

MEETINGS ON ISSUES OF INTERNATIONAL FISH TRADE AND ENVIRONMENT AND THE REGIONAL TECHNICAL CONSULTATION ON FISH TRADE IN ASEAN REGION

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1. INTRODUCTION

Due to the importance of the issues related to trade and their impacts to fisheries in the ASEAN region, SEAFDEC has developed a regional program on fish trade and environment. The program was initiated in 1999 to provide a forum for discussion on regionally important issues related to fish trade prior to the WTO Ministerial Meeting held in Seattle in December 1999. Later, the program was endorsed as one of the collaborative program under the ASEAN-SEAFDEC Fisheries Consultative Group (FCG) mechanism in March 2000 and subsequently agreed at the Special Senior Official Meeting for the ASEAN Ministers on Agriculture and Forestry (SOM-AMAF) in April 2000. Since then, the program has been implemented as part of the SEAFDEC effort to support the ASEAN and SEAFDEC Member Countries in the promotion of sustainable fish trade in the region.

2. ASEAN-SEAFDEC COLLABORATIVE PROGRAM ON FISH TRADE AND ENVIRONMENT

The SEAFDEC Preparatory Meeting on Issues of International Fish Trade and Environment was held in November 1999, in Bangkok, Thailand, as the initial activity of the program. The meeting came up with recommendations clarifying the regional requirements for fish trade, which was considered as a regionally important document. The recommendations were subsequently publicized at the International Forum including the COFI Sub-Committee Meeting on Fish Trade in March 2000. Considering the relevance of the program to the regional needs, the SEAFDEC Council recommended that future activities under this program be carefully planned considering the progress on the formulation of any global framework or initiatives that may have impacts on fish trade and fisheries in the region.

The issue of fish trade in the ASEAN region was later taken up as an integral part of the preparation for *the ASEAN-SEAFDEC Conference on Sustainable Fisheries in the New Millennium: "Fish for the People"* (the Millennium Conference), held in November 2001, Bangkok, Thailand. The Millennium Conference concluded a *Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region* (the Resolution and Plan of Action), considered as a regional policy framework and required actions to be undertaken, of which issues related of fish trade form an important part of these documents.

3. REGIONAL ISSUES OF FISH TRADE AND THEIR CONTEXT

SEAFDEC Preparatory Meeting on Issues of International Fish Trade and Environment

The Meeting was held from 3-5 November 1999 in Bangkok, Thailand. The Meeting discussed major issues on international fish trade and environment and recognized the

importance of linkages between fisheries management and fish trade for achieving sustainable utilization of fisheries resources. To reconcile unregulated fishing practices at international levels, the Meeting discussed the attempt to promote sustainable fisheries, use of fisheries subsidies and trade measures. Recommendations of the Meeting are appended as Appendix 1.

The Meeting recognized that trade measures involving fish and fishery products, in most cases, are usually promoted by non-fisheries agencies in the government although the fisheries agencies are fully involved in sustainable fisheries issues. Government fisheries agencies should be more actively involved in their national initiatives on trade in order to accommodate the fisheries requirements into national trade policies. The Meeting also suggested that ASEAN and SEAFDEC should take a more active role in the formulation of recommendations to harmonize fish trade policies taking into consideration of the sustainable development of fisheries in the ASEAN region.

Regional Technical Consultation on Fish Trade in ASEAN Region

The Regional Technical Consultation (RTC) on Fish Trade in ASEAN region was held in Bangkok, Thailand from 9 to 11 April 2001. The Consultation reviewed national policy and actions taken on fish trade by ASEAN and SEAFDEC Member Countries based on the recommendations concluded at the 1999 SEAFDEC Preparatory Meeting on Issues of International Fish Trade and Environment. The Consultation also discussed current status of issues related to international fish trade and their potential influence to the Southeast Asian region. The outcome of the Consultation was used as the basis for policy consideration on fish trade by the Member Countries as well as technical preparation for the Millennium Conference.

Trade Issues in the ASEAN-SEAFDEC Millennium Conference

At the Millennium Conference, three topics related to fish trade, namely, Sanitary and Phytosanitary Measures, Fisheries Subsidies and Eco-labelling, were highlighted. The conclusion and recommendations related to the above issues were extensively discussed and endorsed, which formed a basis for the formulation of the Resolution and Plan of Action.

As adopted at the Millennium Conference, the following are the Resolution and Plan of Action related to fish trade in the ASEAN region.

“Strengthen the joint ASEAN approaches and positions on international trade in fish and fishery products indigenous to the region by harmonizing standards, criteria and guidelines.” (Resolution paragraph 15)

“Strengthen ASEAN trade policy on fish and fishery products through regional collaboration by harmonizing product standards and sanitary measures with international standards wherever appropriate, working towards harmonized guidelines for fish inspection and quality control systems among ASEAN Member Countries, strengthening fish inspection and quality control systems with regard to food safety and exchanging information on risk analysis.” (Plan of Action, paragraph D1)

“In collaboration with international technical organizations such as the Food and Agriculture Organization of the United Nations (FAO) and the World Trade Organization (WTO), assess the impact of government subsidies on fisheries, particularly on the needs of small-scale fisheries in the ASEAN region and sustainable fisheries.” (Plan of Action, paragraph D2)

“Anticipate and address the potential impacts of eco-labelling of ASEAN fish and fishery products.” (Plan of Action, paragraph D3)

4. CONCLUSION

It has been recognized that the fisheries related government agencies in the region are not always fully involved in the national policy formulation exercise on trade, including fisheries products. However, it is important that fisheries related government agencies should be informed of the initiatives particularly those that will have impacts on fish trade and fisheries in the region. This would then help facilitating the fisheries related government agencies to further coordinate with authorities directly responsible on fish trade. In addition, discussion on the issues related to fish trade and their potential impacts to fisheries in the region would provide information to the fisheries related government agencies. This would promote effective conservation and management of fisheries to ensure sustainable fish trade in the region.

Considering the nature of the issues of fish trade, based on global frameworks/initiatives, the regional program on fish trade will then be promoted in response to these emerging circumstances or when needs are arisen by the ASEAN-SEAFDEC Member Countries.

**Recommendations agreed at the SEAFDEC Preparatory Meeting on Issues of
International Fish Trade and Environment
at the Elizabeth Hotel,**

**Bangkok, Thailand
3–5 November 1999**

The Preparatory Meeting was attended by the Chairman of the SEAFDEC Council, Council Directors for the Philippines and Singapore, SEAFDEC Department Chiefs and senior SEAFDEC officers, representatives of the ASEAN Secretariat, FAO, and representatives of ASEAN and SEAFDEC member countries including Cambodia, Indonesia, Japan, Lao P.D.R., Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam.

The Meeting discussed major issues on international Fish Trade and Environment and recognized the importance of linkages between fisheries management and fish trade for achieving sustainable utilization of fisheries resources.

The Meeting noted that there were two major initiatives to reconcile unregulated fishing practices at international levels. One is the attempt to promote sustainable fisheries, the other being trade measures.

The meeting expressed its concern that the above initiatives are not always developed in a coordinated manner.

The Meeting recognized that trade measures involving fish and fishery products, in most cases, are usually promoted by non-fisheries agencies in the government although the fisheries agencies are fully involved in sustainable fisheries issues.

The Meeting noted that in international fora, trade measures are being used to reconcile unregulated fisheries, and envisaged that further trade measures would be used as management tools to promote sustainable fisheries.

The Meeting expressed concern that the global initiatives sometimes give less importance to regional specificity.

In this connection, in order to pursue these initiatives at national and regional level, and to have greater participation and involvement of fisheries agencies in trade issues, it is recommended that:

1. Government fisheries agencies should promote sustainable fisheries in order to achieve sustainable trade in fish and fishery product;
2. The fisheries sector should be treated as a separate group in WTO negotiations, due to renewable nature of fisheries resources and the multi-functionality of fisheries.

3. Government fisheries agencies should be more actively involved in their national initiatives on trade in order to accommodate the fisheries requirements into national trade policies.
4. International rules harmonizing fish trade issues with sustainable fisheries issues must take into account the specific situation and other factors including socio-economics in the region.
5. Government agencies should take into consideration other factors besides subsidies that may promote over-capacity in fishing, and should not agree to proposal on the elimination of fishery subsidies without determining its relationship with overfishing or over-capacity.
6. In depth analysis on the effects of fisheries subsidies on over-capacity together with other factors, which cause over-capacity or unsustainability, be conducted by competent international technical organizations such as FAO.
7. ASEAN and SEAFDEC member countries provide the Secretariat of SEAFDEC with the list of government's support to fisheries in order to assist FAO in its analysis on fisheries subsidies by end of January 2000.
8. Regional organizations such as SEAFDEC should be more involved in policy issues on fish trade in order to provide appropriate information on fish trade to relevant agencies of the ASEAN and SEAFDEC member countries.
9. SEAFDEC and ASEAN should take a more active role in the formulation of recommendations to harmonize fish trade policies with sustainable fisheries issues through the Regionalization program of the Code of Conduct for Responsible Fisheries (CCRF).
10. The ASEAN – SEAFDEC Fisheries Consultative Group should be used as the mechanism to develop common positions on issues on sustainable fisheries and sustainable trade in fish and fishery products at international fora such as WTO, CITES, and FAO. SEAFDEC could assist ASEAN and SEAFDEC member countries in compiling various national and regional studies on the important fisheries issues, including sharks, Southern Bluefin Tuna (SBT) and CCRF and collaborate with FAO in order to accommodate the regional situations into the global framework.

Conclusion and Recommendations of the Regional Technical Consultation on Fish Trade in ASEAN Region

Bangkok, Thailand
9-11 April 2001

Introduction

At the invitation of the Secretariat of the Southeast Asian Fisheries Development Center (SEAFDEC), the Regional Technical Consultation (RTC) on Fish Trade in ASEAN region was held in Bangkok, Thailand from 9 to 11 April 2001.

The Consultation was attended by the representatives from ASEAN and SEAFDEC Member Countries (ASCs), observers and resource persons from Taiwan, the Food and Agriculture Organization of the United Nations (FAO), the Marine Stewardship Council (MSC), the World Trade Organization (WTO), the Department of Fisheries, Thailand and SEAFDEC. The Consultation reviewed national policy and actions taken on fish trade by ASEAN and SEAFDEC Member Countries based on the recommendations concluded at the 1999 SEAFDEC Preparatory Meeting on Issues of International Trade and Environment and discussed current status of issues related to international fish trade and their potential influence to the Southeast Asian region. The outcome of the Consultation would be used as the basis for policy consideration on fish trade by the ASCs as well as technical preparation for the ASEAN and SEAFDEC Conference on Sustainable Fisheries for Food Security in the New Millennium: "Fish for the People", scheduled from 19 to 24 November 2001.

Conclusion and Recommendations

After the deliberation, the Consultation recommended that:

The recommendations concluded at the 1999 SEAFDEC Preparatory Meeting on Issues of International Fish Trade and Environment are still valid and could be further promoted, incorporating additional recommendations agreed in this Consultation. However, the following sentence should be replaced in the item number 2 of the recommendations, which reads "*the fisheries issues should be treated separately and in an appropriate manner in WTO framework, due to renewable nature of fisheries resources and the multi-functionality of fisheries*".

I. Subsidies to Fisheries Sector

- 1.1 A regional policy including scope and context of subsidies to fisheries sector taking into account the national/regional specificity should be elaborated. The regional policy can be proposed as a regional contribution to the international definition which may be formulated. The ASCs should be more actively involved in the international exercise establishing an internationally agreed definition and classification of subsidies to fisheries sector.
- 1.2 In order to define the usefulness of subsidies to fisheries sector at national and regional levels, potential and empirical effects in term of production, trade, natural resources and

environment and fishing communities from different types of subsidies to fisheries sector should be further studied.

- 1.3 Several types of government programs intended to promote fishery management and sustainable development at national level including infrastructure development, research, extension and training are not the prime concern on the international debate on subsidies to fisheries sector. Such government programs should not be referred to subsidies to fisheries sector.

II. Eco-labelling

- 2.1 Eco-labelling in the context of the ASCs should be regarded as “labeling in relation to sustainable fisheries and environmental issues”.
- 2.2 Proposals for eco-labelling should be viewed in a wider context as one of the many possible tools for fishery management under the CCRF. However, study and fact-finding will need to be developed to assess its wider implication for industrial and non-industrial fisheries and trade in fish and fishery products.
- 2.3 Right and responsibilities on the promotion of the issue as a part of fishery management tools in national waters should be prerogative to the States, as stipulated in 1982 UNCLOS. In addition, at this moment, States especially fishery related agency, have the scientific and technical competence on the fishery management including supporting data and information. Therefore, the fishery related agencies in the ASCs should take a proactive role and be the national agency to ensure proper implementation of any labeling scheme to address fishery management and environmental issues.
- 2.4 In order to harmonize these actions to be initiated by the ASCs, a regional collaborative mechanism should be promoted in the Millennium Conference coordinated by SEAFDEC.
- 2.5 With respect to highly migratory fish stocks which management responsibility have already been given to the appropriate regional fisheries management organizations, the ASCs should support measures complementary to fishery management including labeling in relation to sustainable fisheries and environmental issues.
- 2.6 Regional guidelines/criteria on labeling relating to sustainable fisheries and environmental issues should be developed and promoted as a regional reference and inputs for development of international guidelines/criteria for eco-labelling.

III. Sanitary and Phytosanitary (SPS) Measures

- 3.1 The fishery related agencies of the ASCs should keep pace with the development and involve themselves in ensuring that the countries’ representatives are aware of the issues in the discussion on the SPS issue in the ASEAN Free Trade Area (AFTA), WTO SPS Committee, CODEX and OIE.
- 3.2 Close regional collaboration on SPS for both food safety and fish health management issues should be strengthened, especially taking into account following points:
 - Sharing of experiences between the ASCs
 - Provide training to enhance and strengthen human resource capacity in the region
 - Harmonisation of standards
 - Development of a common stand in international forum

- 3.3 ASEAN-SEAFDEC Collaborative program on “Fish Trade and Environment” will be used as an overall framework dealing with fish trade issues. SPS issues should be appropriately addressed in the program. On-going activities by MFRD on HACCP and AQD on Fish Diseases programs could be used as the starting point for technical assistance to the member countries.
- 3.4 Thailand was requested to take the leading role (acting as the lead ASEAN country for the program) for SPS issues under the ASEAN-SEAFDEC Collaborative program on “Fish Trade and Environment”.

IV. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

- 4.1 The fishery related agencies of the ASCs should coordinate within their governments on the appropriate level of involvement in their national CITES authority and participation in CITES meetings. Existing ASEAN CITES mechanism should be strengthened to deal with fishery issues.
- 4.2 The ASCs should support FAO involvement in CITES including the review and development of the listing criteria on commercially harvested aquatic animal species in order to ensure the appropriate consideration of fishery management aspects. For this purpose, the ASCs should support active role of FAO as the competent UN fishery technical agency in CITES.
- 4.3 The ASCs should be fully involved in the FAO process of the development of new criteria in the related meetings.

The ASCs should be proactive in developing a regional mechanism to coordinate their efforts in dealing with CITES issues, starting with the issue of shark fisheries. The ASCs should take appropriate actions to implement the International Plan of Action for the Conservation and Management of Sharks.