



WORLD TRADE
ORGANIZATION

The WTO Agreement on Fisheries Subsidies

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Session: The WTO Agreement on Fisheries Subsidies and the Fish Fund – Current Status, 14:30 Bali Time (8:30 GVA time)





SCOPE
Specific subsidies (as in ASCM Arts. 1 and 2), for marine wild capture fishing and fishing related activities at sea



S&DT in the Agreement

Prohibitions



● Due restraint for LDCs

Subsidies to IUU fishing
● 2 years peace clause

Fishing in the unregulated high seas

Subsidies to overfished stocks
● 2 years peace clause

⚠️
Enforceable through the WTO dispute settlement system



Other disciplines
Take special care and exercise due restraint when subsidizing:

- › **Vessels not flying that Member's flag**
- › **Fishing unassessed stock**



Final provisions

- › Exception for disaster relief
- › Disclaimers

CROSS-CUTTING RULES

Institutional arrangements

Notification and Transparency

Technical Assistance

⚠️
Subject to termination clause

● 4 years instead of every 2 years (for LDC and developing Members with % of global capture ≤ 0.8%)

● Targeted technical assistance and capacity building; Fish Fund

Status of acceptances



Institutional Arrangements

Committee on Fisheries Subsidies (Article 9)

Establishment of a Committee on Fisheries Subsidies (Art. 9.1)

- ❖ Established upon entry into force of the Agreement
- ❖ Composed of representatives from Member
- ❖ Elects its chair
- ❖ Meets at least twice a year
- ❖ Affords Members the opportunity to consult

Functions of the Committee

“Annual review”

- ❖ Reviews and reports on the implementation and operation of the Agreement
- ❖ Informs the Council for Trade in Goods of developments during the period covered by the review (Art 9.3)

- ❖ Review all information provided in accordance with Articles 3 and 8 (Art. 9.2)

Periodic review

- ❖ Review the operation of the Agreement with a view to identifying all necessary modifications to improve its operation
- ❖ Where appropriate, the Committee may submit to the Council for Trade in Goods proposals to amend the text of the Agreement (Art. 9.4)

Entry into force of the Agreement

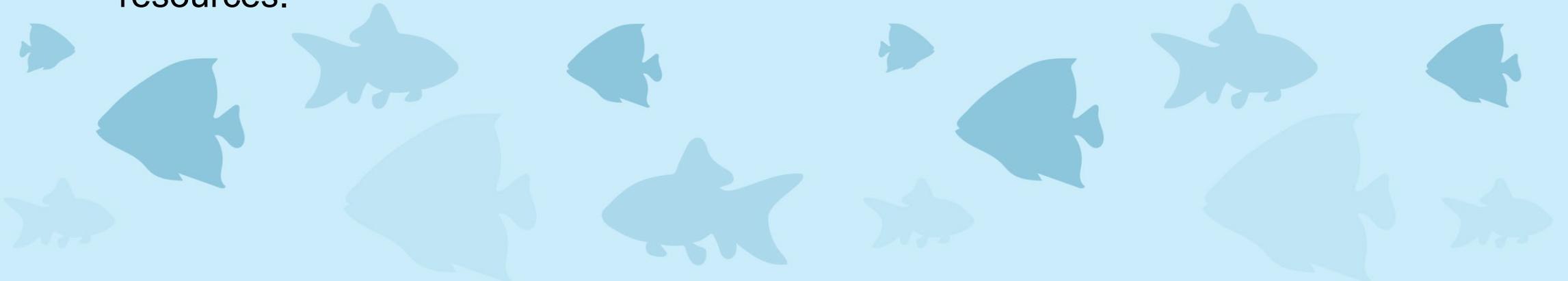
Annually

Not less than every two years

No later than five years after the date of entry into force of the Agreement and every three years thereafter

Technical Assistance and Capacity Building (Article 7)

- ❖ Targeted technical assistance and capacity building assistance to developing country Members, including LDC Members, shall be provided for the purpose of implementation of the disciplines under this Agreement. In support of this assistance, a voluntary WTO funding mechanism shall be established in cooperation with relevant international organizations such as the Food and Agriculture Organization of the United Nations (FAO) and International Fund for Agricultural Development. The contributions of WTO Members to the mechanism shall be exclusively on a voluntary basis and shall not utilize regular budget resources.



Initial Support Focus Areas

Support Notifications and Institutional Coordination Members

Objectives

- TACB for **notification and reporting of subsidy data and fisheries-related information** required by the Agreement.

- Institutional support** and **strengthened fisheries management** in the ways required by the Agreement.

A

Data Collection and Reporting

- Implement and improvement of data collection mechanisms for fisheries where subsidies are provided:
 - Report on **subsidized fishing activity types**.
 - Provide **catch data** for subsidized fisheries.
 - Report **stock status**.

B

Inter-Agency Coordination and Legal Frameworks

- Establish institutional arrangements and linkages among relevant agencies.
- Alignment of subsidy programs with new requirements.
- Development and implementation of necessary legislative and regulatory amendments.

C

Fisheries Management, including:

- Implementation and improvement in monitoring, control and surveillance, including to prevent IUU fishing.

