

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Seventy-fourth meeting of the Standing Committee
Lyon (France), 7 - 11 March 2022

Interpretation and implementation matters

General compliance and enforcement

Compliance matters

Application of Article XIII: Reports of the Secretariat

INTRODUCTION FROM THE SEA OF SEI WHALE
(*BALAENOPTERA BOREALIS*) BY JAPAN

1. This document has been prepared by the Secretariat.

Background

2. Pursuant to Article XIII of the Convention and Resolution Conf. 14.3 (Rev. CoP18) on *CITES compliance procedures*, the Standing Committee, at its 69th (SC69, Geneva, November 2017) and 70th (SC70, Sochi, October 2018) meetings, reviewed a case concerning introduction from the sea (IFS) of specimens from the North Pacific population of sei whale (*Balaenoptera borealis*) by Japan.
3. At its 71st meeting (SC71, Geneva, August 2019), the Committee agreed that the initial compliance matters had been corrected by Japan and were considered resolved. However, a new issue was raised regarding the existing stockpiles of meat and blubber specimens of sei whales from the North Pacific population introduced from the sea prior to the agreement at SC70 that the IFS certificates had not been issued in compliance with Article III, paragraph 5 (c), of the Convention.
4. The Standing Committee requested Japan to report to the Secretariat 90 days before the 73rd meeting of the Standing Committee on the treatment of such specimens introduced before SC70, taking note of Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species*.
5. Owing to the challenges posed by the COVID-19 pandemic, the Committee was not able to address the case concerning introduction from the sea of specimens from the North Pacific population of sei whale at SC73 and the matter is now scheduled to be discussed at the present meeting. The Secretariat last updated the Committee on this matter in November 2020 through information document [SC2020 Inf. 7](#).
6. The Secretariat notes that Japan has submitted its report within the deadline initially scheduled for the 73rd meeting of the Standing Committee (SC73), before the meeting had to be postponed due to the outbreak of the global COVID-19 pandemic.

Actions reported by Japan

7. On 7 July 2020, Japan informed the Secretariat that all the specimens of sei whale meat and blubber introduced prior to SC70 had been sold by the Institute of Cetacean Research (ICR) and distributed domestically.

8. Japan further reported that proceeds of the sales of meat and blubber obtained in 2017 and before were refunded by ICR to the national treasury and appropriated to the costs of subsequent cetacean research programmes and the proceeds of 2018 were refunded by ICR to the national treasury.
9. Japan explained that it had taken note of Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species*. Japan also explained that the national legislation of Japan does not allow the retrospective confiscation of such specimens of meat and blubber, introduced with the prior grant of a certificate from the Management Authority and distributed into domestic markets. Japan also reiterated its commitment to follow the Standing Committee's recommendations not to issue any IFS certificates for sei whales from the North Pacific population except for biopsy samples obtained via non-lethal methods.

Recommendations

10. The Secretariat recommends that the Standing Committee take note of the information provided by Japan and consider whether any further action is necessary on sei whale specimens from the North Pacific population that were introduced under IFS certificates prior to SC70. In case that no further action is deemed necessary, the Committee may decide to consider the compliance matter resolved and proceed to close the case.