

Fisheries Subsidies Video Series: Overcapacity and Overfishing



Key Decisions – Overcapacity and overfishing

Key decision 1: Which prohibition or qualitative restrictions should apply to fisheries subsidies?

Options :

- Prohibition of subsidies that contribute to overcapacity and overfishing

What subsidies are prohibited?	Under what circumstances?
<ul style="list-style-type: none">• All subsidies• Subsidies for operational and capital costs	<ul style="list-style-type: none">• When provided to large-scale industrial fishing• When the rate of fishing or the capacity of the fleet is beyond sustainable levels (unless <i>effective</i> management in place)• Except when fisheries management is in place
- Prohibition for subsidies to fishing in areas beyond national jurisdiction
 - Only subsidies “contingent or tied to” fishing in ABNJ or “for” fishing in ABNJ; or more broadly any subsidy “to” vessels or operators fishing in ABNJ.
 - Geographical limits (high seas, RFMO/A, EEZ of third countries)
- Prohibition of subsidies to re-flagged vessels

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Key decision 2: Should the agreement include quantitative as well as qualitative restrictions on subsidies? If so, how should these be designed?

Options :

- Tiers of Members by level of capture, with different rules for each tier:
 - Tier 1: Negotiated individual caps and reduction commitments (default cap in specific cases)
 - Tier 2: Default cap or negotiated cap. No reduction commitment.
 - Tier 3: No cap or reduction commitment.
- Caps according to % of (a) the total level of subsidization, or (b) level of capture, or (c) global average x number of fisherman; negotiated reductions.
- Caps (and resulting reductions) according to % of value of marine capture, across four tiers of Members.
- Caps (and resulting reductions) according to a common formula, with higher reduction percentages for higher portions of a total subsidy amount.

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Key decision 3: Should the discipline contain a “Green Box” of allowable subsidies? If so, what should its contours be?

- Options :
- Should it exempt subsidies from qualitative or quantitative rules, or both?
 - Should it be conditional or restricted in some way?
 - Which elements should it cover?
 - Fisheries management, R&D
 - Reduction of fishing capacity
 - Subsidies to small-scale fishing
 - Health and safety
 - Others?

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Key decision 4: What special and differential treatment would be appropriate and effective?

- Options :
- Longer timeframes for implementation of rules
 - Technical assistance and capacity building
 - Exceptions for subsidies to fishing in geographic areas (territorial sea, EEZ)
 - Exceptions for subsidies to small-scale fishing
 - Differentiated commitments based on development status
 - Objective criteria and thresholds to deal with differentiation