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TRADE AND ENVIRONMENT REVIEW 2016

FISH TRADE



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Acronyms

ABS	Access and Benefit Sharing
AMLC	Association of Marine Laboratories of the Caribbean
APC	Africa, Caribbean and Pacific Group
APEC	Asia-Pacific Economic Cooperation
ASC	Aquaculture Stewardship Council
ASCM	Agreement on Subsidies and Countervailing Measures.
BAP	Best Aquaculture Practices
BGI	Blue Growth Initiative
CAF	Development Bank of Latin America
CARICOM	Caribbean Community and Common Market
CARICOMP	Caribbean Coastal Marine Productivity Program
CARIFORUM	Caribbean Community and Dominican Republic
CARPAS	Regional Fisheries Advisory Commission for the Southwest Atlantic
CBD	Convention on Biological Diversity
CDS	Catch Documentation Schemes
CEPAL/ECLAC	Economic Commission for Latin America and the Caribbean
CESI	Committee for Environmental and Social Impact
CITES	Convention on the International Trade in Endangered Species of Wild Fauna and Flora
CPPS	Permanent South Pacific Commission
CS	Commonwealth Secretariat
CSD	Commission on Sustainable Development
CTE	Committee on Trade and Environment, WTO
CTS	Committee for Trade in Services, WTO
DDA	Doha Development Agenda
DFID	Department for International Development
EBSA	Ecologically or Biologically Significant Area (under CBD)
EEZ	Exclusive Economic Zone
EGA	Environmental Goods Agreement
EGS	Environmental Goods and Services
ENSO	El Niño-Southern Oscillation
EPA	European Partnership Agreement
EPPs	Environmentally Preferable Products (EPPs)
FAO	Food and Agriculture Organisation of the United Nations
FDI	Foreign Direct Investment
FoF	Friends of the Fish
FoS	Friends of the Sea
GAAP	Global Aquaculture Advancement Partnership
GATS	General Agreement on Trade in Services
GDP	Gross Domestic Product
GEF	Global Environment Facility
GHG	Greenhouse Gas
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GSSI	Global Sustainable Seafood Initiative
ICT	Information and communication technologies
ICZM	Integrated coastal zone management
IDB	Inter-American Development Bank
IEAE	International Atomic Energy Agency
IFPRI	International Food Policy Research Institute
IMO	International Maritime Organisation
IOC	Intergovernmental Oceanographic Commission
IOCARIBE	IOC Sub-Commission for the Caribbean and Adjacent Areas
IsPOA	Istanbul Programme of Action for Least Developed Countries
ITQ	Individual Transferable Quota
IUU	Illegal, unreported and unregulated fishing

LDCs	Least Developed Countries
LPAA	Lima Paris Action Agenda
MAF	Ministry of Agriculture and Fisheries of Oman
MARPOL Convention	International Convention for the Prevention of Pollution From Ships, 1973 as modified by the Protocol of 1978
MDGs	Millennium Development Goals
MEAs	Multi-lateral Environmental Agreements
MFN	Most Favourable Nations
MIF	Multilateral Investment Fund
MPA	Marine Protected Area
MSC	Marine Stewardship Council
MSP	Marine Special Planning
MSY	Maximum Sustainable Yield
Nagoya Protocol	The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity
NAMA	Non Agriculture Market Access, WTO
NGO	Non-Governmental Organization
OECD	Organization for Economic Cooperation and Development
OECS	Organisation of Eastern Caribbean States
OLDEPESCA	Latin American Organization for Fisheries Development
PES	Payment for Ecosystem Services
PIC	Pacific Island Countries
PIF	Pacific Island Forum
PPMs	Process Product Methods
PPP	Purchasing Power Parity
R&D	Research and development
RFBs	Regional fisheries bodies
RFMO/As	Regional fisheries management organizations and arrangements
RTAs	Regional Trade Agreements
SDG	Sustainable Development Goals
SDT	Special and Differential Treatment
SIDS	Small Island Developing States
SVE	Small and vulnerable economies
TPP	Trans-Pacific Partnership Agreement
TURF	Territorial Use Rights Fisheries
UK	United Kingdom
UN	United Nations
UNCED	United Nations Conference on Environment and Development
UNCLOS	United Nations Convention on the Law of the Seas
UNCTAD	United Nations Conference on Trade and Development
UNDESA	United Nations Department of Economic and Social Affairs
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention on Climate Change
UNGA	United Nations General Assembly
UNWTO	United Nations Tourism Organisation
USAID	United States Agency for International Development
USDA	United States Department of Agriculture
WCPO	Western and Central Pacific Ocean
WECAFC	Western Central Atlantic Fishery Commission
WEF	World Economic Forum
WTO	World Trade Organisation
WTTC	World Travel and Tourism Council
WWF	World Wildlife Fund

Foreword

A fish story: From a tragedy to a triumph of the commons

Among all of the economic activities that the human race carries out upon the world's oceans, fishing is perhaps the oldest and mostly closely connected with our development. Recent finds of crafted fishhooks in the caves of Okinawa have demonstrated that this connection has persisted for more than twenty thousand years. Yet if current patterns regarding the ways in which we harvest the seas and consume our catch are not subject to meaningful and effective overhaul, then a relationship that has probably nurtured our species since our first steps away from the cradle of civilization will be lost.

Today our marine resources, particularly fish, are facing anthropogenic pressures that pose unprecedented sustainability risks. Both the current capabilities and future potential of oceans to sustain these resources are being severely impacted factors such as over-fishing practices, illegal fishing activities and poor management. In addition, rising surface temperatures, higher sea levels, acidification of sea water, maritime transport activities and related externalities, pollutants, and damaging extractive seabed activities serve only to exacerbate the situation.

Fishing plays a major role in contributing to sustainable development, economic growth, food security and livelihoods. Fish, molluscs and crustaceans, as well as other organisms such as seaweeds, form a central component of our diet, particularly for coastal and lake populations. In many Least Developed Countries (LDCs) and Small Island Developing States (SIDS), fish consumption contributes to at least 50 per cent of daily protein intake.

In 2014, global exports of fish and fish products reached an all-time high of US\$ 146 billion. In volume terms, after highs in the 1990s, the level of marine and fresh water fish catch remains steady at about 90 million tonnes, probably due to the natural limits of extraction of an already overexploited resource. Furthermore, as developing countries now account for 56 per cent of total world exports, these nations should have a strong voice in the methods used to safeguard the future of these resources.

Alarming, 87 per cent of the world's marine fish stocks are rated as fully exploited, overexploited or depleted by the Food and Agriculture Organization (FAO). This is a ratio that has been increasing steadily. Currently, half of the fish stocks located off of the West African coast are classified as overharvested, meaning they will be unable to recover. This underlines the severe deterioration of the overall state of global fish resources worldwide and the need for immediate action.

Transforming our world: the 2030 Agenda for sustainable Development and the 17 Sustainable Development Goals (SDGs) outline, for the first time, a charter in a stand-alone global goal that addresses the health of marine resources and ecosystems, with specific regard for fish. SDG 14 lays out several targets directly oriented towards preventing fish stocks from becoming the first global tragedy of the commons.

Despite the circumstances in which we find ourselves, advancing SDG 14 and its related targets will not be easy. There are many challenges to be faced, including the complexities of oceans and fisheries governance, weak regulatory frameworks, harmful subsidies, and – in fishing nations among developing countries – poor implementation and a lack of financial and technical resources. Some of these key challenges, as well as innovations to advance the implementation of SDG 14, such as responsible and sustainable wild fish harvest, aquaculture production and trade, are discussed in this Trade and Environment Review (TER). The Review brings together the contributions of over 20 prominent experts and practitioners on fish governance systems; fish harvest, production and consumption; unsustainable fishing practices; fish and marine ecosystems management; and fish trade.

UNCTAD as the focal point of the United Nations system for trade and development, in collaboration partners that include the FAO, the Commonwealth Secretariat and International Oceans Institute, advocates the promotion of sustainable oceans economy and sustainable fishing trade. In the last two years, UNCTAD has conducted several expert discussions on ocean economies and produced a report with the Commonwealth Secretariat entitled “Sustainable Fisheries: International Trade, Trade Policy and Regulatory Issues”. This joint report proposes an agenda for sustainable fisheries that promotes the conservation of fish stocks, as well as the sustainable consumption and trade of fish by all.

At UNCTAD 14, held in Nairobi in July 2016, UNCTAD joined together with FAO, the United Nations Environment Programme (UNEP), 91 member States, four International Governmental Organizations and 11 International Civil Society Organizations to issue the Fish Subsidies Declaration, which serves as a roadmap towards ending harmful fishing subsidies. Further, paragraph 100 (t) of the newly agreed Nairobi Maafikiano gave UNCTAD a specific mandate on the oceans economy. This new, unprecedented mandate arises as a consequence of a need to implement and advance trade related aspects of SDG 14, and will require UNCTAD to intensify its work in this area as a response.

It is through this expansion and these types of concerted, coordinated responses that we can ensure that the benefits of sustainable practices accrue to fishing nations and their populations, particularly in developing countries. Only when this happens, will we truly be able safeguard our marine resources for future generations.

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29 November, 2016

Executive Summary

For the next 15 years, the implementation of the 2030 Agenda for Sustainable Development and the achievement of the related Sustainable Development Goals (SDGs) will command international attention. Achieving the 17 global goals and 169 related targets requires, inter alia, careful assessment and practical suggestions on implementing this transformative agenda on a global scale on an urgent basis. In this direction, UNCTAD's 2016 Trade and Environment Review brings together a collection of independent articles by leading experts providing succinct diagnosis and novel suggestions on the implementation of SDG 14 which seeks to "Conserve and sustainably use the oceans, seas and marine resources".

Oceans contribute to food security, nutrition and to ending hunger, fostering culture and identity, supporting agriculture, mitigating the effects of climate change, providing educational opportunities and safeguarding sacred sites. The conservation of oceans and sustainability of marine resources and ecosystem is thus essential to the very basis for human wellbeing in coastal communities and beyond. Oceans are of major importance to coastal States, especially LDCs and SIDS. For all SIDS, for example, their marine territory is several times large than their land area signifying the potential huge marine resources available to them from the oceans.

SDG 14 brings international spotlight on the overexploitation of oceans and marine resources by humans to the extent that their sustainability and resilience is threatened on a wide scale. Particular emphasis is placed on oceans health and economics especially international trade, marine resources primarily fisheries, and resilient growth, sustainable development and poverty eradication. In particular it points to a pressing need for the international community to address the issue of the conservation and the rebuilding of global fish stocks that have been so quickly depleted as a result of many factors including the industrialization of the fisheries sector to date.

The TER 2016 is structured into three complementary parts that examine issues pertinent to the promotion of sustainable use of living marine resources mainly fish in healthy oceans and seas. It focuses on trade in fish within the context of the oceans economy, often also referred to as the blue economy, in terms of challenges and opportunities for the global community in implementing Agenda 2030 and specifically SDG 14.

Part I focuses on the international and regional (governance and legal) framework for oceans and sustainable fisheries and to future trade trends and prospects, including the potential impact of climate change. This part discusses the effective implementation of two global governance frameworks that provide the legal basis consisting of rights and obligations of Member States over life on seas and for the development of sustainable fisheries, including through engendering a multitude of complementary international instruments at the global and regional levels.

The two frameworks are the "Convention" and "Agreement", respectively the 1982 United Nations Convention on the Law of the Sea and the 1995 Agreement for the Implementation of the Provisions of

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