Marrakesh Agreement establishing the World Trade Organization (WTO): Agreement on Fisheries Subsidies. Protocol

2022/0364(NLE) - 05/12/2022 - Legislative proposal

PURPOSE: to conclude, on behalf of the European Union, the Protocol amending the Marrakech Agreement establishing the World Trade Organisation, with regard to the Agreement on fisheries subsidies.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the EU is a member of the World Trade Organisation (WTO), which launched the Doha Round of trade negotiations, known as ‘the Doha Development Agenda’, in November 2001. The task of the WTO negotiations on fisheries subsidies was to deliver on Target 14.6 of the United Nations Sustainable Development Goals.

The Commission negotiated with other WTO Members in consultation with the Committee established by Article 207(3) of the Treaty. The negotiations were concluded at the 12th WTO Ministerial Conference on 17 June 2022. That Conference adopted the Protocol amending the Marrakesh Agreement

establishing the World Trade Organization and declared it open for acceptance by the WTO Members.

CONTENT: the draft Council Decision seeks the approval, on behalf of the Union, of the **Protocol amending the Marrakesh Agreement** establishing the World Trade Organisation.

The Annex to the Protocol contains the Agreement on fisheries subsidies which will be inserted, upon entry into force of the Protocol, into Annex 1A to the Marrakesh Agreement establishing the World Trade Organization.

The Agreement on Fisheries Subsidies applies to subsidies, as defined in Article 1.1 of the Agreement on Subsidies and Countervailing Measures (SCM Agreement), which are specific, as defined in Article 2 of that Agreement, to marine capture fisheries and related activities.

The Agreement contains provisions on:

- subsidies contributing to illegal, unreported and unregulated fishing;

- subsidies for overexploited stocks;

- subsidies provided to fishing or fishing-related activities outside the jurisdiction of a coastal Member or coastal non-Member and outside the competence of a relevant RFMO/A taking into account the specific situation of LDC Members;

- the provision of targeted technical and capacity-building assistance to developing country Members, including LDC Members, for the implementation of the disciplines under the Agreement;

- strengthening and improving fisheries subsidy reporting and more effective monitoring of the implementation of fisheries subsidy commitments;

- the establishment of a Committee on Fisheries Subsidies, composed of representatives of each Member;

- the settlement of disputes.