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Necessity to Secure Vigorous Engagement in Elaboration of Global Decisions and Possible Approach for Improvement

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Today's Contents

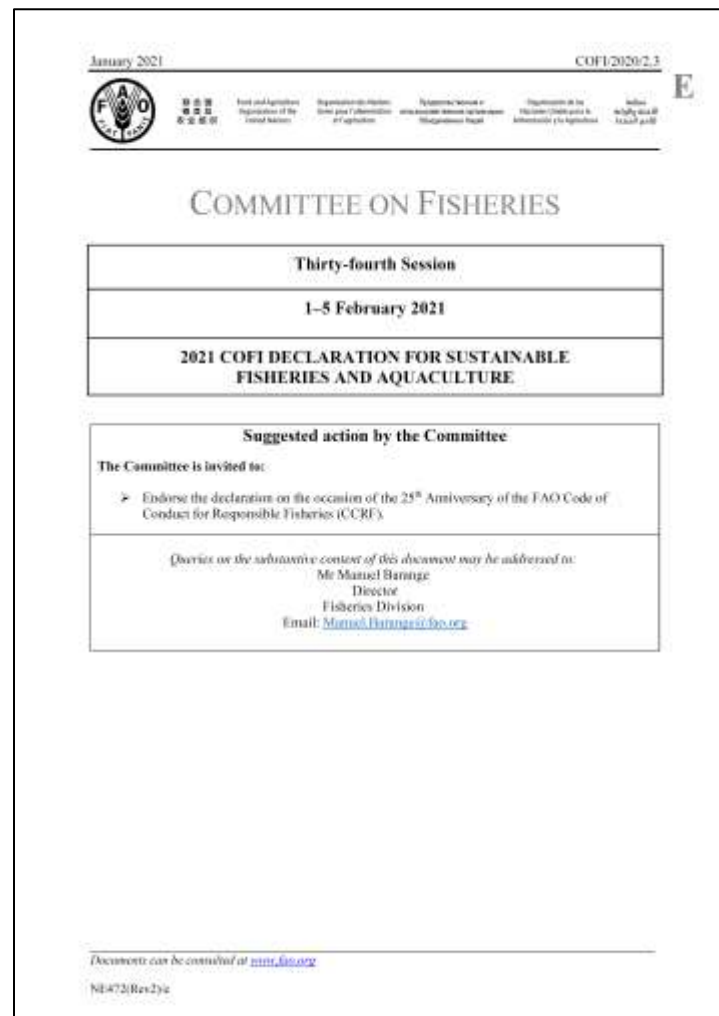
- 1. 2021 COFI Declaration for Sustainable Fisheries and Aquaculture**
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1. 2021 COFI Declaration for Sustainable Fisheries and Aquaculture

2021 Declaration for Sustainable Fisheries and Aquaculture

adopted at the 34th FAO Committee on Fisheries (COFI) on 1-5 Feb. 2021 in celebrating the 25th Anniversary of the FAO Code of Conduct for Responsible Fisheries.

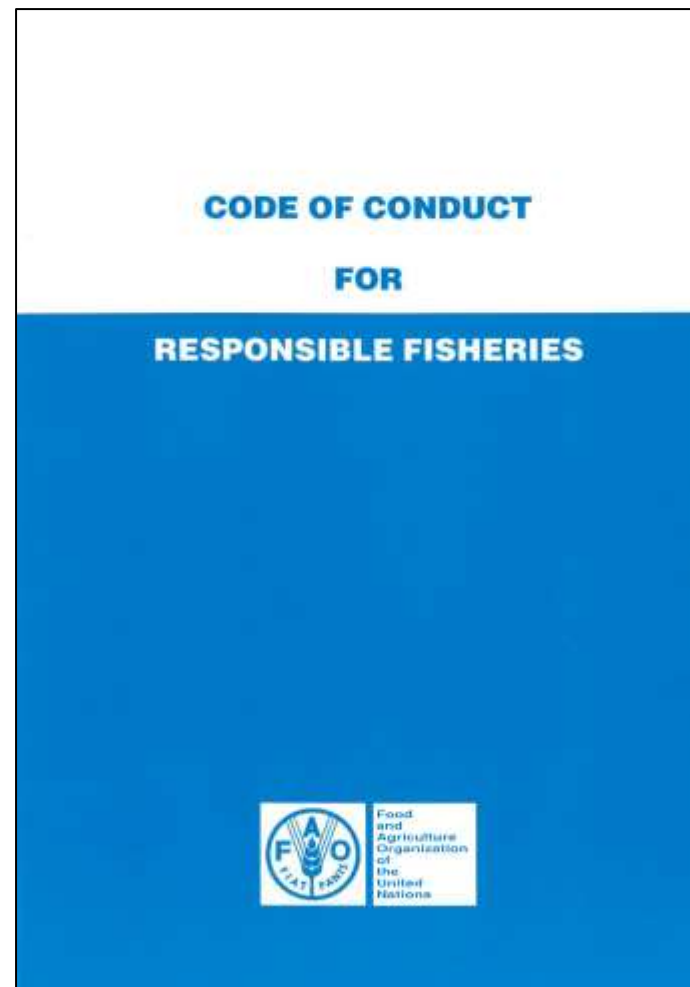
(COFI/2020/2.3)



FAO Code of Conduct for Responsible Fisheries (CCRF)

CCRF (1995) is regarded as “Bible” in fisheries sector and composed of 12 Articles covering all aspects of fisheries, including the followings;

- **Fisheries Management (Art. 7)**
- **Fishing Operations (Art. 8)**
- **Aquaculture Development (Art 9)**
- **Post-Harvest Practices and Trade (Art. 11)**
- **Fisheries Research (Art. 12)**



2021 COFI Declaration articulates 12 relevant actions (like targets) including the followings;

- *Implementation/ improvement of **fisheries assessment and management systems** (OP2)*
- ***Scientific basis** in support of management decisions (OP3)*
- ***International cooperative governance** (OP6)*
- *Conservation and management through **RFBs and RFMOs** (OP7)*
- *Promotion of **Small Scale Fisheries** (OP9)*
- *National/ regional/ global **food security and nutrition strategies** (OP10)*
- *Integrated and Coordinated **multi-sectoral / evidence / ecosystem-based management approach** (OP 15)*

All States
including developing States
are encouraged to
strengthen their engagement
in actions to accomplish targets of Declaration.

BUT

Developing States have faced
several difficulties
in doing so.

2. Reality at IWC

Those difficulties sometime relate to

less participation & involvement in decision making.

One of “**notable**” examples is

less participation & involvement in decision making

at IWC

by developing state Members.

Reality at IWC - 1

Many developing state IWC Members have been
UNABLE to participate in decision making
due to lack of voting rights because of unpaid contribution/arrear.

65th IWC in 2014

22.7% of Members - no voting rights

70% of which (i.e. 15.9% of all Members) ⇒ **developing state Members**

66th IWC in 2016

17.0% of Members - no voting rights

67% of which (i.e. 11.4% of all Members) ⇒ **developing state Members**

68th IWC in 2018

15.7% of Members - no voting rights

93% of which (i.e. 14.6% of all Members) ⇒ **developing state Members**

Reality at IWC - 2

Under such situation with less participation of developing state Members,

- Can developing state Members reflect their views to decisions, governance, strategies of IWC ?

OR

- Can IWC secure proper governance in establishing relevant conservation/management measures for whales and whaling ?

The answer to the questions is “NO” !!

Backdrops of much less participation in decision making at IWC

What deprives developing state Members of their voting right !?

There are variety of reasons, but, among others,

**stricter condition of
“payment of annual contribution/arrear”**

is definitely the biggest reason.

Comparing to other RFMOs, rate of IWC Member States with NO voting right at Commission meeting is tremendously HIGH simply because **IWC has strangely extraordinarily stricter rule of payment of annual contribution/arrear.**

Rules on "Contribution (Arrear) and Voting Right - 1

Organization	Provision for Voting Right in relation to payment of Contribution (Arrear)
IWC	<p>RULES OF PROCEDURE</p> <p>2. (a) The right to vote of representatives of any Contracting Government shall be suspended automatically when the annual payment of a Contracting Government including any interest due has not been received by the Commission 3 months following the due date or the day before first day of Commission</p>
CCSBT	<p>FINANCIAL REGULATIONS, REGULATION 5, PROVISION OF FUNDS</p> <p>5.3 A Member of the Commission that fails to pay its contributions for two consecutive years shall not, until it has fulfilled its payment obligations, enjoy the right to participate in the decision-making process in the Commission, unless the Commission decides otherwise.</p>
ICCAT	<p>Convention Article X</p> <p>8. The Commission may suspend the voting rights of any Contracting Party when its arrears of contributions equal or exceed the amount due from it for the two preceding years.</p>

Rules on "Contribution (Arrear) and Voting Right - 2

Organization	Provision for Voting Right in relation to payment of Contribution (Arrear)
IATTC	<p>Convention (Antigua Convention) Article 15 4. unless the Commission decides otherwise, if a member of the Commission is in arrears in the payment of its contributions by an amount equal to or greater than the total of the contributions due from it for the preceding twenty-four (24) months, that member shall not have the right to participate in decision-making in the Commission until it has fulfilled its obligation's pursuant to this Article.</p>
WCPFC	<p>Convention Article 18 Budget of the Commission, 5. Financial Arrangements of the Commission 3. If a contributor is in arrears in the payment of its financial contributions to the Commission it shall not participate in the taking of decisions by the Commission if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.....</p>
IOTC	<p>Convention Article 13 8. A Member of the Commission which is in arrears in the payment of its financial contributions to the Commission shall have no vote in the Commission if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years. The Commission may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay was due to conditions beyond the control of the Member.</p>

Rules on "Contribution (Arrear) and Voting Right - 3

Organization	Provision for Voting Right in relation to payment of Contribution (Arrear)
NAFO	<p>Convention on Cooperation in the Northwest Atlantic Fisheries, Article IX – Budget</p> <p>7. Unless the Commission decides otherwise, a Contracting Party that has not fully paid its contributions for two consecutive years shall have its right of casting votes and presenting objections suspended until such time as it has discharged its financial obligations to the Organization.</p>
SEAFO	<p>Convention Article 12</p> <p>8. Unless otherwise decided by the Commission, a Contracting Party that is in arrears with its payment of any monies owing to the Organization by more than two years:</p> <ul style="list-style-type: none">(a) shall not participate in the taking of any decisions by the Commission; and(b)

Rules on "Contribution (Arrear) and Voting Right - 4

Organization	Provision for Voting Right in relation to payment of Contribution (Arrear)
SIOFA	<p>Rule of Procedure of MOP, Rule 14 – Suspension of the exercise of voting or participation rights</p> <p>1. A contributor to the budget of the Meeting of the Parties which is in arrears in the payment of its financial contributions to the Meeting of the Parties shall not participate in the taking of decisions by the Meeting of the Parties if, at the time of the meeting, the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.....</p> <p>2. The Meeting of the Parties may, nevertheless, permit such a contributor to participate in the taking of decisions if it is satisfied that the failure to pay is due to conditions beyond the control of the contributor.</p>
CCAMLRL	<p>Convention Article 19</p> <p>6. A Member of the Commission that fails to pay its contributions for two consecutive years shall not, during the period of its default, have the right to participate in the taking of decisions in the Commission.</p>
NPFC	<p>Convention Article 12, Budget</p> <p>5. A member of the Commission that has not paid its contributions in full for two consecutive years shall not be entitled to participate in the making of decisions by the Commission,</p>

3. Action for moving forward

Need of Gracefulness - 1

All RFMOs of which Japan is a Member have a provision of

“one year grace”

to pay annual contribution/arrear.

BUT

IWC has none.

All RFMOs organize Commission meetings every year.

IWC organizes it every **two** years (1/2 opportunity !!).

Why IWC has **NO** such grace of payment of even one year ?

Need of Gracefulness - 2

IWC performance review (2017) recommended improved participation of developing state Members:

Recommendation 10

*IWC should **increase the participation of developing States in the work of the Commission and its subsidiary bodies** and develop a capacity-building policy/capacity development plan to enhance their effective involvement, in a transparent manner. This should go beyond participation in meetings, to include also technical and scientific training in specific areas, deemed as priority by IWC. In this regard, the capacities, weaknesses, and **needs of developing states should be assessed so that they can be properly addressed.***

Need of Gracefulness - 3

So far, **NOTHING** has been considered nor taken.

WARNING !!

Contrarily, but surprisingly, the WG Operational Effectiveness is going to propose to **further tighten the current provision** thereby Members would be more easily deprived of their voting right unless they pay contribution and/or arrear by the due date (30 June) even in the year with NO Commission meeting.

Action for moving forward

COMHAFAT IWC Members have to
**much more vigorously participate in
IWC's decision making**
for proper conservation and management of
whales and whaling;

Action for moving forward

through
**proper amendment of
current provision of voting right
and
opposition to WG-OE's proposal on
unfair amendment**

Action for moving forward

thereby

**COMHAFAT Members can enlarge
involvement in
management of aquatic living resources
at a higher and more relevant level.**

Thank you very much !

Merci beaucoup !

ありがとう！