



FREQUENTLY ASKED QUESTIONS

What would a CITES Appendix I or Appendix II listing mean to the Global Seafood Industry?

Q1. What will it mean for the seafood industry if a CITES I listing is achieved in March 2010?

It will mean no legal exports of East Atlantic/Mediterranean bluefin tuna (BFTE). BFTE will be listed on CITES Appendix I if a two-thirds majority vote is reached of the 175 participating members. Thereafter, export trade of BFTE products will be banned. This will have a major impact on Japanese markets because bluefin tuna imports from the East Atlantic/Mediterranean shall be illegal. A CITES I listing would immediately eliminate a large component of the fishing pressure on East Atlantic/Mediterranean bluefin tuna stocks, certainly that which is currently legal and bound directly for Japan (an estimated 60%).

Q2. Are there conservation options through CITES if a ban is not achieved?

Yes. If the vote at Doha does not support the listing of the population of Mediterranean bluefin tuna on CITES Appendix I, then it could still be listed on Appendix II. This would trigger mandatory new catch reporting requirements for exporting countries.

Q3. Would a CITES Appendix II listing require a higher level of catch reporting than exists now with ICCAT's bluefin catch documentation (BCD) program?

Short answer: Yes. Currently, ICCAT's BCD program verifies the legality of exported catch, such that imported BFTE products must be accompanied by legal documents from the producer country. To be traded internationally, products made from a species listed on Appendix II require an export permit, or if caught on the high seas, a document called a certificate of introduction from the sea. Before issuing either of these documents the national authorities of the exporting country must issue a finding of "no detriment to the species' population". CITES requires that the export permit provide assurance of (1) a NDF (non detriment finding) verifying that catch was not detrimental to the population (usually meaning within quota), (2) compliance with standards for humane treatment of the animal, and (3) legal provenance. The first two requirements are additional to what BCD requires so do present a higher standard of reporting. However, the standard is lower for fish caught on the high seas. The certificate of introduction from the sea document must be accompanied by a NDF and statement of humane treatment, but not by proof of legal provenance. This would present something of a loophole for Atlantic bluefin caught on the high seas.

It is important to note that CITES does not specify how countries make non-detriment findings—it is up to each country to decide. Countries may use quotas or not as they like. The general consensus seems to be that while quotas have become de facto non-detriment findings they are insufficient substitutes. Also, a CITES II listing does not require import permits. National-level laws may specify import requirements for trade in endangered species, but CITES II does not require it or offer a standard.

Q4. What would a CITES II listing mean for the seafood industry?

If East Atlantic/Mediterranean bluefin is listed on CITES Appendix II, exporting countries will continue to be obliged to validate catches through ICCAT's BCD program, and additionally will be required to issue export permits with non-detriment findings (NDFs) for Mediterranean bluefin tuna (as above). NDFs will be specified

by the exporting States. CITES II puts no onus on importing countries or seafood buyers to ensure catches are legal and in quota.

Q5. Can the CITES I listing be removed once catch levels are precautionary?

No. The rules say that for a species to be de-listed from Appendix I, it must be downgraded to Appendix II. This is the only way. To downgrade to Appendix II, it needs to be shown with scientific evidence backed up by a high degree of confidence that there is “no” possibility of the species becoming again eligible for listing on Appendix I in the future. Given the current stock status, data shortfalls, dynamics of bluefin tuna biology and the BFTE population, and heavy farm capacity in the Mediterranean, this condition is not likely to be met in the foreseeable future, meaning that it would be very difficult to de-list BFTE from CITES, or from Appendix I to II.

Q6. Is a CITES I ban a total conservation solution?

A CITES Appendix I listing will ban international trade in BFTE products. It will not address the domestic or currently illegal components of the trade. SFP is concerned that unknown and unreported quantities of East Atlantic/Mediterranean bluefin tuna may continue to be bought and sold in relation to those markets. Bluefin tuna will remain available in producer countries of the Mediterranean including large, unrecorded trades in Spain, France and Italy. It is not obvious what impact a CITES I listing will have on the current IUU (illegal, unregulated and unreported catch) of BFTE that goes to farms and is then exported. Farm capacity in the Mediterranean has been estimated to be twice the legal catch. While legal imports to Japan will be eliminated it is not sure that the ban will eliminate the portion of the catch comprised by current IUU exports (note that Japan has claimed that 100% of its imports are verified to be legal). Further, fishing pressure displaced from BFTE shall be increased upon the bluefin tuna stocks in the West Atlantic, Pacific and Southern Oceans that remain available for international trade.

Recommendations.

1. SFP strongly recommends that ICCAT proceed with a moratorium on all fishing. This recommendation should apply if BFTE is placed on CITES Appendix II or is not CITES listed.
2. SFP strongly recommends 100% participation of exporting countries in ICCAT's existing mandatory BCD program (current compliance as of January 2010 was only 43%). To achieve the full traceability needed to block IUU shipments, SFP encourages importing countries, particularly Japan, to validate all bluefin catch documents and report results for **all** incoming shipments to ICCAT.
3. If BFTE is placed on CITES I, but domestic fishing continues for domestic markets, then SFP advises Mediterranean producer countries to commit to bluefin catch documentation for domestic markets, and to implement and fully participate in ICCAT's Regional Observer Program so that catch transfers to/from farms may be recorded. Countries that import **any** bluefin tuna, notably Japan, should establish BCD type requirements on **all** bluefin tuna imports in order to continue to demonstrate that no IUU product from East Atlantic/Mediterranean is being served.
4. If BFTE is placed on CITES II, SFP calls upon Mediterranean producer countries to participate in a united effort to standardize the definitions and reporting of non-detriment findings. To make up for the loophole on high seas-caught BFTE, that legal provenance is not required, SFP advises global tuna traders to commit to an Intra-Industry Warranty to eliminate global trade in IUU bluefin tuna. An Intra-Industry Warranty is a private guarantee applicable to the trade of all products from a particular fishery, taken as a voluntary measure by major buyers and suppliers in the sector. The warranty is comprised of a major supplier joint agreement and a set of control documents enforced by third party auditing (for more information and examples please see the document “Intra-Industry Warranty to Eliminate IUU on Mediterranean bluefin tuna” in this series).