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**Ministerial Conference
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**DRAFT DECISION ON THE DEVELOPMENTAL AND FOOD SECURITY ASPECTS
ON FISHERIES SUBSIDIES DISCIPLINES**

COMMUNICATION FROM THE ACP AND PERU

The following communication, dated 17 December 2015, is being circulated at the request of the ACP and Peru.

The Ministerial Conference,

Recalling the mandate contained in the 2001 Doha Declaration, where Ministers agreed to clarify and improve WTO rules that apply to fisheries subsidies,

Acknowledging the critical importance of the fisheries sector, including small and artisanal fisheries, to poverty reduction, livelihood and food security in developing countries including LDCs and SVEs^[1],

Reaffirming that the rules negotiations on fisheries subsidies constitute a central element of the development component of the Doha Round and should proceed as set out in Annex D, paragraph 9 of the Hong Kong Ministerial Declaration,

Also reaffirming our commitment under the 2030 Development Agenda to prohibit, by 2020, certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the WTO fisheries subsidies negotiation.

Decides as follows:

1. Further negotiations aimed at strengthening disciplines on subsidies in the fisheries sector, including through the prohibition of certain forms of subsidies that contribute to overcapacity and over-fishing and to promote the recovery of overfished stocks, shall form a part of the post-Nairobi work programme.
2. To this end, Members shall aim to complete negotiations in [2] years for disciplines related to:
 - a) subsidies the benefits of which are conferred on any fishing vessel or operator engaged in illegal, unreported or unregulated fishing;
 - b) subsidies the benefits of which are conferred on any fishing vessel or fishing activity negatively affecting fish stocks that are in an overfished condition.

¹ Without creating a sub-category of WTO Members.

3. The negotiations for disciplines referred to in paragraph 2 shall:
 - a) be subject to agreed definitions and terminology;
 - b) [placeholder for transparency provisions, which shall take into account the special needs of developing countries in particular LDCs and SVEs.]
4. Beyond the disciplines listed under paragraph 2, further negotiations shall continue aimed at strengthening disciplines on fisheries subsidies, including through the prohibition of certain forms of fisheries subsidies that contribute to overcapacity and overfishing.
5. Appropriate and effective special and differential treatment for developing countries including LDCs and SVEs shall be an integral part of these negotiations, taking into account the importance of this sector, to development priorities, poverty reduction, livelihood, particularly of small-scale fishers, and food security concerns in accordance with Annex D, paragraph 9 of the Hong Kong Ministerial Declaration.
- [6. In the meantime, Members should aim to refrain from providing capacity enhancing subsidies to their fishing fleets that affect the sustainability of fish stocks and undermine the development, livelihood and food security prospects of developing countries including LDCs and SVEs.]
