Evidence-based and policy coherent Oceans Economy and Trade Strategies in Costa Rica[1]

Sectorial factsheet for Tuna[2]

1. INTRODUCTION

The project "Evidence-based and policy coherent Oceans Economy and Trade Strategies"[3] aims to support developing countries such as Barbados, Belize and Costa Rica, in realizing trade and economic benefits from the sustainable use of marine resources within the framework of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). This data factsheet presents detailed information of one (of the four) ocean sectors selected in Costa Rica to facilitate the identification and informed selection of key sectors to be considered for the next phase of the project:

Sector 1	→ **Sector 2**	Sector 3	Sector 4
Sustainable marine fisheries (all fish but tuna)	**Sustainable wild tuna harvesting/fishing sector (only tuna species)**	Sustainable crustacean aquaculture	The seafood manufacturing sector

Currently, the fishing industry faces a profound resource crisis, thus being able to manage the country's fishing sector in a scientific and sustainable manner has become of great importance. Being a public good, the country's wild tuna resources must generate the greatest possible benefit for the highest possible number of Costa Ricans, this in a sustainable and equitable manner. Although the tuna-fishing sector carries great importance in trade terms and it has seen a recent boom in activity, it requires attention to ensure its proper and full contribution to the sustainable development of Costa Rica's ocean-based economy.

The following data sheet presents, in its first part (section 1 to 2.6) general data of the activity and the specific sector (in relation to the existing data); and in its second part (section 3 to 5) specific data on the sector is presented.

[1] This project is funded by the United Nations Development Account and implemented by the United Nations Conference on Trade and Development (UNCTAD), in cooperation with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations (DOALOS). This fact sheet was used as an input for a oceans-based sector selection workshop in Costa Rica, November 2018. See: https://unctad.org/en/pages/MeetingDetails.aspx?meetingid=1930

[2] **Note:** The material contained in this publication may be freely quoted or reprinted, but acknowledgement is requested together with a reference to the document number. A copy of the publication containing the quotation or reprint should be sent to the UNCTAD Secretariat, Palais des Nations, 1211, Geneva 10, Switzerland. The designations employed, and the presentation of the material do not imply the expression of any position whatsoever on the part of the United Nations Secretariat concerning the legal status of any country, territory, city area, or its authorities, or concerning the delimitations of its frontiers and boundaries, or regarding its economic system or degree of development. The views expressed in this publication are those of the authors and do not necessarily reflect the views of the United Nations or its Member States.

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1.1. Tuna fishing and harvesting

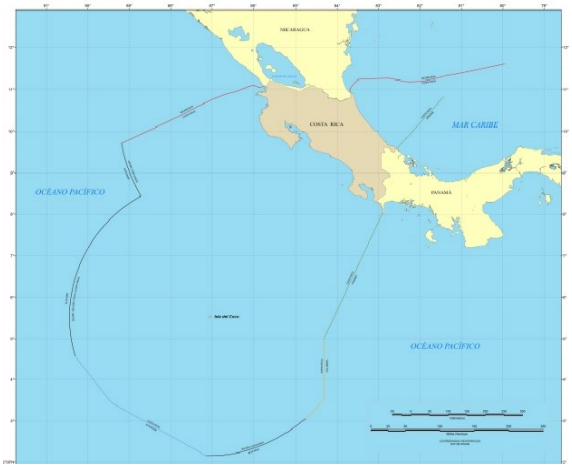
Tuna fishing in Costa Rica goes back over 500 years BC, when the indigenous pre-Columbian inhabitants would catch black skipjack tuna (Euthynnus lineatus), in several settlements such as El Conchal, Manzanillo, Nacascolo and Vividor. In the Concheros at Nacascolo, the black skipjack tuna represented 32% of the identified population, being one of the main fisheries resources in Bahia Culebra. The indigenous populations of Costa Rica continued to harvest this fishuntil the XVII century, when the depopulating of the indigenous populations along the coastal area ended the practice (Sol, 2013; Vargas 2014). It was not until the beginning of the XXI century that the commercialization of tuna restarted. Canning technology, introduced in 1903 in the United States of America propelled the development of the tuna industry in California, which was looking to supply the demand of the US East coast market, including from Costa Rica. Tuna is a key export of Costa Rica, specially to the United States of America. (Source: Jiménez, J.A. and E. Ross Salazar -Editores 2017).

KEY POINT:

In Costa Rica, tuna fishing is rather significant, particularly the variety I and II of the yellow fin tuna. Exports of this species has been key for the country in the last 4 years, however, in the last two years, imports have been higher due to certain competitive issues. For the 2006-2015 period, the income received by the Costa Rican State for licenses for the international fishing fleet fluctuated between US$ 635,565.16 (2008) y US$ 1,165,950.71 (2010), with an annual average of US$ 904,694.65 with a slight downward trend.

In Costa Rica, between 2006-2015 the catches included five species of tuna. The most exploited was yellowfin tuna (192,605 tons), which represented 75.14% of the total catches. The skipjack tuna accounted for 23.54% of the catch, while the remaining 1.32% was divided between bigeye and black skipjack. The catch of yellowfin tuna consisted mainly of medium age groups (3.8 to 5 years old), followed by tuna over 5 years of age (Source: Mug, 2013 in Jiménez, JA & E. Ross Salazar - Editors 2017).

1.2. Costa Rica: fishery context



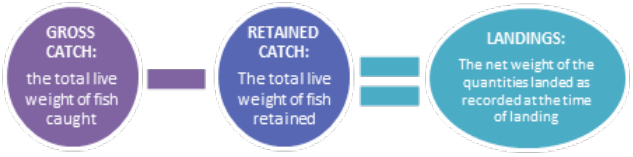
Land: 51,100 km²
Coasts lengt: 1,290 km²
Pacific maritime space: 538,273 km² (*)
Caribbean maritime space*: 26,000 km² (*)
Main Pacific landing points: Cuajiniquil, Playas del Coco, Puntarenas, Quepos y Golfito
Main Caribbean landing points: Barra del Colorado, Puerto Limón

*(*Source:http://files.snitcr.go.cr/Visor/limites/MAPA%20OFICIAL%20CONTINENTAL%20INSULAR%20Y%20MARITIMO.pdf)*

2. PRODUCTION

2.1. LANDINGS

Total national landings in Costa Rica has been slightly declining since 2011, from 16,081 tons to 13,382 tons in 2015. Around 10.6% of this production in 2015 (1,417.33 tons) is for tuna.



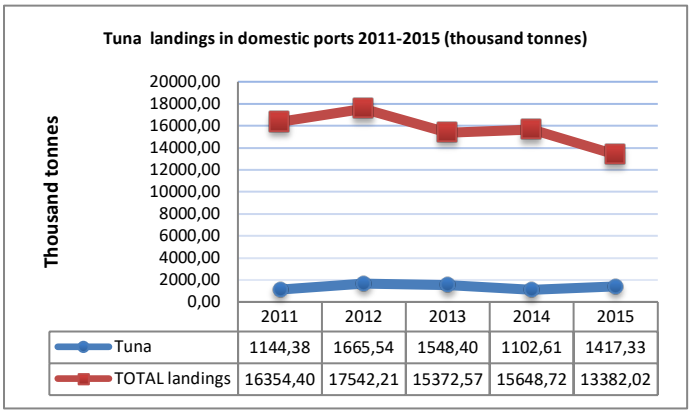
Source: Catch Concepts: Diagrammatic Presentation (http://www.fao.org/3/bt981t/bt981t.pdf)

Similarly, the total domestic landings rates, for 2011 was 1,144.38 tons of tuna were recorded, which increased significantly in 2012 and 2013 (1,665.54 and 1,548.40, tons respectively). The situation has been quite irregular in relation to the recorded tons of landings una.

There is still a considerable capture production that is not identified to the species level but is instead recorded as marine/freshwater fishes nei (nei = not elsewhere included), marine/freshwater molluscs nei and marine/freshwater crustaceans nei.
(http://www.fao.org/docrep/011/i0327e/I0327E04.htm)

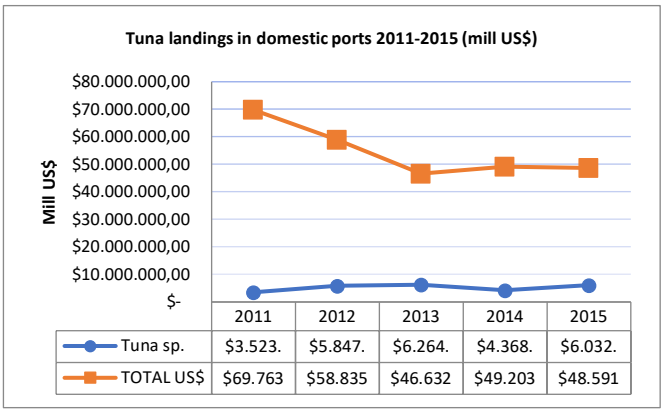
Therefore, national landings in Costa Rica reached a total value of US$ 48,591,831 in 2015, US$ 21,172,149 less than in 2011.

In 2015, tuna imports accounted for approximately 12.4%of all fish imports. It is important to note however that the irregular situation in relation to the recorded tons of tuna landings does not show an effect in the price of the product. On the contrary, the price of tuna has trended upwards over the last 5 years.



	2011	2012	2013	2014	2015
Tuna	1144,38	1665,54	1548,40	1102,61	1417,33
TOTAL landings	16354,40	17542,21	15372,57	15648,72	13382,02

Source: Statistic Department, Research Department, INCOPESCA, 2017



	2011	2012	2013	2014	2015
Tuna sp.	$3.523.	$5.847.	$6.264.	$4.368.	$6.032.
TOTAL US$	$69.763	$58.835	$46.632	$49.203	$48.591

Source: Statistic Department, Research Department, INCOPESCA, 2017

2.2. OFFICIAL FEES

For the 2016-2017 period, some of the fees set by INCOPESCA in 2018 (in colones)[4] are:

- ¢ Small scale commercial fishing license: **23,700**
- ¢ Medium scale commercial fishing license: **71,000**
- ¢ Advanced scale commercial fishing license: **260,800**
- ¢ Fishing inputs tax exemption authorization: **3,400 per year**
- ¢ Authorization to place fishery products in primary rural markets: **23,600**
- ¢ Authorization to transport fishery products: **40,600–93,600**
- ¢ Authorization to export fishery products: **22,400**
- ¢ Authorization to import fishery products: **28,400**
- ¢ Purchase order of fuel (individual or consolidated): **2,600 (per order)**
- ¢ Authorized fuel: **5,00** (per liter)
- ¢ Captain and crew ID card (all types of vessels, national or resident): **5,000 per year**
- ¢ Issuance and extension, fishing license for tuna, foreign vessel: **424,200 per year**

[4] The price in the charts is in Costa Rican Colones, as provided by the source. However, at this point an exchange rate of US $ 1 = 585 (September 19, 2018, Central Bank of Costa Rica, exchange rate of sale) was considered.

**. 5 CRC must be paid per every authorized litter. Represents a specific data.*

Source: Directive Council Agreement No. AJDIP/328-2016 (Session No. 034-2016, Sept. 08, 2016), INCOPESCA

2.3. EMPLOYMENT

During 2012 and 2013, the sector employed 6,741 and 7,563 individuals respectively, trending downwards during the following years, reaching a low of 3,836 workers during 2016. The fishing sector employs mostly men. Many of these workers are classified as **Non-qualified Workers** (TNC by its Spanish language acronym), working mainly in the agricultural, livestock, wildlife and fishing activities.

1. *(Source: Salarios Mínimos Sector Privado año 2018, Decreet Nº40743-MTSS, published in La Gaceta 228, Alcance N°291 December 1, 2017. Rules from January 1, 2018)*
2. *Note: Minimum salary is 10,060.71 colones. In this way, it can be considered as the minimum income that Nonqualified Workers (TNC) should have.*

Note: Data on employment in the tuna sector was not obtained. The above data is provided as an overview of the total fishing sector, without including the manufacture of seafood products and crustaceans, where the data could be obtained.

2.4. FISHING FLEET

The Costa Rican fishing fleet is classified into Small and Medium scale fleet and large-scale fleet. Most of the tuna captures are done by the Advanced scale fleet:

Small and Medium-scale fleet:

Vessels with engines LOA 0 - 11.09 (mts)

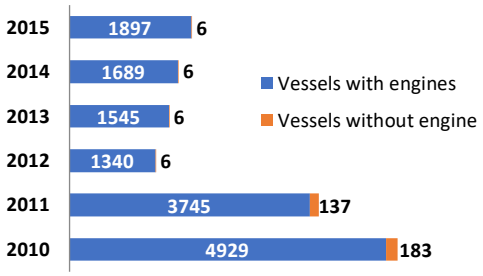
(Artisan shrimp, squid, sharks, scales fishes)

Advanced-sclae fleet:

Vessels with engines LOA 12 - 23.9 (mts)

(Large pelagic and demersal species)

Fishing fleet 2010-2015 (in vessel numbers)



Source: Statistic Department, Research Department, INCOPESCA, 2017

According INCOPESCA, Costa Rican fishing fleet has decreased significantly since 2010. In 2010 the fishing fleet was two and a half times larger (5,112 vessels) than in 2015 (1,903 vessels)

2.5. EXPORTS EVOLUTION BY SECTOR

In 2017 Costa Rica exported US$ 89,100,000 fish products, which represented only 0.80% of the total country exports in 2017.

Livestock and Fishing sector exports 2013-2017 (in US$ mill and % of total CR exports) *

	2013	2014	2015	2016	2017
Dairy	**116.1**	**144.9**	**119.1**	**134.9**	**135.6**
	1.30%	*1.60%*	*1.30%*	*1.40%*	*1.30%*
Fishing	**124.3**	**112.8**	**99.3**	**83.2**	**89.1**
	1.40%	*1.20%*	*1.10%*	*0.80%*	*0.80%*
Meats	**61.8**	**85.6**	**89.2**	**72.1**	**73.8**
	0.70%	*0.90%*	*1.00%*	*0.70%*	*0.70%*
Other	**21.6**	**22.1**	**26.6**	**27.8**	**27.7**
	0.30%	*0.20%*	*0.30%*	*0.30%*	*0.30%*
TOTAL	**323.8**	**365.3**	**334.2**	**318.1**	**326.4**
	3.80%	*4.00%*	*3.60%*	*3.20%*	*3.10%*

Source: Statistical Yearbook, 2017, PROCOMER

**. The data corresponds to the fishing sector, in relation to other Costa Rican productive sectors.*

2.6. NUMBER OF FISHERY PRODUCTS, DESTINATIONS AND COMPANIES

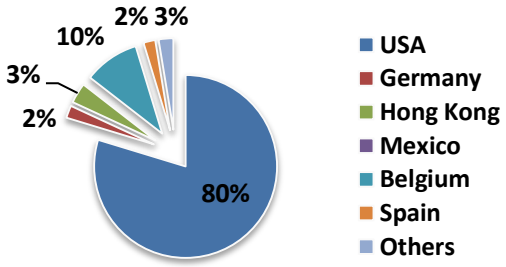
The number of products, destinations and exporting companies has decreased during the last five years. The number of fishing products exported decreased from 69 in 2013 to 51 in 2017, as well as the number of destinations and companies, from 29 and 31 in 2013, to 22 and 26 in 2017, respectively.

Number of fishing products, destinations and companies 2013-2017*

	Products	Destination	Companies
2013	69	29	31
2014	63	38	34
2015	54	23	28
2016	45	18	22
2017	51	22	26

**Includes all fishing products exports*
Source: Statistical Yearbook, 2017, PROCOMER

Fishery products main destinations, 2017



Source: Statistical Yearbook, 2017, PROCOMER

3. TUNA PRODUCT PRICES

* Average prices paid in stalls 1, 2, 3, 4
**Average between minimum and maximum price. Product placed on the National Supply Central (CENADA)
***Average between Market price, Super 1 and Super 2.
*****. Tuna I and II. Market Quality Classification (It is a process of the supermarkets to classify the quality of the product)*

Average prices paid 2013-2017
(in thousand colones)

Paid to the:		Fisherman*	Wholesaler**	Retailer***
Yellow Fin Tuna I 	2013	n/d	₡4,047****	n/a
	2014	₡2,050	₡3,686****	₡10,335
	2015	₡1,300	₡3,307****	₡14,730
	2016	₡1,500	₡2,955****	₡11,465
	2017	n/d	₡3,720****	n/a
Yellow Fin Tuna II 	2013	₡1,183	₡1,450	n/d
	2014	₡1,093	₡1,400	₡5,000
	2015	₡1,002	₡1,750	n/d
	2016	₡1,015	₡2,500	n/d
	2017	₡876	n/d	n/d
Black Fin Tuna 	2013	₡200	₡259	n/d
	2014	n/d	₡223	n/d
	2015	₡200	₡212	n/d
	2016	n/d	₡361	n/a
	2017	n/d	₡220	n/a

n/a (not available)
Source: Marketing Department, INCOPESCA

4. TRADE METRICS

4.1. SECTOR OVERVIEW:

Table 2: Export metrics of sectors in 2016, weighted by HS6 export value

Dimension / Sector	HS6 Products	Exports in Mil USD (in Mil Tones)	Diversification # of distinct export destinations / # of distinct HS6 exports	Revealed Comparative Advantage	Demand in global market Annualized average growth rate in import values	Employment Men vs. women	Perception of competitiveness Survey-based evaluation [0 1]
Crustacean 0.12% of total exports	•Shrimps and prawns •Cold-water shrimps and prawns •Other shrimps and prawns	11.9 (1.1)	5/3	0.8	7.5	1100 200	0.18
Fish 0.65% of total exports	•Tilapia •Hake •Swordfish •Salmon •Trout •Other	64.4 (9.4)	16/31	169.5	4.9	5900 800	0.46
Tuna 0.08% of total exports	•Yellowfin tuna •Bigeye tuna •Tunas, skipjack or stripe-bellied bonito	7.8 (1)	2/3	28.2	1.2	5900 800	0.48
Seafood manufacturing 0.33% of total exports	•Tunas, skipjack and bonito •Sardines, sardinella and brisling or sprats •Other prepared or preserved fish •Salmon	32.4 (8.7)	27/6	5.8	-3.3	3700 200	0.51

Source: UN-COMTRADE, survey-based evaluation

Tuna is a key product for the economic activity of the country, mainly because it helps the country maintain a great number of destinations for exports, which are significant in terms of imports. It also maintains a very positive comparative advantage. However, according to the data and studies, it has the potential to be a more competitive product in the market.

	Low Values
	Medium Values
	High Values

4.2. TUNA TRADE METRICS, 2012-2016:

Table 3: Export metrics of tuna sector, 2012-2016

	2012	2013	2014	2015	2016
Export Value (in Mil USD)	**13,6**	**11,9**	**6,8**	**7,2**	**7,8**
Exports QTY (in Mil Tonnes)	**1,3**	**1,3**	**0,8**	**0,9**	**1,0**
Number of Export Destinations	**11**	**7**	**2**	**3**	**2**
Number of HS6 Exports	**4**	**5**	**4**	**4**	**3**
Total Exports (in Mil USD)	**11250,8**	**11472,1**	**11242,5**	**9578,2**	**9907,8**
Sector share (in %)	**0,12**	**0,10**	**0,06**	**0,08**	**0,08**

Source: UN-COMTRADE **Note** : Relevant HS codes for tuna products as defined in the Appendix 1.

Exports decreased in value and proportion of Costa Rica's total exports from 2012 to 2016, the latest year of available data. Volume decreases were less exacerbated. Export diversification remained small, both in terms of distinct destinations and exported HS6 product lines.

4.3 EXPORTS OF TUNA PRODUCTS, VALUE AND WEIGHT BY NATIONAL TARIFF LINE

The following data compiles information from 14 different tariff items applied to the export of tuna in Costa Rica. This considers fish, fillet and other fish meat presentations, fresh fish, refrigerated and frozen fish, dried, smoked and salted fish, among others. The most sales in US**$** and tons of exported tuna in Costa Rica are recorded under tax tariff 0302320000 (Tunas,yellowfin,fresh/chilled,excluding fish of No 03.04). The lowest production of tuna in the country was in 2014, with a total of 758.7 tons produced.

Nota: <u>The tariff items presented in the table correspond to Fresh, Refrigerated or Frozen Fish. Tariff line 0305590010 corresponds to dried, smoked, or salted fish. All tariff items include tuna.</u>

Value and Weight of Exports of Tuna products 2013-2017
(Thousands US$ and Tons)

	2013		2014		2015		2016		2017		2013-2017 (TOTAL GENERAL)	
Tariff Item	(USD)	(Tonnes)	(USD)	Tonnes)	(USD)	Tonnes)	(USD)	(Tonnes)	(USD)	Tonnes)	$	TONNES
030231000000									0,9	0,1	**0,9**	**0,1**
0302320000	9878,3	1060,5	5916,7	676,5	6952,5	866,6	6987,9	1362,0			**29735,3**	**3965,6**
030232000000									6863,6	873,4	**6863,6**	**873,4**
0302330000	10,9	5,1									**10,9**	**5,1**
0302340000	257,0	24,6	84,0	8,3	164,2	17,6	84,2	9,1			**589,4**	**59,6**
030234000000									65,5	8,9	**65,5**	**8,9**
0303410000	208,4	62,4									**208,4**	**62,4**
0303420000	136,7	15,0	35,7	7,5	5,2	1,0					**177,6**	**23,5**
030342000000									3,4	0,5	**3,4**	**0,5**
0303430000					1,2	3,5					**1,2**	**3,5**
030343000000									189,8	98,0	**189,8**	**98,0**
0304870000	753,9	77,3	564,1	66,4	59,9	11,7	541,1	80,4			**1919,0**	**235,9**
030487000000									228,5	24,4	**228,5**	**24,4**
0305590010	183,5	2,4									**183,5**	**2,4**
Total general	**11428,6**	**1247,3**	**6600,5**	**758,7**	**7183,0**	**900,4**	**7613,2**	**1451,6**	**7351,7**	**1005,3**	**40176,9**	**5363,4**

Source: Export Statistics, PROCOMER, based on Central Bank statistics

3. ENVIRONMENTAL FRAMEWORK FOR TUNA

In order to obtain the Marine Stewardship Council (MSC) Certification for local fishing companies and in relation to other ongoing projects to improve the domestic fishing industry led by the National Platform of Large Pelagic, the country is undergoing a pre-evaluation process for golden tuna and swordfish exports.

In regards to the exports of specific species of shark, within the framework of CITES, the relevant policies are the Wildlife Law No. 7317 and it's specific bylaw, as well as the Executive Order No. 40379-MINAE-MAG. Currently, INCOPESCA has been designated as the CITES administrative authority, which was previous administered by the National System of Conservation Areas (SINAC by its acronyms in Spanish). INCOPESCA has also worked with the academic sector in 2015 to elaborate a management model for a certification of origin and environmentally friendly fishing practices.

In the specific case of tuna, the following regulations have been stablished and are considered of high importance:

SYSTEM FOR MONITORING AND VERIFYING THE TUNA CAPTURED WITH AND WITHOUT MORTALITY OF DOLPHINS *For the purposes of applying this regulation, the following definitions shall apply:*

- Tuna: the species of the suborder Scombroidei (Klawe, 1980), with the exception of the genus Scomber.

- Dolphin safe tuna: tuna caught without apparent damage or mortality on dolphins.

- Non-dolphin safe tuna: tuna caught with apparent damage or mortality on dolphins.

- AIDCP: Agreement on the International Dolphin Conservation Program between the Republic of Costa Rica and the United States of America, approved by Law No 7938, of November 4, 1999.

- Container: Container used to transport or store the tuna unloaded from the ship.

- Dolphin: the species of the family Delphinidae associated with the fishery for yellowfin tuna in the area of the agreement.

- INCOPESCA: Costa Rican Institute of Fisheries and Aquaculture.

- RSA: Tuna Tracking Record.

2 –The "dolphin safe tuna" and the "non-dolphin safe tuna" shall be unloaded from the ship in different containers. The transport guide of each container shall clearly indicate the ship's origin and the corresponding RSA number, either if it is "tuna dolphin safe" or "non-dolphin safe".

3 -E1 "dolphin safe tuna" shall be classified, weighed and stored separately from the "not dolphin safe tuna" in the company's refrigerator, in duly identified hoppers and whose weights and codes shall be recorded in the control system of inventories such as "dolphin safe tuna" or "non-dolphin safe" with the corresponding RSA.*

4-If the Processing Plant requires to sell or transfer untreated whole tuna, it must notify in writing the change in ownership to the official designated by INCOPESCA, and will also follow-up with AIDCP, indicating the corresponding RSA number, the weight transferred and the species, so that the authority continues with the monitoring and control of that tuna.

5-The requirements for processing "dolphin safe tuna" and "non-dolphin safe tuna" shall be made separately in terms of inventory. It shall be recorded on the inventory exit guide if it is "dolphin safe tuna" or "non-dolphin safe", as well as the numbers of the storage chutes that are sent to production and the RSA number to which they correspond.

6- "Dolphin safe tuna" and "non-dolphin safe tuna" will not be processed on the same production line at the same time.

7- Each production lot will be identified in the processing records as "dolphin safe" or "non-dolphin safe" indicating the date of production, manufacturing codes, volume, finished product and corresponding RSA.

8- Tuna processed from a purse-seine vessel, operating within the Agreement Area and not covered by the AIDCP, will oblige the National Authority to consign it in a document; a copy of the same shall be delivered to the consignee of the tuna, who shall record in his system of refrigerated inventory records, processing records and export records, the notation that the specific tuna is not covered by the AIDCP.

9- Any export of tuna produced with "dolphin-safe tuna" must be accompanied by an official certification issued by INCOPESCA, in which the "dolphin-safe" origin of the processed tuna and the corresponding RSA numbers shall be recorded so that an audit can easily follow the tradability of the tuna in its different management stages.

10.-This systems applies as of its publication. ***Msc. Herbert Nanne Echandi, Executive President.- Yahaira Chambers Vargas, Executive Secretary.-1 time .- (Request No. 32306). C-16000 .- (25472).***

5. Relevant National and International Regulatory framework[5]

In the specific case of the tuna industry, the following regulations have been developed in Costa Rica and abroad:

1. Ferreto Law	Law No. 5775, promoted by Deputy Arnoldo Ferreto (period 1974-1978), was approved in 1975 and later reformed in 1978 by Law No. 6267. Between the two laws, they make the normative body known as "The Ferreto Law", which governed all tuna fishing activities until the entry into force in 2005 of the Fisheries and Aquaculture Law No. 8436. The so-called Ferreto Law established many of the regulations that since then have been regulating tuna fishing in the country and were incorporated into subsequent regulations and laws.
2. Decree n.o 23943-MOPT-MAG of January 5, 1995	The January 1995 Decree No. 23943-MOPT-MAG, aside from keeping the TNR the calculation formula, it established in the 6th article that "every tuna fishing vessel with a foreign flag had to pay a single fee of US $54 per net ton of registered product." This was the minimum rate charged since 1990, but it became a flat rate for all boats regardless of their size or capacity. This provision has remained unchanged since then, without having been updated in more than 20 years.
3. Fisheries and Aquaculture Law No. 8436, of March 1, 2005	The Law on Fisheries and Aquaculture No. 8436, of March 1, 2005, indicated in transitory I that "During the period between the publication of this law and the publication of its bylaws, Decree No. 23943 MOPT-MAG will remain in force. " The bylaw of the Fisheries Law to which this transitory refers, was published 6 years later (Executive Decree No. 36782 of September 2011). However, it did not make any modification to the collection of US $ 54 for TNR, nor modified the methodology for calculating that capacity (tuna fishing).
4. Resolutions/Decrees (relacionadas con el atún)	- Resolution No. 027-2008-MAG decided to assign 6,885 t to Sardimar S.A. for the period from August 1, 2008 to July 31, 2009. - Resolution No. 028-2009MAG decided to assign 7,585 t to Sardimar S.A. for the period from August 1, 2009 to July 31, 2010. - Resolution No. AJ-001-2010-MAG decided to assign a quota of 7,225 t to Sardimar S.A. for the period from August 1, 2010 to July 31, 2011. - Resolution No. 001-2012 assigned Sardimar - Prosalud, 6,885 t for the period from August 1, 2011 to July 31, 2012. - On January 19, 2012, through Executive Decree No. 36998-MAG, called "Regulation for the utilization of the purse-seine tuna (sic) fishing capacity recognized to Costa Rica within the CIAT", it was possible to change this practice damaging of public finances (see section 2.9.2. Regulations for the use of the haulage fee).

[5] NOTE: For further information on the legal and institutional framework, see "Ocean governance in Costa Rica: An overview on the legal and institutional framework in ocean affairs", prepared by Mariamalia Rodriguez Chaves as a consultancy under the Project.

	Executive Decree No. 36998 MAG was repealed by Executive Decree No. 37386-MAG of July 9, 2012. This last decree established a procedure for the allocation and exploitation of the IACTT fishing quota, which assumes that the haulage capacity recognized to Costa Rica "constitutes a sovereign right of participation and the management of said right will respond to the sustainable development of local fisheries" (Article 1).
5. Zoning decree for tuna fishing with purse seines	- There have been partial advances in zoning of the marine space destined for tuna fishing. Because of the work between longline and sport fishing organizations during 2013 and 2014, the Executive Branch issued Decree No. 38681 MAG-MINAE, which established a zone for the exploitation of tuna in the EEZ.
6. Decree No. 38681 MAG-MINAE, signed in October 2014	- Established three exclusion polygons for tuna purse seine fishing activity, namely: 1) a coastal polygon in the first 45 nm, 2) a central polygon in the area with the greatest presence of yellowfin tuna close to Coco's Island and 3) a protection zone in the southern part of the EEZ. This zoning has had strong opposition from the tuna seiner sector.
7. Rulings	- The Constitutional Chamber of the Supreme Court of Justice issued ruling 10.540-2013, accepting an action of unconstitutionality filed by various organizations against semi-industrial shrimp trawling. This ruling marked a before and after in the country's fishing law, establishing that the country's Law on Fishery is transversally articulated with its Environmental Law.

In relation to the regulatory systems of which Costa Rica is party to, specifically agreements, such as (source COMEX and Costa Rica Ministry of Foreign Affairs):

1. International Trade Treaties:	a. World Trade Organisation and goods and services related Uruguay Round Agreements (1994) b. Free Trade Agreement among Central America – United States and Dominican Republic (2012) c. Association Agreement between Central America and the European Union (2012) d. Member of the Central American Integration System (SICA) e. Various Free Trade Agreements with EFTA, CARICOM, Canada, Chile, China, Colombia, México, Peru, Dominican Republican and Singapore.
2. Law of the Sea:	a. Convention on the Law of the Sea (1982) b. The United Nations Fish Stocks Agreement (1995)
3. Fisheries	a. FAO's Port State Measures Agreement (2009) b. Inter-American Tropical Tuna Commission (IACTT) c. Western Central Atlantic Fishery Commission (WCAFC) d. Latin American Organization for Fisheries Development (OLDEPESCA)
4. Environment:	a. Convention on Biological Diversity (1992) b. Convention on International Trade in Endangered Species of Wild Fauna and Flora (1975) c. Convention on the Conservation of Migratory Species of Wild Animals (1979)

Appendix 1: Sector definition

Sector	HS2012 name	HS6 product code (HS2012)
Tuna	Atlantic and Pacific bluefin tunas	30194
Tuna	Southern bluefin tunas	30195
Tuna	Albacore or longfinned tunas	30231
Tuna	Yellowfin tunas	30232
Tuna	Bigeye tunas	30234
Tuna	Atlantic and Pacific bluefin tunas	30235
Tuna	Southern bluefin tunas	30236
Tuna	Albacore or longfinned tunas	30341
Tuna	Yellowfin tunas	30342
Tuna	Bigeye tunas	30344
Tuna	Atlantic and Pacific bluefin tunas	30345
Tuna	Southern bluefin tunas	30346
Tuna	Tunas, skipjack or stripe-bellied bonito	30487

Appendix 2: Abbreviations

CENADA	**National Supply Central**
CIF	Cost, Insurance and Freight
COMEX	Costa Rican Ministry of Foreign Trade
DOALOS	Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs
EEZ	Economic Exclusive Zone
FAO	Food and Agricultural Organisation
IACTT	Inter-American Tropical Tuna Comission
INCOPESCA	Costa Rican Fishing and Aquiculture Institute
LDC´s	Least Developed Countries
OECD	Organization for Economic Co-operation and Development
OETS	Oceans Economy and Trade Strategies
PROCOMER	Costa Rican Export Promotion Agency
PCI	Product Complexity Index
RCA	Revealed Comparative Advantage
SIDS	Small Island Development States
UNCLOS	United Nations Convention on the Law of the Sea
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNFSA	United Nations Fish Stock Agreement
WTO	World Trade Organisation

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