

Thank you Chair,

As you all know, TRAFFIC has been working on the problem of illegal wildlife trade for more than twenty years including providing expert advice to national judiciaries across the world on the adequacy of penalties for wildlife crime. Illegal, unregulated and unreported (IUU) fishing is a key part of this problem.

For Regional Fisheries Management Organizations (RFMOs), the most important issue is that members properly report their catches—where failure to do so is “IUU—unreported” fishing. RFMOs must not only have adequate penalties in place for misreporting but also be prepared to impose effective penalties on members when significant IUU-unreported fishing occurs.

One penalty for IUU-unreported fishing must involve imposing cuts in allocation that are sufficiently severe in both time and quantity to fully and promptly repair the damage caused to the fish stock involved—and to act as a deterrent to others. This is obviously pertinent for the management of the Southern Bluefin Tuna (SBT) stock.

We would like to ask for clarification from Commissioners on how we should interpret the penalties that have been imposed in response to the substantial and sustained over-catch by Japan noted by this Commission in 2006. Japan’s national allocation of SBT was reduced such that, over the last seven years, approximately 10% of the estimated IUU over-catch has been paid back.

If Japan’s national allocation were to be increased at this year’s Commission meeting, then the effective penalty would have been to pay back 10% of the over-catch. In our view, the minimum penalty should be to payback 100% of the over-catch and/or a financial penalty. In our mind, anything less will not serve as an effective deterrent to future IUU activity by others or represent a penalty proportionate to the offence.

So could the Commissioners please clarify what penalty has been imposed on Japan—or is a penalty still to be imposed? Secondly, the Commission is considering adoption of an IUU vessel register. Will Japan be required to notify all the details for inclusion in this register of all those vessels, and of their associated owners and operators, that were engaged in and responsible for this regrettable situation.

Thank you Chair