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Negotiating Group on Rules

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FISHERIES SUBSIDIES

MINISTERIAL DECISION OF XX DECEMBER 2015

Proposal by Australia

The following communication, dated 2 November 2015, is being circulated at the request of the Delegation of Australia.

Ministers,

Acknowledging the importance of concerted international action to address fisheries subsidies which contribute to overcapacity and overfishing, as affirmed in the United Nations Sustainable Development Goals and the United Nations Conference on Sustainable Development.

Recognizing the importance of the fisheries sector to development priorities, poverty reduction, and livelihood and food security concerns.

Having regard to the 2001 Doha Declaration, where we agreed to clarify and improve WTO rules that apply to fisheries subsidies as well as the subsequent agreement at the 5th WTO Ministerial Conference to strengthen disciplines on subsidies in the fisheries sector, including through increased transparency of fisheries subsidy programs.

Recognizing that the WTO has a constructive role to play in achieving greater transparency in, and understanding of, the trade policies and practices of Members, including the provision of subsidies; noting the role of the Committee on Subsidies and Countervailing Measures as a forum for Members to review, and thereby assess, the trade impacts of subsidy programs.

We accordingly:

Agree to enhance transparency and improve monitoring in relation to the notification of any subsidy within the meaning of Article 1.1 of the Agreement on Subsidies and Countervailing Measures which is specific within the meaning of Article 2 of the Agreement and that a Member provides to the fisheries sector or fishing-related activities.

Commit, to providing, in addition to the information already required under Article 25 of the Agreement on Subsidies and Countervailing Measures, and, to the extent possible, information relating to fisheries subsidy programs as contained in the Annex of this document.

Direct the Committee on Subsidies and Countervailing Measures to review this additional information as part of the Committee's regular work on reviewing Members' subsidy notifications in accordance with its current procedures.

Note that the sharing of information on existing fisheries subsidy programs does not prejudice their legal status, effects or nature under the General Agreement on Tariffs and Trade 1994 or the Agreement on Subsidies and Countervailing Measures and is intended to complement existing WTO reporting requirements.

Agree that the Committee on Subsidies and Countervailing Measures may review and, if necessary, adjust, the scope of this additional information, based on Members' experience.

ANNEX

**FORMAT FOR FISHERIES SUBSIDY NOTIFICATIONS UNDER ARTICLE 25 OF THE AGREEMENT ON
SUBSIDIES AND COUNTERVAILING MEASURES AND UNDER ARTICLE XVI OF GATT 1994**

- a. Program name;
 - b. Legal authority for the Program;
 - c. Level of assistance provided, including the purpose of the assistance;
 - d. Fishery/ies affected by the Program (be they domestic or international fisheries);
 - e. Whether the fishery/ies are export fisheries;
 - f. The status of the fish stocks in the fishery/ies for which the subsidy is provided (e.g., overexploited, depleted, fully exploited, recovering, underexploited); and
 - g. Any conservation and management measures in place in the relevant fishery/ies.
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