hunting polar bears. In addition, the use of United States airports and related facilities is forbidden to any person or aircraft engaged in such activities, and the license of any pilot who participates in such illegal activities may be revoked.

4. Hunting of Polar Bears, Seals, Whales and Walrus
in Greenland.

The Danish Delegation made the following statement on hunting practices in Greenland:

The policy of the Danish and Greenland authorities is to reserve the taking of polar bears, seals, whales and walruses in Greenland entirely for the Greenland population which has hunting as a traditional way of living.

All kinds of big game hunting by other persons will be prohibited in Greenland. Hunting from aircraft, snow-vehicles and other motorized land-vehicles, including use of these means for transportation to or from the hunting fields, will be prohibited.

5. Identification of Polar Bear parts or products.

The United States Delegation made the following statement aimed at facilitating certain aspects of the working of the Agreement.

The Working Group proposed that the United States Government might, as appropriate, bring this proposal before the five participating Governments using the good offices of the Depositary Government.

Statement by United States Delegation:

Desiring to facilitate the administration and enforcement of the Agreement, and having regard to the desirability of consultations, pursuant to Article IX of the Agreement regarding methods and measures of enforcement to control the illegal taking of Polar Bears, the United States Delegation suggests that, at the time of deposit of instruments of ratification, approval or accession, each Contracting Party shall name an authority within its Government which is authorized to communicate directly with such authorities of other Contracting Parties regarding any administrative, scientific, or enforcement matters, and that the Depositary Government shall notify each Contracting Party of the names of each such authority.

It further suggests that the Contracting Parties undertake consultations, within six months from the date of the entry into force of the Agreement, with a view to establishing an agreed system of identification for all parts or products of Polar Bears which are taken in accordance with this Agreement, and to discuss, and where appropriate, coordinate measures and methods of enforcement with regard to all parts or products of Polar Bears which are not taken in accordance with the Agreement.

6. IUCN Polar Bear Specialist Group.

The Working Group recognized the important contributions made by the IUCN Polar Bear Specialist Group in providing a forum for the exchange of information and ideas between the five Polar nations on research and conservation of the Polar Bear.

The Working Group requested IUCN to continue the activities of the Polar Bear Specialist Group to provide a means for such consultation and to bring before the participating Governments any findings or recommendations of the Group relating to research and conservation of the polar bears.

Annex E

RESOLUTION ON SPECIAL PROTECTION MEASURES

THE CONFERENCE,

BEING CONVINCED that female polar bears with cubs and their cubs should receive special protection;

BEING CONVINCED FURTHER that the measures suggested below are generally accepted by knowledgeable scientists to be sound conservation practices within the meaning of Article II of the Agreement on the Conservation of Polar Bears;

HEREBY REQUESTS the Governments of Canada, Denmark, Norway, the Union of Soviet Socialist Republics and the United States of America to take such steps as possible to:

1. Provide a complete ban on the hunting of female polar bears with cubs and their cubs; and
2. Prohibit the hunting of polar bears in denning areas during periods when bears are moving into denning areas or are in dens.

Annex F

STATEMENTS MADE AT CLOSING OF THE CONFERENCE

Mr. Igor I. Jakovlev (USSR)

All Delegations wish to express thanks to the Norwegian Government for inviting us to this most important gathering and to our Chairman, Mr. Lykke, for his conduct of the meeting. We wish to thank also the Chairman of the Working Group, Mr. Frank G. Nicholls, of the IUCN for providing help in many ways. We owe the success of the Conference to the work he has done.

The Soviet Delegation regards the Agreement reached as a first important step in cooperation between our five Governments in conservation in the Arctic region. It gives protection to a significant species in a complex and important region.

We hope that all concerned will have the spirit and energy to put it into practice, and we trust that the other Delegations share this point of view and that our Governments can work together to this end.

We finish our work with deep affection for one another and with pleasure at the excellent cooperation that existed throughout the meetings.

Dr. John S. Tener (Canada)

The Canadian Delegation associates itself with the Delegation of the USSR in thanking the Norwegian Government and our Chairman, Mr. Lykke, for making possible this very productive Conference. We also thank the IUCN and particularly Mr. Frank G. Nicholls, its Deputy Director General, for work over the years that made this Conference possible. In fact we are here today because of the IUCN.

The Canadian Delegation is very pleased with the Agreement which we see as a good framework for future cooperation. We hope to associate with the Governments represented at the Conference in other activities in the Arctic region.

If I may end on a personal note, I wish to express my satisfaction as Chairman of the IUCN Polar Bear Specialist Group with the outcome of the Conference.

Mr. Erik Lykke (Norway)

Norway is glad to have had the honour to have been host to this valuable Conference and our Delegation is pleased at the outcome. It is clear that we still have some remaining problems but I am confident that these will be overcome with the goodwill that exists and that we will reach a practical solution. The Agreement will be a valuable starting point for cooperation in the Arctic region and we should now aim to identify other aspects for attention in the years ahead.

Mr. Jørgen Adamsen (Denmark)

The Danish Delegation wishes to express its appreciation to the Government of Norway for its hospitality and the efficient leadership of the Conference under the Chairmanship of Mr. Lykke. We share the appreciation expressed by other Delegations of the extraordinary capabilities of Mr. Nicholls in all aspects of the activities of the Working Group.

As a result we are soon going to sign the Agreement as a first step in further cooperation on the conservation of the polar bear. The basic principle is a general prohibition of polar bear hunting. There are some exceptions which are clearly stated.

The Agreement also provides for cooperation in research on polar bears and this will result in an enlargement of our present activities to this end. We hope, however, at a later stage to go beyond this and to cover other wild species in the Arctic.

Mr. Curtis Bohlen (USA)

My Delegation also wishes to express its thanks for the leadership and hospitality of our host Government, to Mr. Nicholls for his chairing of the Working Group and the preparatory work for the Conference, and to the scientists of the IUCN Polar Bear Specialist Group for providing the groundwork to the Conference through their cooperation in research and for drafting the first phrases that lead to the Agreement.

We feel that we have accomplished a lot at this Conference. We, too, see the Agreement as a first step for future cooperation between our Governments in the Arctic and we hope that we can arrange cooperation in research on many wildlife problems in the region.

Mr. Frank G. Nicholls (IUCN)

It has been a privilege to join in the work of this Conference. IUCN is grateful to the Government of Norway for inviting it to participate in this Conference and for entrusting to it part of the work of preparing for the meeting. We are most appreciative of the special status accorded to us in this matter.

IUCN is pleased with the outcome of the meeting. The Polar Bear Specialist Group will continue as a means of exchange of ideas and research results between scientists nominated by the five participating Governments and IUCN will always be willing to assist the Governments in any way in other aspects of conservation in the Arctic region.

It has been a personal pleasure to take part in the meetings and I thank the delegates most sincerely for their cooperation and goodwill throughout the sessions of the Working Group.

