



**1982 United Nations Convention on the Law of the Sea  
International Tribunal for the Law of the Sea**

**IN THE DISPUTE CONCERNING  
SOUTHERN BLUEFIN TUNA**

**AUSTRALIA AND NEW ZEALAND**

**V**

**JAPAN**

**FINAL SUBMISSIONS BY AUSTRALIA AND  
NEW ZEALAND UNDER ARTICLE 75(2) OF THE  
RULES OF THE INTERNATIONAL TRIBUNAL  
FOR THE LAW OF THE SEA**

On the basis of their written and oral submissions, Australia and New Zealand request that the Tribunal prescribe the following provisional measures:

- (1) that Japan immediately cease unilateral experimental fishing for SBT;
- (2) that Japan restrict its catch in any given fishing year to its national allocation as last agreed in the Commission for the Conservation of Southern Bluefin Tuna ('the Commission'), subject to the reduction of such catch by the amount of SBT taken by Japan in the course of its unilateral experimental fishing in 1998 and 1999;
- (3) that the parties act consistently with the precautionary principle in fishing for SBT pending a final settlement of the dispute;
- (4) that the parties ensure that no action of any kind is taken which might aggravate, extend or render more difficult of solution the dispute submitted to the Annex VII Arbitral Tribunal; and
- (5) that the parties ensure that no action is taken which might prejudice their respective rights in respect of the carrying out of any decision on the merits that the Annex VII Arbitral Tribunal may render.



W M Campbell  
Agent for the  
Government of Australia

20 August 1999



Tim Caughley  
Agent for the  
Government of New Zealand

20 August 1999