

Implementing the WTO's fisheries subsidies agreement: What will it mean in practice?

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What will implementation require WTO members to do?

Broadly speaking, implementation will require three types of actions:

- **Establish information gathering and transparency**
 - Collect and record information on fisheries subsidies and the fisheries where subsidised fleets operate (internal), and notify to the WTO.
- **Establish rules and procedures regarding prohibited subsidies**
 - Ensure that no subsidies are provided in circumstances where it is prohibited.
- **Establish coordination mechanisms between agencies**
 - Ensure relevant fisheries-related information is shared with subsidy-granting agencies

IUU subsidy prohibition - Example

- **Information gathering**

- Collect and record information on subsidies and subsidised fleets.
- Collect and record information on all relevant cases of IUU fishing (e.g. IUU list)

- **Rules and procedures**

- Laws, regulations and procedures may need to be introduced or changed.
- Should ban IUU vessels/operators from receiving subsidies. Part of subsidies law.
- Removal of subsidy if found guilty, possibility of repayment may be included.

- **Coordination mechanisms (illustrative)**

- All IUU judgements notified from *Ministry of Justice to *Ministry of Fisheries who checks against list of all licensed and subsidised vessels / operators.
- *Ministry of Fisheries removes / recovers subsidy and informs *Ministry of Trade.
- *Ministry of Trade notifies the WTO when sanction has been applied.

Overfished stocks subsidy prohibition - Example

- **Information gathering**

- Collect and record information on subsidies, fleets and target species.
- Collect and record information on current stock status, flag any overfished stocks.

- **Rules and procedures**

- Laws, regulations and procedures may need to be introduced or changed.
- Should remove all subsidies (unless exemption applies) on overfished stocks.

- **Coordination mechanisms (illustrative)**

- *Fisheries Science / Management Department identifies overfished stocks with no management measure and lists fleets/vessels fishing them
- *Fisheries Science / Management Department informs *Fisheries Development Department to remove subsidy.
- *Fisheries Development Department notifies others when subsidies are removed.

Making implementation effective

- **Implementation only works if Members implement properly**
 - Strengthening fisheries management and monitoring generally within a country will increase the impact.
- **Supporting implementation is important**
 - New agreements tend to generate publicity, discussion and attract support (e.g. recent PSMA).
 - Donors happy to fund where good management is in place or being implemented.
- **Elements of good practice**
 - Donors listening to support needs and responding.
 - Government departments working together and neighbouring States working together (neighbours are likely to have similar problems).
 - Small steps and continued progress is better than nothing.
 - Using publicly available resources and tools.