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.