ABSTRACT

Danny Ferdito Satyawanda (05120070088)

LEGAL ASPECTS OF WHALE PROTECTION BY ICRW (INTERNATIONAL CONVENTION FOR THE REGULATION OF WHALING) AND INDONESIAN FISHERIES LAW NUMBER 31 OF 2004

(xiii + 59 pages)

Whaling began in prehistoric times and was initially confined to (near) coastal waters. Early whaling affected the development of widely disparate cultures – such as Norway and Japan. Although prehistoric hunting and gathering is generally considered to have had little ecological impact, early whaling in the Arctic may have altered freshwater ecology. The development of modern whaling techniques was spurred in the 19th century by the increase in demand for whale oil, sometimes known as "train oil" and in the 20th century by a demand for margarine and later meat. The International Convention for the Regulation of Whaling (ICRW) is an international environmental agreement signed in 1946 in order to "provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry". It governs the commercial, scientific, and aboriginal subsistence whaling practices of fifty-nine member nations. Indonesia has not yet ratified the ICRW. But based on the elucidation of Article 7, paragraph (5) of Law No. 31 of 2004 on Fisheries, including the whales as protected mammals. This shows that the Government of Indonesia to care and preservation these mammals. although Indonesia has not ratified the ICRW, Indonesia has rules about whale refers to the ICRW. Therefore the aim of this study was to analyze the extent to which the ICRW laws regulate whaling, as well as how to regulate whaling laws of Indonesia and the compatibility with the ICRW.

References: 24 (1992-2012)