

Trade Issues and Policy Coherence in Fisheries:

A Developing Country Perspective on SPS and other NTBs

Dr Stephen Mbithi
Fisheries Trade Consultant
Kenya Fish Processors and Exporters Association

Fisheries Trade in Dev Countries

- Areas of Production spatially separated from areas of consumption
 - Poor road linkages (infrastructure)
 - Lack of ICE
 - 20-30% post harvest loss
 - Trade in preserved fish (dried, smoked)
 - Limitation in volumes traded – artisanal trade
 - Poor buying power (low prices)
 - Value loss after processing



Fish trade cont...

- Other factors
 - Forex interconvertibility challenge
 - Cash on the spot
 - Limits on volume
 - High tariffs and unofficial barriers (corruption)
- Logical Policy option:
 - International trade (exports)

but....SPS

- A passport to dev countries fish trade
- Developing countries do not, on account of lack of capacity to meet SPS conditions, request to supply substandard goods into worlds markets.
-
- not 'that standards should not be met',
- BUT
 - 'how to define the absolute necessary standards,
 - how these standards will be met and
 - how this will be verified'

SPS, the issues

- Change in legislation
 - Harmonised conditions
- Change in fisheries governance
 - Competent Authorities (cf WTO notification points)
- Support structures
 - Accredited labs / inspection services
 - documentation

SPS issues cont...

- Increased costs
 - About 3 mil US\$ and 10 MT daily processing
- Concerns:
 - Sameness not equivalence?
 - Arbitrary use of the precautionary principle
 - Verification of compliance
 - Transparency and non-discrimination

Policy Issues

- Poverty reduction and equitable wealth distribution in fisheries:
 - Globalization, due to cost thresholds
- Exclusion of small-scale fishery trade from formal fishery sector – lack of legal structure
 - Capacity building
 - Quality control issues
- Policy on stocks conservation:
 - Landing price
 - economies of scale issue
 - Low value capture in developing countries

Other Policies

- Traceability
 - A great tool for trade and quality control
 - Challenge: traceability in smallscale fisheries
- Social standards,
 - Labour issue

Eco-Labeling

- Part of env standards
 - Others: TEDS, BRDs, Dolphin safe etc
 - Important for control on irresponsible exploitation
- Certification of a fishery
 - Eco-label
 - Chain of custody
- Voluntary
 - Consumer choice

Eco-labelling...the issues

- What about genuinely under- exploited fisheries?
 - Distortion of perception
- Whose standards?
 - Several?
- International Legal redress
- Voluntary?, not any more

Eco-Labelling - options

- International legal framework
 - Similar to SPS Agreement
- Enforcement: WTO?
 - Implementation tools: UNEP and FAO
- Enhanced role for private eco-labels

Fisheries standards – Policy Options

- Need for coordination between policies on fisheries standards and:
 - development/ poverty alleviation policies
 - Stocks sustainability policies
- Closer collaboration to establish:
 - Equivalence and not 'sameness'
 - 'minimum necessary' conditions
- Transparency principle

