

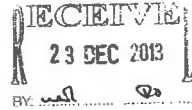
## Written Statement of the Swiss Confederation



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

Eidgenössisches Departement für auswärtige Angelegenheiten EDA

Schweizerisches Seeschiffahrtsamt SSA



CH-4001 Basel, EDA

International Tribunal for the Law of the Sea  
The Registrar  
Am Internationalen Seegerichtshof 1  
D-22609 Hamburg

Basel, 17. Dezember 2013

### ITLOS Case No. 21; Advisory Opinion On Illegal Fishing Activities

Dear Mr. Gautier

Switzerland would like to take the opportunity to respond to your request for an advisory opinion as submitted by the Sub-Regional Fisheries Commission (SRFC).

Although Switzerland has neither a coast line nor are there any fishing vessels flying the flag of Switzerland, we would like to issue a clear statement regarding illegal fishing activities within maritime areas under the jurisdiction of Member States. As a member of UNLOS we feel obliged to answer the questions contained in the order concerning Case No. 21, issued on May 24, 2013.

1. The Flag State is obliged to combat IUU-Fishing activities of its vessels as the exploitation of resources in the EEZ is reserved for the coastal state.
2. The Flag State should be fully liable for such illegal activities.
3. If the domestic legislation of the coastal state is part of the agreement or at least known to the Flag State, the respective State or agency should be held liable.
4. The pertinent provisions of UNCLOS constitute a sufficient legal basis for a sustainable management.

Yours faithfully

Dr. Reto Dürler

Swiss Maritime Navigation Office  
Head

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