

Summary of the statement of Ambassador Santiago Wills of Colombia, Negotiating Group on Rules chair, at the meeting on fisheries subsidies on 21 April 2021

Good day everyone and thank you for coming to this press briefing.

I have just come from this morning's meeting with ambassadors where I was joined by the Director-General [and the meeting will continue this afternoon]. I provided an assessment of where I think we stand after last week's negotiations and other work undertaken since the March cluster of meetings. I also outlined some suggestions for next steps.

As you know, at the start of last week's meetings at the level of heads of delegations, Dr Ngozi had [called on members](#) to engage intensively with a view to close the fisheries subsidies negotiations by July. I found the week-long meetings, which amounted to 9 sessions totalling 27 hours, to be constructive overall. At this high level of discussions, we saw flexibility and genuine attempts to compromise. And as we enter the final phase of the negotiations, we will need members' political will to make tough calls, first at the Heads of Delegation level here in Geneva, and then at a Ministerial engagement which we envisage for some point before the summer break, in virtual format.

Turning first to the meetings that we held last week: I organized the discussions at the level of heads of delegations on three key issues where we seem to have exhausted the technical discussions and needed higher-level attention to make progress on finding convergence. These issues were:

- A possible exemption for subsidies to subsistence, artisanal, or small-scale fishing;
- Due process requirements for illegal, unreported and unregulated fishing determinations; and
- The approach to the Overcapacity and Overfishing prohibition.

In many ways, the approach to the **overcapacity and overfishing disciplines**—the third issue I mentioned—is at the heart of our negotiations. I think last week's discussions brought us a step closer to reaching convergence on this pillar.

Let me be more specific. The discussions on overfishing and overcapacity focused on the structure that is now found in the draft consolidated document, what we call the 'hybrid' approach. In doing so, views were exchanged on the list of subsidies that would be presumptively prohibited under this pillar. In addition, members discussed a paragraph that provides for a sustainability-based flexibility, so a member may grant or maintain subsidies under the overfishing pillar if it demonstrates implementation of measures for the sustainability of fish stocks. Some members suggested notification procedures to deal with this required demonstration. There were additional suggestions to make this article more acceptable such as limiting this provision to a geographical area, for a particular period and/or designing a technical assistance and capacity building mechanism to help developing members build enough data to apply the sustainability standards proposed in the draft text.

Delegations' views on how to advance our textual work on this key element of the disciplines still differ in certain respects. However, some Members showed flexibility to consider outcomes they could live with, not necessarily the one they prefer. Most importantly, I am very happy that instead

of only pointing to perceived shortfalls in the current text or in the views of other Members, some constructive suggestions for bridging the gaps were made.

As for discussions on a possible exemption for subsidies to **subsistence, artisanal, or small-scale fishing**: I detected a genuine step forward in the willingness of some Members to consider a formulation different to that of their own preference. However, there are still some difficult and interlinked issues under the topic of subsistence, artisanal or small-scale fishing; and all of them have to be weighed carefully as we further explore possibilities for an outcome on this issue that could be agreed by Members.

On **due process requirements for illegal, unreported and unregulated fishing determinations**: My own take-away from these exchanges was that Members seem to have common concerns but with different views on how we approach them, and in fact ultimately there were some new suggestions made in the room that attracted a certain amount of interest. So that was a positive dynamic.

In addition, an April 8 meeting on the **prohibition of subsidies to overfished stocks** made it clear that we will all need to reflect more on how to coherently address the issue of overfished stocks in the overall context of the disciplines.

Turning now to **the process going forward**: I have briefed Dr Ngozi on the outcome of last week's cluster and we have been brainstorming on next steps to achieve a conclusion of the fisheries subsidies negotiations by July.

For one, reaching an outcome this summer means that we will need higher-level, capital-based decision-making soon. In particular, we envisage Ministerial engagement at some point before the summer break, which starts three months from now. Dr Ngozi, in her statement to members this morning, elaborated that this means that we will be asking Ministers to meet virtually in July with a focus on fisheries subsidies and possibly one or two other topics. The aim of that meeting will be for Ministers to review a very advanced, hopefully final, text.

It will be important, in the near future, to capture in a new, or revised text the progress that we have made since our current text was issued (that we should recall was December last year), and aiming at possible middle-ground points on outstanding issues. I have been hearing this call from many members. This next text will be important, as it will cover five months of our work and as it will form the basis of our work toward the cleaner text for Ministers to consider.

I also plan to engage with Heads of Delegations in various configurations and groupings soon and non-stop until the finish line.

Dr Ngozi told members that final hurdles now need to be dealt with at the political level, including by heads of delegations in Geneva. "Our job is to protect the fish and to protect the many millions of fisher men and women who directly depend on the fish," she said.

I could not agree more that time is running out and we must make our work count and make concrete progress.