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1. Fisheries Licensing

- Qualification under SDT provision Art. 5.4, burden for implementation will rest entirely on small players
- Impact all past and future grants of fishing licenses and quotas unlawful under the WTO
- Fisheries management has severe consequences for the Pacific - US – Canada: Soft Wood Lumber Case
- Significant technical and assistance will be required to redesign national requirements to implement fisheries management tools
2. Lack of Proportionality

- Transparency Obligations Impose High Costs on SIDS
  - Art. 8 – requires extensive notification requirements about fisheries management
  - Pacific do not have systems to collect required data, all subsidies are to be notified irrespective of size
  - SIDS are likely to need technical assistance to help with notification – catch data and complex subsidy calculations
  - Standardized notification requirements WTO, UNCTAD and FAO
3. Contingency of Subsidies on Notification

• Restricted and punish SIDS of accessing SDT due to their capacity constraints

• Art 8.6 – loss of rights for members including LDCs, current low trend of WTO notification requirements

• Past subsidies notification under Art. 8.6 as a precondition to use new subsidies

• Technical Assistance will be urgently required to avoid disruption to the fishing industry
4. IUU Provisions Favour DWFNs

- Legal/Regulatory review and adjustments for the Pacific to withdraw subsidies granted in case of a vessel engaged in IUU
- Technical support required
- IUU regime vs fisheries law enforcement – politicized and exposed small states
- Notification of minor infringements involving artisanal or subsistence fishing – need FAO assistance on IUU reporting
Recommendations

• Cooperation between WTO, UNCTAD and FAO would be required to reduce burden on developing countries esp. SIDS in case there are multiple notification requirements of the same information.

• Adequate technical assistance and capacity building reaches all members esp. those who need them most.
Thank you!