

Fisheries Subsidies Video Series: Basic Concepts

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IISD

International Institute for
Sustainable Development



**Global Subsidies
Initiative**

Maritime areas

Territorial sea (UNCLOS Articles 3-16)

The area of water extending at most **12 nautical miles** from the baseline of a coastal state (usually the low-water line of the open coasts), and over which the coastal state exercises full control, except for the innocent passage of foreign vessels.

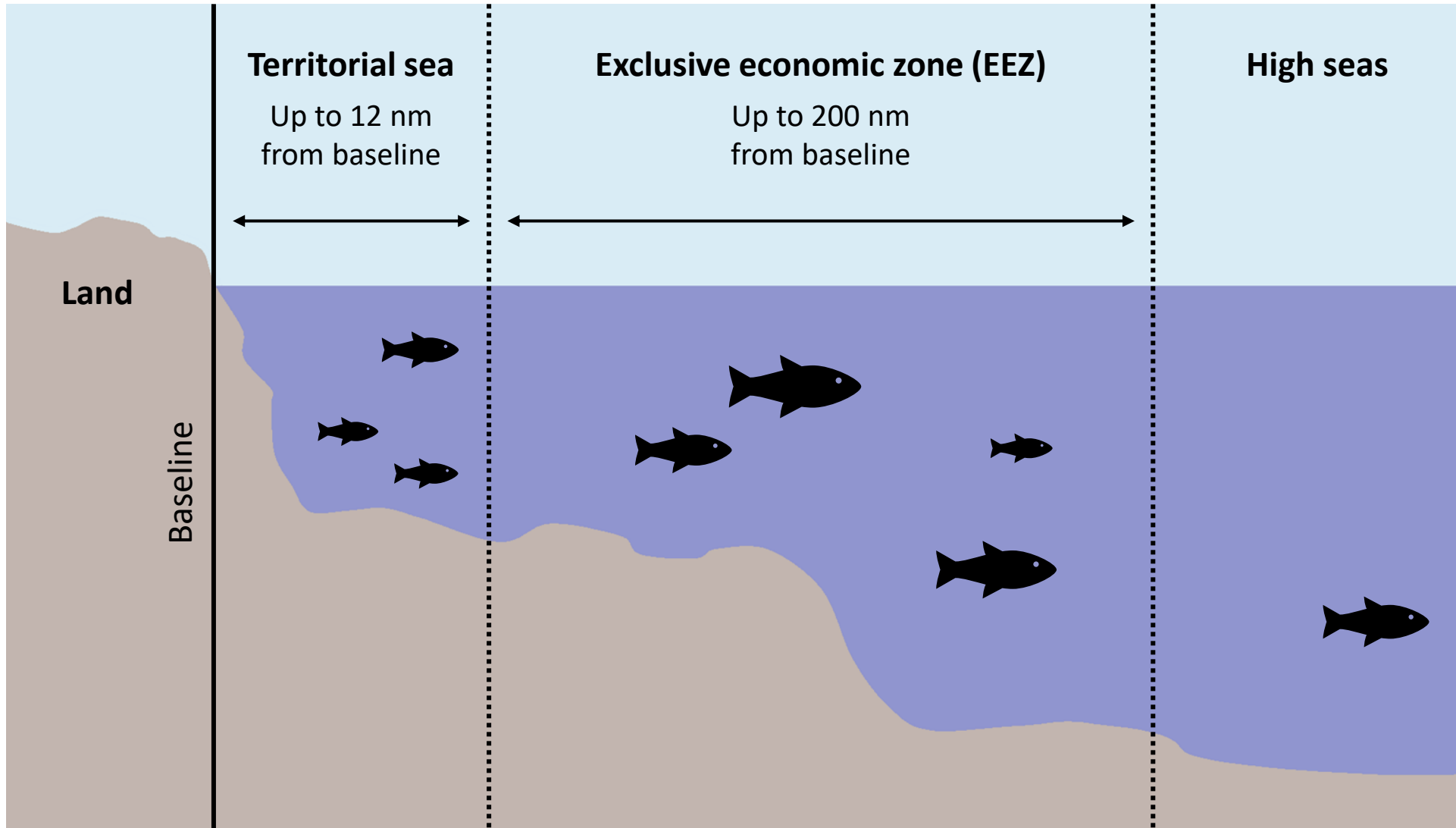
Exclusive economic zone (or «EEZ», UNCLOS Articles 55-75)

The area of water extending at most **200 nautical miles** from the baseline of a coastal state (usually the low-water line of the open coast), and within which the coastal State has sovereign rights regarding the exploration, exploitation, conservation and management of natural resources, and the obligation to manage those resources sustainably, with reference to maximum sustainable yield.

Areas beyond national jurisdiction (Also called High Seas, UNCLOS Articles 116-120)

All areas of the sea that are not included in the internal waters, the territorial sea, or the EEZ of a state, and over which no particular state has jurisdiction. For specific fishing rules to apply in these areas, states must cooperate.

Maritime areas



Fishing hours of global large-scale fleet:

Domestic EEZ = 70%
High seas = 15%
Foreign EEZ = 15%

(Global Fishing Watch data)

Global catch by volume:

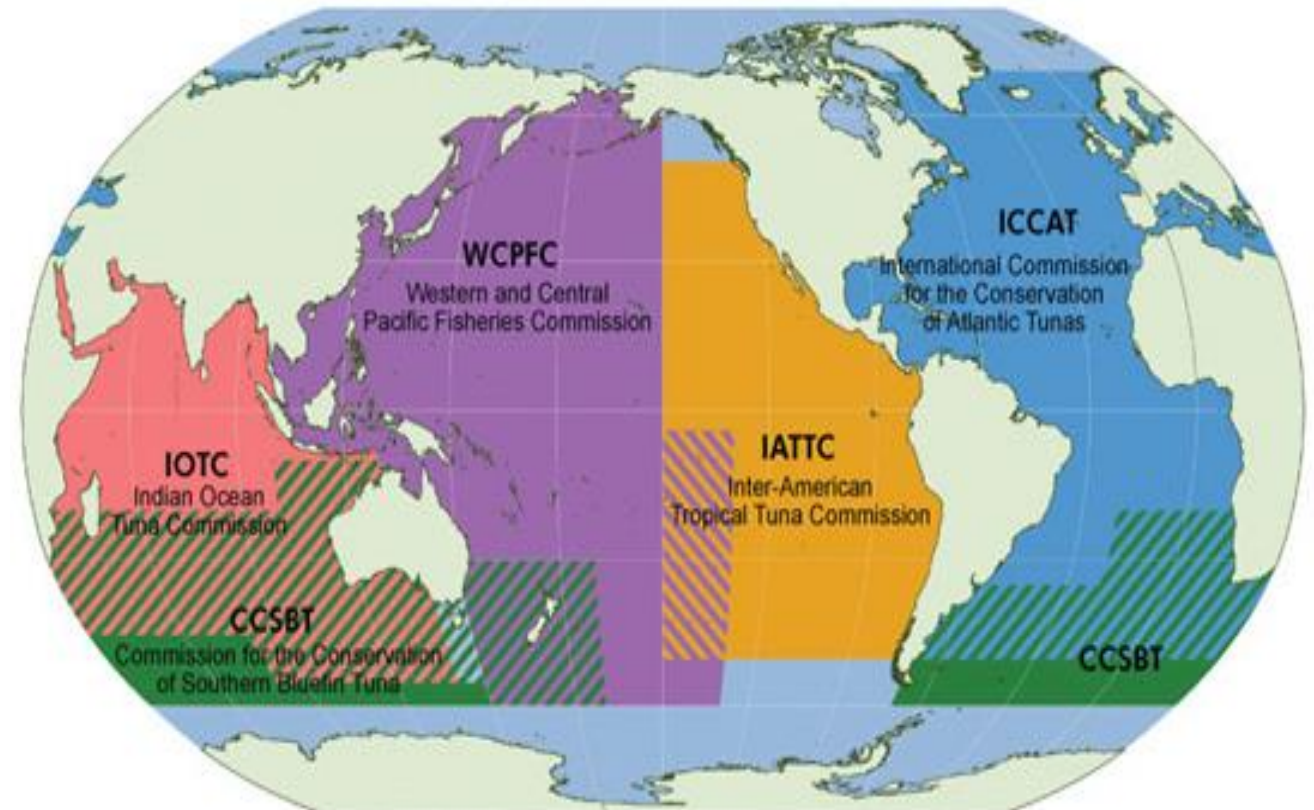
EEZ taxa = 33%
Straddling taxa = 67%
High seas taxa = <1%

(Sumaila et al. 2015)

Regional Fisheries Management Organisations and Arrangements (RFMO/As)

- RFMO/As are agreements among states to manage shared marine resources.
- Some govern only certain species (e.g. tuna RFMOs), while others cover all species in a geographic area (e.g. CCAMLR)
- Governments have agreed different mandates and regulatory competences for different RFMOs.
- Governments have agreed to give different RFMOs different roles. Under some, states agree to strict conservation measures (e.g. catch limits for certain species). Under other RFMOs, governments have agreed to less strict measures.
- Most high seas fishing of commercially valuable fish stocks is covered under an RFMO/A

Example: the 5 tuna RFMOs



State capacities

Coastal state

The state in whose EEZ (and thus under whose jurisdiction) fishing is taking place. Coastal states' laws govern the use of marine resources in an EEZ, by domestic or foreign fishers.

Flag state

The state which has registered a vessel under its national flag. Flag states are responsible for administrative, technical and social matters on board fishing vessels (UNCLOS Article 94)

Port state

The state in which a port used by a fishing vessel is located. Parties to the Port State Measures Agreement can make «findings» of IUU activity and refuse to allow vessels engaged in IUU fishing to use their ports.

Subsidising state

The state which is providing subsidies to support fishing activity. Subsidising states set the conditions for subsidies to be provided.

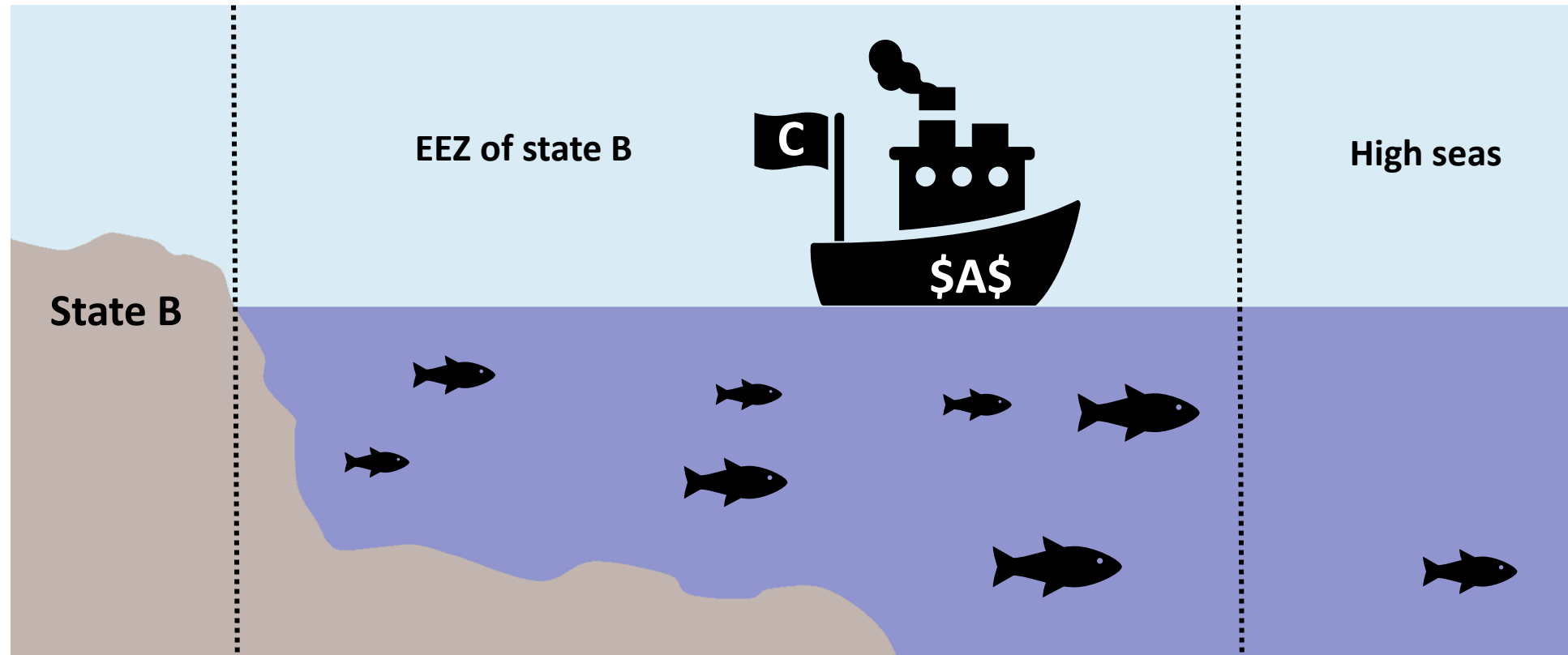
NB: the negotiating texts frequently add to, or replace, «state» in the concepts above with «Member».

Maritime areas



Vessels' fishing activities can fall under the jurisdiction of different states, depending on the circumstance

Ex: A vessel whose operator is incorporated in, and subsidised by, state A can fish in the EEZ of state B under the flag of state C.



Overcapacity and overfishing

Overcapacity

Fishing capacity is the amount of fish a fleet can capture within a given period if fully utilised.

Overcapacity is a situation where fishing capacity exceeds the level required to sustainably capture the desired amount of catch (often «MSY» or «Maximum Sustainable Yield»).

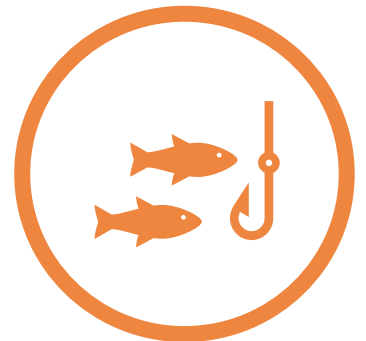
Put simply: *A fleet has the ability to catch too many fish.*



Overfishing

A situation where, for a given fish stock, the amount of fish caught is higher than the level at which the stock could sustainably produce the desired level of capture (often MSY), so a reduction in effort would result in higher catch.

Put simply: *Too many fish are being caught.*

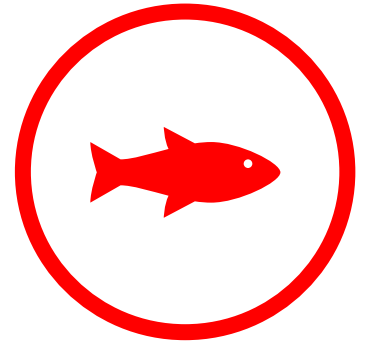


Overfished stocks

Overfished stock

A fish stock that has been fished beyond a set limit below which its biomass - i.e. the quantity of fish in the water – is considered too low (often in relation to the level that can produce MSY).

Put simply: *there are too few fish left.*



When too many fish are caught (overfishing is occurring) for too long, it can lead to a stock being in an overfished condition, meaning its absolute level is too low.

Source: Adapted from FAO Fisheries Glossary

MSY and alternative reference points

Maximum sustainable yield (MSY)

The maximum sustainable yield (MSY) is the maximum amount of catch that can be continuously taken from a fish stock for an indefinite period under constant environmental conditions.

Used to derive reference points commonly used in fisheries management:

- F_{msy} : the fishing mortality that produces MSY. → Used to determine if overfishing is occurring
- B_{msy} : the level of biomass that can produce MSY. Or a proportion of B_{msy} . → Used to determine if overfished

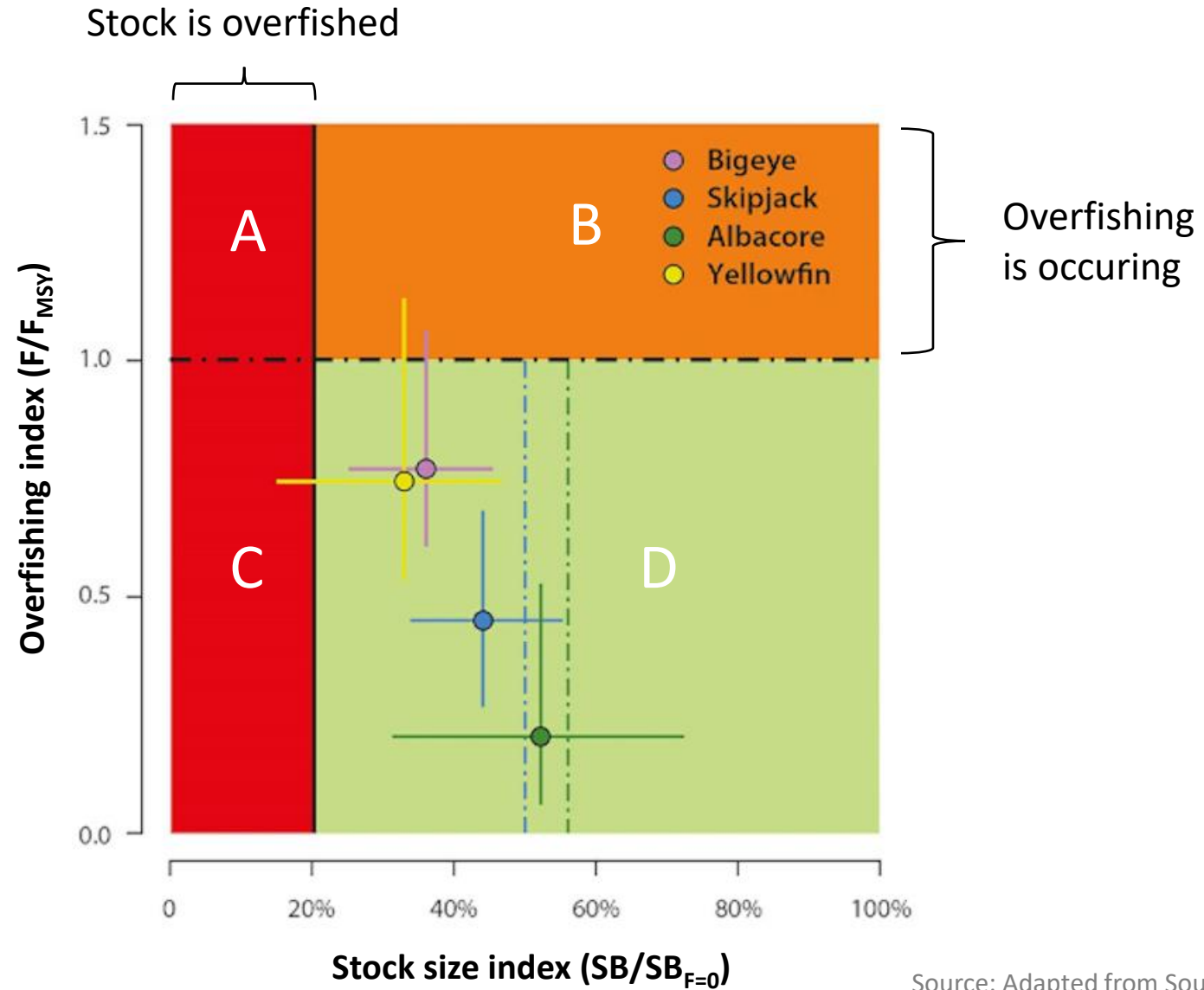
(Source: Adapted from FAO Fisheries Glossary)

Alternative reference points

In WTO negotiations on fisheries subsidies, some members have highlighted that there are circumstances where MSY-based reference points can be difficult to use because they have significant data requirements.

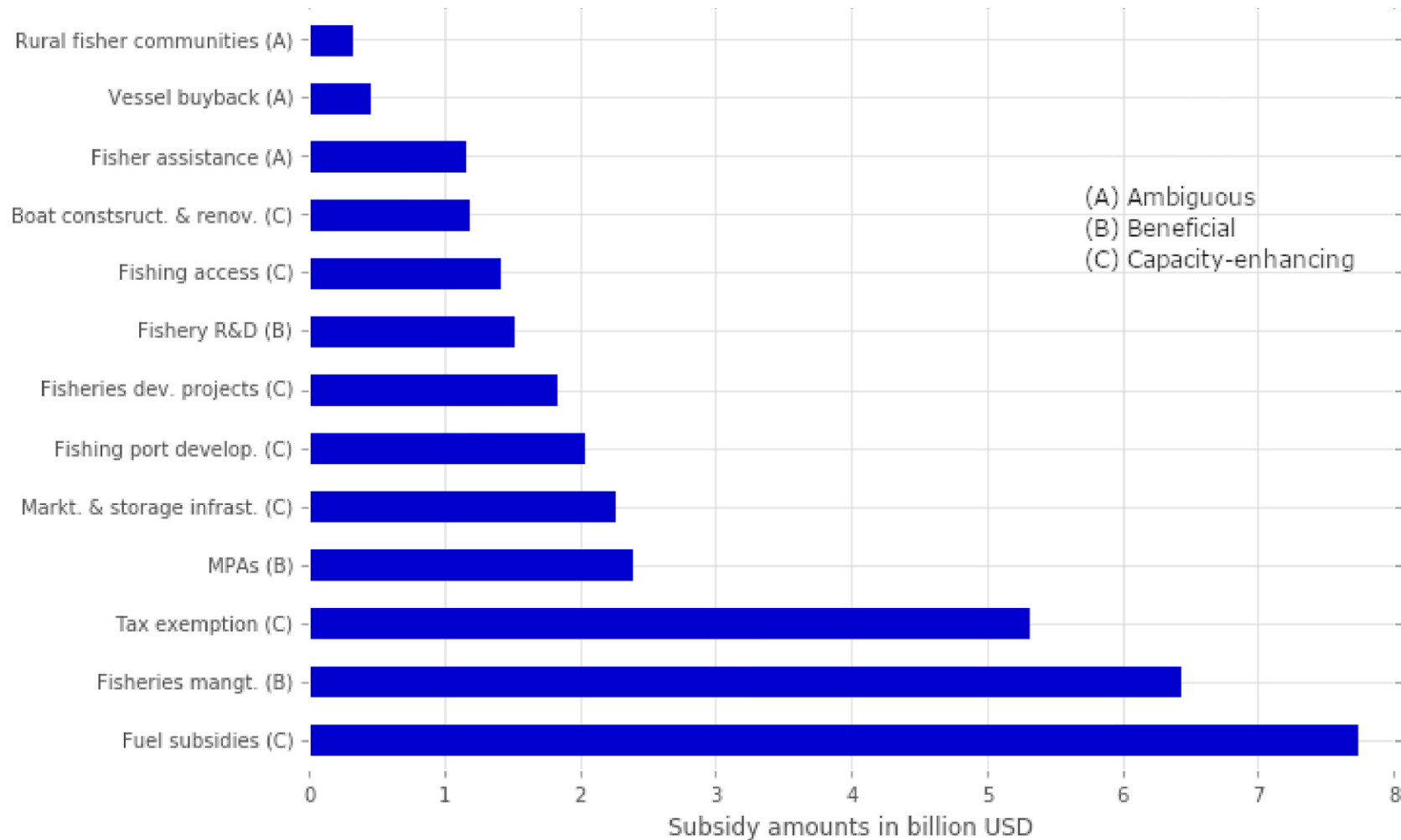
It has thus been proposed that disciplines related to overfished stocks as well as overfishing and overcapacity could apply to fisheries managed according to both MSY-based and alternative reference points.

Overfished vs overfishing: A Majuro Plot



Fisheries subsidies

Fisheries Economics Research Unit at the University of British Columbia



Fisheries subsidies

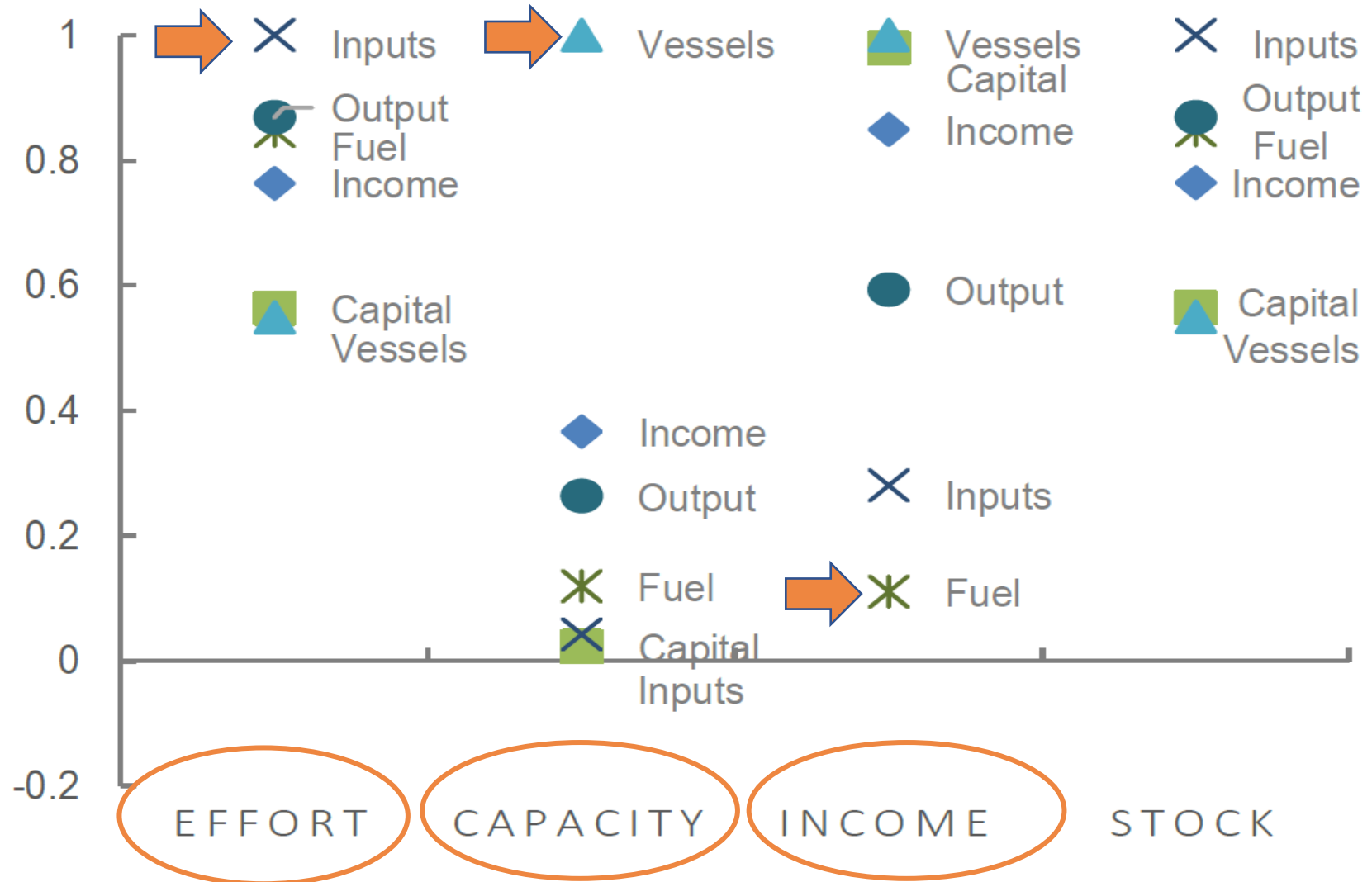
OECD

Estimated the impacts of various types of support to fishing, i.e. payments based on:

- fishers' income
- fishers' own capital
- vessels (capital costs)
- variable input use (operating costs)
- fuel use
- output

Support designed to reduce the cost of fuel and other variable inputs (like bait or gear) are the most likely to lead to overfishing and support fishers' income the least effectively

Impacts of different types of support to fishing (open access)





For summary videos describing
the key decisions in the
negotiations, go to www.iisd.org

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