

Trade Restrictions and RFMO Membership

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Trade Restrictions

- ◆ As a form of limited entry
- ◆ As an incentive for RFMO membership

Fishing Outside of RFMOs

- ◆ Questioning UNCLOS/FSA impact on its own
- ◆ Disaggregating IUU
- ◆ ~21.5% of fishing vessel registration by FOCs
- ◆ Fishing by non-members significant
 - ◆ ICCAT: 10%
 - ◆ CCSBT (1999): 15%; later: 33%
 - ◆ IOTC: 10%
 - ◆ CCAMLR (1999): 67%+

Common Elements in Trade Restrictions

- ◆ Black lists/white lists
- ◆ Catch documentation
- ◆ Vessel monitoring system
- ◆ Refusal to accept landing, import, or transshipment, of fish caught outside the system

Specific RFMOs

- ◆ ICCAT
 - ◆ Trade sanctions
 - ◆ Panama and Honduras joined ICCAT
 - ◆ Belize&SVG cooperated
 - ◆ Others changed specific behavior
- ◆ CCAMLR
 - ◆ Toothfish prices: 2x price premium initially (later: up to 40%)
 - ◆ Decrease in toothfish catch (IUU: 21%)
 - ◆ New states joined CCAMLR (Namibia, Vanuatu); Belize began cooperating
 - ◆ Others (China, Mauritius, Seychelles) cooperating with CDS

What About Trade Law?

- ◆ No discrimination against like products
- ◆ History of ruling against trade restrictions
- ◆ But rulings lay out acceptable measures
- ◆ WTO Secretariat has said ICCAT and CCAMLR measures are appropriate

Relevance to this Workshop

- ◆ Need full (or almost) participation for ITQs to work
- ◆ There *are* those who will fish outside RFMOs
- ◆ Trade restrictions may be a way to bring states in
- ◆ But imperfect (always another flag, market)

