



WORLD TRADE  
ORGANIZATION

# IMPLEMENTING THE WTO AGREEMENT ON FISHERIES SUBSIDIES

Challenges and Opportunities for Developing  
and Least-Developed Country Members

## About the WTO

The World Trade Organization is the international body dealing with the global rules of trade between nations. Its main function is to ensure that trade flows as smoothly, predictably and freely as possible, with a level playing field for all its members.

## Acknowledgement

This report has been prepared by John Finn, Sainabou Taal and Assem Shakirtova under the direction of Clarisse Morgan, Director of the Rules Division. The authors would like to thank the Deputy Director Angela Ellard, Tisserée Coppa and Strahinja Ivanovic for their valuable comments. The authors would also like to thank colleagues from the Development Co-operation Directorate of the Organization for Economic Co-operation and Development (OECD) for providing and explaining OECD official development assistance (ODA) data. The authors also wish to thank colleagues from the Information and External Relations Division (IERD), the Language and Documentation Services Division (LDS), whose collaboration is vital in the production of this report.

## Disclaimer

This assessment note has been prepared by WTO Secretariat staff. The opinions expressed in this assessment note are those of its authors. They are not intended to represent the positions or opinions of the WTO or its members and are without prejudice to members' rights and obligations under the WTO. The designations employed in this publication and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the WTO concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

Report designed by Graphic and Event Design,  
Print and Distribution Section.

Image credits:  
Cover page: © Shutterstock

© World Trade Organization 2022

# TABLE OF CONTENTS

<b>A MESSAGE FROM DIRECTOR-GENERAL NGOZI OKONJO-IWEALA</b>	<b>4</b>
<b>PART 1 – INTRODUCTION</b>	<b>5</b>
<b>PART 2 – SUMMARY OF THE AGREEMENT AND WHAT IT MEANS FOR DEVELOPING COUNTRY AND LDC MEMBERS</b>	<b>6</b>
Scope	6
Definitions	7
The main prohibitions	7
Notification and transparency	8
Other provisions	8
Termination	9
Special and differential treatment	9
<b>PART 3 – DEVELOPMENT FINANCE TO THE FISHERIES SECTOR IN DEVELOPING MEMBERS AND LDCS</b>	<b>10</b>
Overview	10
Donor support	11
Main donors	15
Main beneficiaries	17
<b>CONCLUSION</b>	<b>21</b>
<b>ANNEX: HOW TO ACCEPT THE PROTOCOL OF AMENDMENT TO INSERT THE AGREEMENT ON FISHERIES SUBSIDIES INTO ANNEX 1A OF THE WTO AGREEMENT</b>	<b>22</b>
Frequently asked questions	22

## A MESSAGE FROM DIRECTOR-GENERAL NGOZI OKONJO-IWEALA



After many years and tremendous effort, on 17 June 2022, WTO Ministers adopted a binding multilateral Agreement on Fisheries Subsidies at the 12<sup>th</sup> WTO Ministerial Conference. The Agreement meets the Sustainable Development Goal 14.6 mandate for the WTO to negotiate disciplines to eliminate subsidies contributing to illegal, unreported, and unregulated (IUU) fishing and overfishing, taking into account the needs of developing country members. The Agreement represents a major historic achievement, as the first WTO agreement to place an environmental objective at its core, as well as the first broadly-focused binding multilateral agreement on ocean sustainability.

The Agreement will curb the estimated USD 22 billion<sup>1</sup> in annual global public support that contributes to the depletion of marine resources. In particular, it prohibits subsidies that contribute to IUU fishing, subsidies regarding overfished stocks, and subsidies for fishing in the unregulated high seas. Successful implementation of the Agreement by all WTO members will help secure the livelihoods of the 260 million<sup>2</sup> people who depend directly or indirectly on marine fisheries, and thus constitute a triple win for trade, development, and the environment.

Importantly, the Agreement also promises to be a ground-breaking tool for better fisheries management, by creating new transparency requirements and greatly improving data collection on the health of fisheries, as well as on related subsidies.

Implementing the new disciplines, and the detailed reporting requirements they entail for fisheries management as well as subsidies, will present challenges for many developing country members, especially the LDCs. As such, the Agreement anticipates and meets their need for technical assistance and capacity building.

Donor support to sustainable fisheries and conservation has already been significant. According to OECD Official Development Assistance (ODA) reporting, between 2010 – 2020, almost USD 5 billion was committed to support the ocean economy, of which 65% targeted sustainable fisheries. This is tremendous work, but much more needs to be done.

Accordingly, as a complement to ongoing assistance, the new Agreement establishes a voluntary WTO funding mechanism to assist developing country members and LDCs with their implementation by:

- Integrating fisheries sustainability elements into their subsidies policies and practices to benefit the fisheries sector;
- Strengthening sustainable fisheries management systems; and
- Improving notifications and transparency.

The objective of this report is to examine existing bilateral and multilateral assistance in support of sustainable fisheries, including how this may be relevant to meeting obligations under the new Agreement on Fisheries Subsidies.

Ngozi Okonjo-Iweala

Director-General

1 Sumaila UR, Ebrahim N, Schuhbauer A, Skerritt D, Li Y, Kim HS, Grace Mallory T, Lam VWL, Pauly D, (2019), *Updated estimates and analysis of global fisheries subsidies*, *Marine Policy*, November

2 Teh LCL, Sumaila UR, (2013) *Contribution of marine fisheries to worldwide employment*, *Fish and Fisheries*, vol. 14, iss. 1, March.