



JAPAN

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Photo: The morning of the small-scale fishing community, Inatori, Izu Peninsula, Shizuoka Prefecture.

By Yinji Li

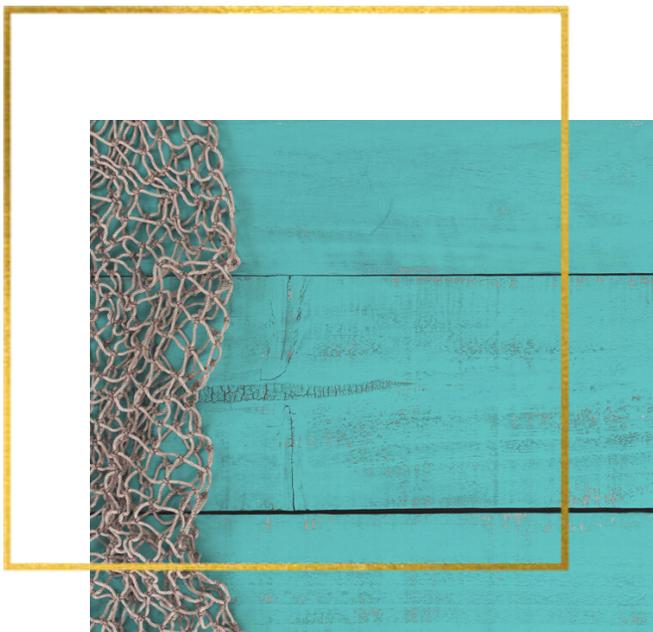
Why SSF?

The words “small-scale fisheries” (SSF) are somehow new in Japan as there is no clear definition of SSF nor is it a term often used either, unlike the “coastal fisheries”. According to the National Federation of Fisheries Cooperative Associations, coastal fisheries in Japan are considered fisheries that employ fishing vessels under 10 mt, which conduct operations lasting less than a day (JF Zengyoren 2005). We consider those coastal fisheries as SSF, which also include aquaculture and set-net fisheries. According to the 2018 Fisheries Census, there are 60,201 coastal capture fisheries entities in total, of which 58,611 are run by individuals or families, and there are 13,950 aquaculture entities in total, of which individuals or families run 12,506, showing that the majority of coastal fisheries operators are family-run (Harada 2020).

Japanese fishing industry can be divided into four main classes: licensed fishery, fishery based on fishery rights, free fishery, and other fisheries under the Fishery Act, which plays the most crucial role as the law for the governance of the basic fishery regime (FLSG 2005). Licensed fishery falls into the two classes: fisheries permitted by the minister and the governor, and fisheries based on fishery rights are further separated into three categories of a set-net fishery, aquaculture, and common fishery. Among these, fisheries based on fishery rights and fisheries permitted by the governor are relevant to SSF.

The Fishery Act of Japan had a major amendment in December 2018, which will be enforced on Dec 1, 2020. While the original act from 1949 had put much emphasis on the "comprehensive and advanced use of fishing grounds" and "democratization of fisheries", the new act is more about "resource management and fishery efficiency". It remains to be seen how Japan will secure the sustainability of SSF in the era of big change.

What are SSF?



"coastal fishery"

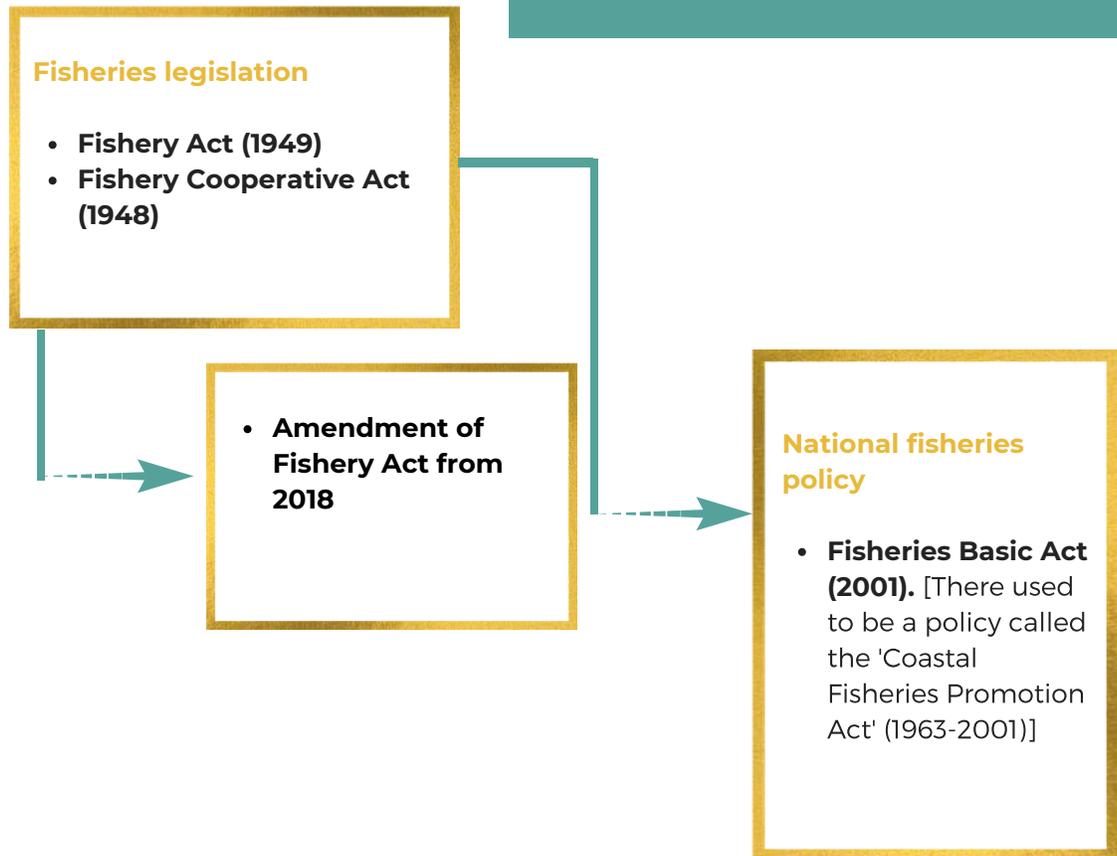
Small-scale fisheries are NOT defined in Constitution, Law, or Act or any other legal and policy document.

However, when considering SSF as “**coastal fishery**”, these fisheries are defined differently by few laws and statistical books. For example, [Article 8 of the Fisheries Act](#) defines coastal fishery as fishery "which refers to the fishery excluding the fishery operated using a powered fishing boat with a total tonnage of 20 tons or more and the fishery in inland waters."

The [Fishery Census](#) defines the "**coastal fishery classes**" as the combined tiers of non-fishing vessels, non-powered fishing vessels, fishing vessels with outboard motors, fishing vessels with outboard motors, power fishing vessels less than 10 tons, fixed nets and sea surface aquaculture."

How are SSF governed?

There is the Fishery Basic Act as a philosophy law, the Fishery Act as the substantive law, and the Fishery Cooperative Act as a law related to fishers' organization.



Who governs SSF?

National authorities in charge of fisheries governance:

- I) Fisheries Agency
- II) Prefectural fisheries departments
- III) Fisheries cooperatives

Responsibilities:

- I)
 - Appropriate conservation and management of marine resources
 - Ensuring a stable supply of marine products
 - To promote the development of the fishery industry and the welfare of the fishermen.
- II)
 - Appropriate conservation and management of marine resources
 - Ensuring a stable supply of marine products
 - To promote the development of the fishery industry and the welfare of the fishermen.
- III)
 - Responsibilities: management of fishery resources, support fishers on processing and sales of catches, improve fishers' economic viability

What principles govern fisheries?

Legislation - **Yellow** **Blue:** Policy

Yes  

No  

Not clear  

Not specific to fisheries  

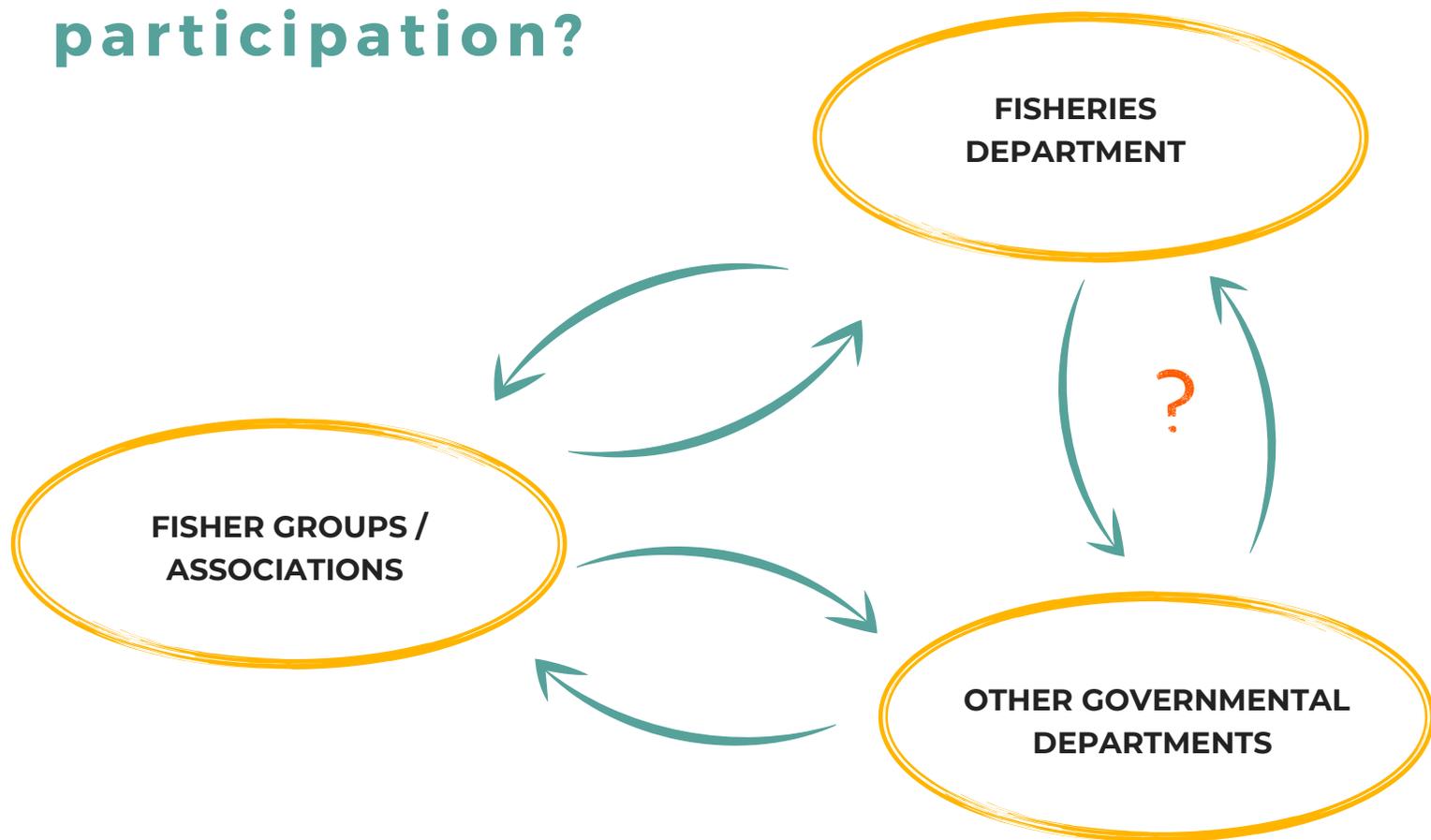
Human rights & dignity				
Respect of cultures				
Non-discrimination				
Gender equality & equity				
Equity & equality				
Consultation & participation				
Rule of law				
Transparency				
Accountability				
Economic, social & environmental sustainability				
Ecosystem approach to fisheries				
Social responsibility				
Other SSF relevant principles				

What legal and policy instruments are SSF specific?

Specific provisions for SSF

- **Tenure and related rights for SSF**
 - Fishery Act (1949)
- **Exclusive fishing area or priority access to fishery resources for SSF**
 - Fishery Act (1949)
- **Registration requirements for SSF**
 - Fishery Act (1949)
- **MCS measures and others aimed to deter, prevent and eliminate IUU applying to SSF**
 - Various: 1) Seto Inland Sea Fishery Regulation Ordinance (1951); 2) Fishery adjustment regulation of the prefectures (e.g. Shizuoka Prefecture Fishery adjustment regulation; Tokyo Metropolis Fishery adjustment regulation Year: 1964 (Shizuoka), 1965 (Tokyo)); 3) Fishery surveillance system at prefectural level
- **Social development, employment and decent work for SSF along the value chain**
 - Various: Name: Coastal Fisheries Promotion Law (1963-2001); Fisheries Basic Act (2001); Fishery Cooperative Act (1948)
- **Labour rights or social benefits for SSF along the value chain**
 - Various: Fisheries Basic Act (2001); Act on Subsidies for Improvement of Coastal (1979); Fishery Cooperative Act (1948)
- **Capacity building program for SSF**
 - Various: Fisheries Basic Act (2001); Comprehensive Fishery Training Promotion Program (2012-2021); Gyogyoshi system
- **Recognition of SSF as professional workers, along the value chain**
 - Fishery Act (1949)
- **Responsible trade in fish and certification of fishery products from SSF, including sanitary and safety standards for domestic vs. export markets**
 - Various: Fisheries Basic Act (2001); Regional Collective Trademark System (2006)
- **Legal protection of women in SSF, along the value chain**
 - Fisheries Basic Act (2001)
- **Special treatment to women in SSF**
 - Various: Promotion Project for Fishing Village Women's Activities (2013-2017); Promotion Project for the Capacity Building and Activities of Fishing Village Women (2018); Suisan Jyoshi Project Agreement (2018)
- **Protection of SSF from disaster risks/ climate change, and/or recognition of SSF vulnerability in disaster risk/climate change policies and strategies**
 - Fisheries Basic Act (2001); Fishery Disaster Compensation Law (1964)

What are opportunities for interaction & participation?



Representation of SSF in governance

The representation of SSF is legally required (Fishery Act Article 64). In the case of planning fishing grounds, it is necessary to have fishers' inputs.

Fishers' participation in management, including co-management or decentralised fisheries management schemes

Fishers' participate in these processes, as stipulated by the Fishery Act (1949).

Holistic form of governance or reform

There exist an interest for a more holistic governance or reform, especially within the context of the amendment of the Fishery Act that will be enforced on Dec 1, 2020.