POLICY NOTE

PRELIMINARY FINDINGS

FROM RISK TO OPPORTUNITY:

MAKING THE WTO AGREEMENT ON FISHERIES SUBSIDIES WORK FOR AFRICAN SMALL-SCALE FISHERIES

African small-scale fisheries organisations and the WTO Agreement on Fisheries Subsidies

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Executive summary

Rules of the World Trade Organization (WTO) on fisheries subsidies directly affect communities already facing rising costs and industrial competition. African small-scale fisheries (SSF) underpin food security, employment, women's incomes and coastal resilience. Fisheries contribute more than US$24 billion annually, about 1.26% of African gross domestic product (GDP), and directly employ 12.3 million people (de Graaf & Garibaldi, 2014). The Food and Agriculture Organization of the United Nations (FAO, 2026) estimates that fisheries and aquaculture support the livelihoods of 11% of Africa's population. In 2022, Africa produced 13.1 million tonnes of aquatic foods, around 6% of the global total (FAO, 2024). In several countries, aquatic foods provide more than half of animal-protein intake.

Small-scale fisheries are central to this contribution and produce most of the fish consumed on the continent. Women dominate post-harvest processing, trade, drying, smoking and local distribution, accounting for an estimated 62% of the post-harvest workforce (FAO, Duke University & WorldFish, 2023).

Yet the consultation describes a sector that receives little public support rather than one that is over-subsidised. Twenty-five of the 37 organisations consulted (68%) receive no public fuel or operational support, or only partial and irregular support, while 36 of 37 report incursions by industrial or foreign vessels into artisanal fishing zones. Fuel generally absorbs half of trip costs, with a median of 50%.

This imbalance also appears globally: SSF receive only about 16% of fisheries subsidies, while nearly 90% of capacity-enhancing subsidies benefit industrial fleets (Sumaila et al., 2019; Schuhbauer et al., 2020).

Against this background, the Agreement on Fisheries Subsidies can turn risk into opportunity. Adopted at the WTO's 12th Ministerial Conference (MC12) in June 2022 and in force since 15 September 2025, the Agreement in force ("Fish I") prohibits subsidies linked to illegal, unreported and unregulated (IUU) fishing, overfished stocks and fishing on the unregulated high seas. These disciplines primarily target industrial and distant-water fleets. A second wave of negotiations ("Fish II") must now address subsidies contributing to overcapacity and overfishing. Three preparatory Fish Weeks are intended to frame negotiations expected to resume in 2027. How Fish II treats special and differential treatment (S&DT), transition periods and SSF will determine the value of the rules for Africa.

A realistic African agenda therefore centres on defending S&DT, clarifying the place of SSF and complementing WTO rules with measures that make implementation effective.

The note advances four connected arguments. First, the African Group is right to seek a conclusion based on the chair's November 2024 draft text (TN/RL/W/285): its value lies in disciplining major subsidisers, and reopening it wholesale would place that value at risk. Second, support measures carry different risks. Infrastructure and land-based post-harvest activities are outside scope, while support that expands fishing effort requires stronger safeguards. Third, the consultation identifies who receives support and who does not. Fourth, these findings define an actionable agenda for the next 18 months.

Five priorities for artisanal fishers in Africa

These are the priorities the 37 consulted organisations themselves named, not a position of the authors.

1. **Protect policy space** for small-scale fisheries.
2. **Differentiate livelihood support** from harmful subsidies.
3. **Invest in fisheries infrastructure** rather than fishing capacity.
4. **Protect women** and the post-harvest economy.
5. **Strengthen enforcement** against industrial and illegal, unreported and unregulated fishing.

The consultation in numbers

37

Organisations consulted

across 25 countries and five African regions

68%

No or irregular fuel support

no public support, or support too partial to shape trip economics

50%

Median fuel-cost share

the single largest reported operating cost

36/37

Report industrial incursions

inside small-scale fishing zones

32/37

Report strong effects on women

through losses in processing, trading and post-harvest income

Source: DnS, IRD (2026). African consultation dataset, preliminary analysis.

1. Where the WTO negotiations stand, and what is actually contested

1.1 State of play on the draft text

Two processes are moving in parallel. For Fish I, the Agreement has been in force since 15 September 2025: the Committee on Fisheries Subsidies is operational and the Fish Fund supports developing and least-developed countries (LDCs); the practical demands of implementation, from legal review to inventory and notification, were mapped out early in the process (IISD, 2022). For Fish II, a large majority of Members, including the African Group, was ready in 2024 to conclude on the basis of draft TN/RL/W/285. At the 14th Ministerial Conference (MC14) in Yaoundé, the African Group reaffirmed that basis and the integral place of special and differential treatment (S&DT).

The scope must remain clear. The disciplines apply to subsidies provided to marine wild capture fishing and fishing-related activities at sea. Inland fisheries, aquaculture and land-based processing and other post-harvest activities remain outside scope; infrastructure is not among the higher-risk forms of support listed in the draft.

1.2 The genuine sticking points

At least four issues help explain why the text has not been adopted: 1) transition periods; 2) development status; 3) sustainability-based flexibilities; and 4) distant-water fishing, which requires deep cuts in capacity-enhancing subsidies. Africa must preserve exemptions for LDCs, low-catch Members and small-scale fisheries without sheltering the largest subsidisers.

Stronger disciplines on distant-water fishing can be pursued without blocking the balanced package. Article 12 sets the deadline at 15 September 2029. The stakes of that deadline for developing Members are set out by Sarmiento and Irschlinger (IISD, 2026), and fisheries economists have argued that an ambitious conclusion matters more than a quick one (Sumaila et al., 2024).

1.3 What civil society criticism gets right

Civil society criticism identifies three linked gaps: Fish I leaves most capacity-enhancing support outside current disciplines; fuel-tax measures need case-by-case analysis; and uneven notifications obscure who benefits (Mari, 2025; CAOPA/CFFA, 2025; CFFA, 2026). These gaps make Fish II on W/285 more urgent.

For African small-scale fisheries, Fish II should preserve S&DT and a workable livelihood and public-good exemption, require disaggregated notifications, apply the economic function test, and strengthen African legal capacity and Committee participation. Fish I and Fish II thus form one strategy: protect policy space while closing loopholes for industrial and distant-water support that expands effort and capacity.

- June 2022 — 12th Ministerial Conference, Geneva: Agreement adopted
- 15 Sept. 2025 — Agreement enters into force (Fish I)
- March 2026 — 14th Ministerial Conference, Yaoundé: members agree to continue negotiations
- Sept.–Dec. 2026 — Three preparatory Fish Weeks
- 2027 — Fish II negotiations resume
- 15 Sept. 2029 — Article 12 termination clause takes effect

Figure 1. Timeline of the WTO Agreement on Fisheries Subsidies and the Fish II negotiations, 2022 to 2029. Events from September 2026 onwards represent the anticipated negotiation schedule as of September 2026.

2. The evidence: who receives support, who does not, and what meaningful support means

The analysis draws on 37 fisheries organisations across 25 countries and five African regions.

Interviews were conducted in English (13), French (21) and Portuguese (3) using a standard guide. It covered fuel and other forms of public support, trip economics, fleet segments, value chains, gender, feasible reforms, Fish I implementation and Fish II priorities. The consultation also addressed infrastructure, finance, social protection, safety, post-harvest losses and stock data.

The guide did not systematically inventory every subsidy category. Evidence is therefore strongest on fuel, trip economics and small-scale exposure; it is not a comprehensive inventory of national programmes.

The sample reflects diverse value chains. Two-thirds of organisations combine harvest and post-harvest functions; ten represent only fishers, three represent women processors and traders, and nine are women-led. It covers marine (30), mixed (4) and inland fisheries (3).

Closed questions provide aggregate counts, while open responses provide the testimonies cited. Qualitative responses emphasise management, monitoring, control and surveillance (MCS), respect for small-scale fishing zones and protection from industrial incursions. These results are consultation evidence rather than statistically representative estimates for the continent.

37 ORGANISATIONS CONSULTED

in 25 countries across the five African Union regions

1 Benin
2 Cabo Verde*
3 Cameroon
4 Côte d'Ivoire
5 DR Congo
6 Gabon
7 Guinea
8 Guinea-Bissau*
9 Kenya
10 Liberia
11 Madagascar*
12 Mauritania
13 Mauritius*
14 Morocco
15 Namibia
16 Nigeria
17 Senegal
18 Seychelles*
19 Sierra Leone
20 South Africa
21 Tanzania
22 The Gambia
23 Togo
24 Tunisia
25 Uganda

AFRICAN UNION REGION * small island developing state

West East North Central Southern

Figure 2. Geographic coverage of the 2026 continental consultation: 37 small-scale fisheries organisations from 25 countries across the five African Union regions. Colours indicate the region assigned to each country and numbered markers correspond to the country list. Asterisks mark small island developing states. Source: DnS, IRD (2026). African consultation dataset, preliminary analysis.

Convergence across the sample is striking. All 37 organisations report concern about IUU fishing, and all 37 consider that the Agreement in force could help their sector if implementation is resourced and enforced nationally. Thirty-four support S&DT, and only one rates national surveillance as effective. These organisations do not treat the Agreement as a threat, but as a potential instrument whose value depends on delivery.

2.1 Little public support and high exposure to fuel costs

The 25 organisations concerned divide into 18 that report no public fuel or operational support at all and 7 that report only partial, fragmented or occasional support, with no reliable role in trip economics.

The country evidence behind that split is consistent across very different fishing economies. Both Gambian platforms report no support: fishers pay full price and owners absorb the cost. Liberia reports the same. In the Democratic Republic of the Congo, respondents report no support and note foreign interests operating the industrial segment. In Benin, the national association answered: "we see no public support". Madagascar, Guinea and Togo report the same gap; Kenyan organisations describe fragmented, indirect and inconsistent support.

Fuel-cost exposure reverberates across the value chain. When high costs and incursions reduce trips and landings, less and more expensive fish reaches women processors and traders. Working capital, margins, household income and local food supply fall. In Guinea and The Gambia, trader credit also shifts price-setting power to creditors.

Absence of support does not mean absence of exposure. Among the 32 organisations providing estimates, reported fuel costs generally fall between 30% and 70% of trip costs: about 35% in Tanzania and 25–40% in Namibia, rising to 70% in Guinea and Togo, more than 70% in Mauritania and up to 95% for long trips from South Africa's west coast. In Tunisia, fuel represents 20–40% for artisanal units and 50–70% for trawlers.

Tunisian small-scale fisheries organisations (TSSF) estimate short-term net-income losses of 20–50% in energy-intensive segments if support is withdrawn without an alternative. The causal chain is not one-directional: at the artisanal end, support keeps marginal trips viable, preserves employment and maintains fish flows to women processors; in a fuel-intensive industrial segment, the same support lowers the profitability threshold and can expand fishing effort. Identical support can therefore protect livelihoods at one end and expand effort at the other. The label "fuel subsidy" cannot distinguish the two; the economic function test can.

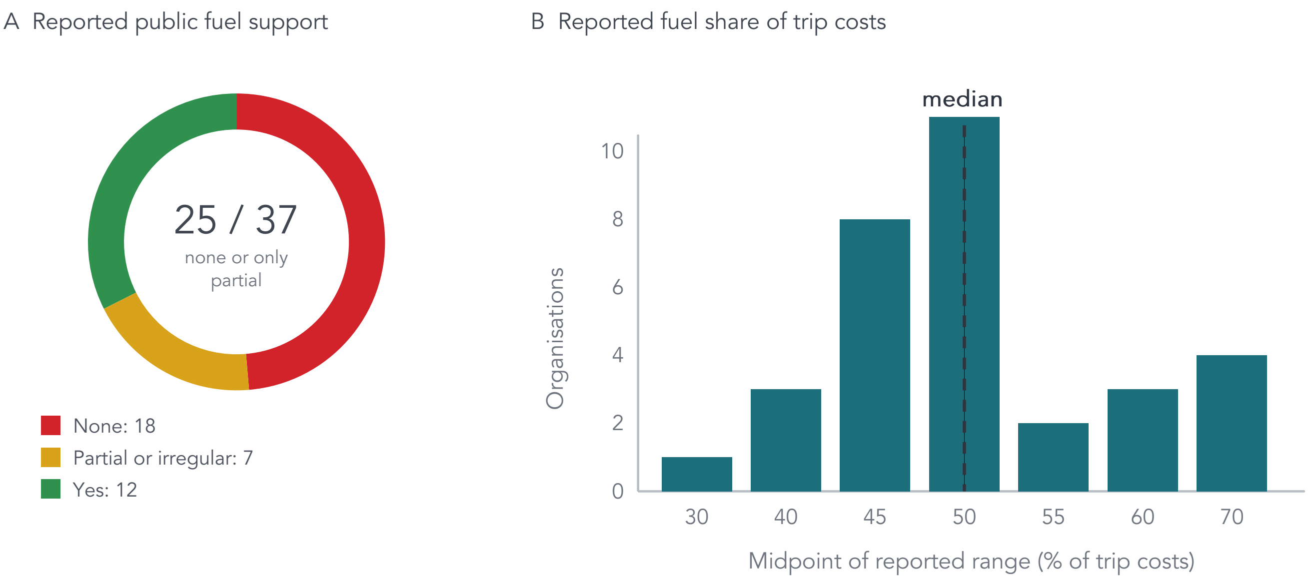

Figure 3. Reported public fuel support and fuel-cost exposure among consulted organisations. (A) Public fuel support reported by 37 organisations: none (18), partial or irregular (7), functioning support (12). (B) Fuel costs as a share of trip costs among the 32 organisations providing estimates; where a range was reported its midpoint is used, and the dashed line marks the median of 50%. Source: DnS, IRD (2026). African consultation dataset, preliminary analysis.

2.2 What support exists, and where

Twelve organisations (32%) report functioning support, but in very different forms. In Seychelles, licensed and registered artisanal boat owners receive a full fuel-tax concession, excluding shark fishing, as well as occasional targeted support during global price spikes. Mauritania provides a regular exemption in a fishery where fuel exceeds 70% of trip costs. Tanzania reports direct subsidies, but only occasionally in response to price shocks.

Sierra Leone reports partial support through occasional price stabilisation and reduced import taxes. Cabo Verde reports occasional support, mainly public and international. In Senegal, three organisations report direct or regular support, the most consistent case in West Africa.

In Morocco and Tunisia, diesel support reaches all fleet sizes, while artisanal fishers using outboard engines receive none. Respondents recommend caps per vessel, targeting small and medium units, and attaching management conditions.

Two conclusions follow. The African small-scale reality is not one of subsidised overcapacity: even where support exists, the amounts are modest and frequently occasional. And the countries with untargeted schemes are themselves asking for better targeting, capping and conditionality rather than abolition.

The causal chain therefore supports protecting livelihoods while disciplining fishing effort. The accompanying investment priorities are ranked below.

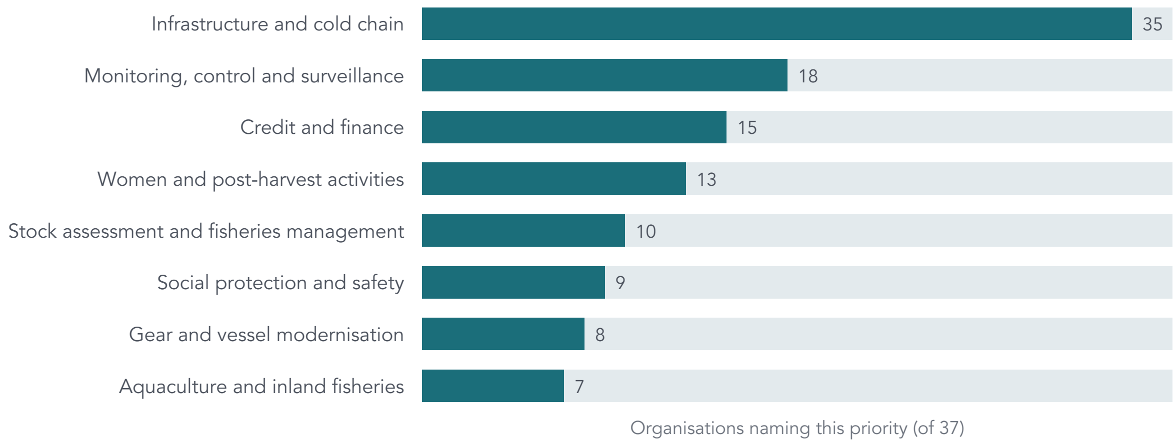

Figure 4. Investment priorities identified by consulted organisations to accompany fisheries subsidy reform. Values are the number of organisations naming each priority; an organisation could name more than one. Source: DnS, IRD (2026). African consultation dataset, preliminary analysis. (n = 37).

2.3 What meaningful support means

Under WTO rules, a measure is a subsidy when a public financial contribution confers a benefit; the disciplines then attach to subsidies that are specific to an enterprise, industry or group. A fuel-tax concession may therefore qualify where it represents revenue forgone for fisheries or a particular segment, and specificity can take more forms than the term suggests. By contrast, unlisted infrastructure and many land-based post-harvest activities remain outside the scope of Fish II.

For consulted organisations, meaningful support is accessible, predictable and targeted to small units, women and post-harvest functions. It combines safety, landing sites, cold chains, credit, social protection, MCS and stock assessment. Any fuel support should be capped and linked to management and enforcement.

Analysis must also examine who benefits, whether effort expands and how effects reach women processors and traders. Targeted relief can protect livelihoods without expanding capacity; untargeted industrial support can do the opposite. This is consistent with evidence that subsidies affect the economic viability of small-scale and industrial fleets very differently (Schuhbauer et al., 2017) and with bioeconomic modelling of West African artisanal small pelagic fisheries (Ba et al., 2022).

3. What Fish II must deliver, and who must do what

3.1 From analysis to responsibility

Four tests translate diagnosis into action. **Legal scope:** does Fish II cover the measure? **Economic function:** does it provide a public good, protect livelihoods, correct a value-chain constraint, or expand effort and capacity? **Distribution:** who benefits and who bears indirect costs, including women in post-harvest work? **Safeguards:** are management, transparency and enforcement in place?

Negotiators apply these tests to the common position. Governments use them for inventories, notifications and Fish Fund applications. Professional organisations document costs, incursions and gender-differentiated effects. Women processors and traders must participate at every stage.

Table 1. Proposed immediate actions, expected results and timing for the main actors involved in Fish I implementation and preparation for the Fish II negotiations.

Actor	Immediate action	Expected result	Timing
Negotiators	Consolidate the African position on S&DT and small-scale fisheries	A shared African text	Fish Weeks, Sept.–Dec. 2026
Governments	Prepare national subsidy inventories and legal reviews	Country files ready for notification	End-2026
Professional organisations	Document fuel costs, industrial incursions and social effects	A shared evidence base	Continuous

3.2 What Fish II must preserve for Africa

Two anchors should hold the African position. First, preserve the complete and permanent small-scale and artisanal exemption (Article B.4) and the other S&DT protections in W/285. Second, retain the targeting of higher-risk subsidies and the possibility of support backed by credible management measures. These protections must remain usable by administrations with limited capacity.

Aligning domestic measures, policies and systems with the rules of the Agreement is equally important.

These anchors protect coherent public action. MCS and enforcement secure access to resources; post-harvest systems and social protection sustain livelihoods; and the participation of women, youth, processors and traders strengthens food security. Because much land-based support is outside scope and infrastructure is not listed in Article A.1, Africa can invest without reproducing subsidies that drive overcapacity, which is the direction of the repurposing agenda advanced by the World Bank and IIED (Bladon et al., 2026).

An 18-month programme

The allocation of responsibilities must now become a sequence of action. The proposed workplan below keeps Fish I and Fish II distinct: the two processes move at different speeds but rely on the same evidence.

The next 18 months give ministries and organisations time to complete inventories, prepare notifications and convert priorities into Fish Fund applications before negotiations resume.

In parallel, preparation for Fish II must consolidate the African position, use inventories to test proposals, preserve the exemptions and management safeguards in W/285, and anticipate the expected resumption in 2027. Any voluntary national reform should follow the agreed investment and social-protection priorities. The sequence overleaf therefore connects preparation, negotiation and implementation.

What the organisations asked to defend

Asked what African states should defend in Fish II, a different question from the investment priorities in Figure 4, 28 of the 37 name the protection of artisanal fisheries and national policy space, ahead of post-harvest systems and infrastructure (21), social protection and safety at sea (16) and community participation (16). Two results should be read together: no organisation asked for the protection of capacity-expanding subsidies, and 14 named industrial or overcapacity-linked subsidies as the support to be reformed. Women and youth safeguards are named by only 9, against the 32 that expect women to be strongly affected.

AN 18-MONTH IMPLEMENTATION SEQUENCE

July–Sept. 2026
Align and coordinate
Trade and fisheries ministries agree a common workplan with small-scale fisheries organisations.

Sept.–Dec. 2026
Consolidate the African position
Shared language and red lines on S&DT and small-scale fisheries are ready for the three preparatory Fish Weeks.

By end-2026
Complete inventories and legal reviews
Country files are ready for notification and identify risks, protected categories and priorities.

Q1 2027
Submit applications to the Fish Fund
Fundable files cover MCS, cold chains, stock assessment and notification capacity.

2027
Defend the position when negotiations resume
Protected categories are advanced through interpretation, notifications and Committee practice.

Mid- to late 2027
Launch pilot projects
Cold chains, coastal exclusion-zone enforcement and participatory monitoring move into delivery.

Figure 5. The 18-month implementation sequence. Deadlines correspond to Table 1. Source: authors' elaboration.

Final message

Africa must negotiate to conclude and implement to protect. The disciplines that matter for small-scale fisheries are those aimed at industrial and distant-water overcapacity; the support that matters is targeted, capped and effort-neutral. The sequence above turns that position into work that can begin now. Where incursions, fuel costs or debt reduce landings, it is women in post-harvest activities who lose raw material, margins and stable income first, and interrupting that chain is what makes protection real.

Checklist for negotiation and implementation

Table 2. Questions that test whether the outcome works for African small-scale fisheries.

Question that tests the outcome	Why it matters for African small-scale fisheries
Do S&DT and small-scale fisheries provisions clearly cover monitoring, safety, post-harvest systems, market access and food security?	Prevents unintended restrictions on legitimate community support, given the breadth of the legal definition of a subsidy.
Are transition periods under Articles B.1 and B.3 tied to disbursed finance, data systems and enforcement capacity?	Turns S&DT from a delay into a development instrument. In practice this concerns mainly Members above the de minimis threshold.
Are flexibilities reserved for Members genuinely constrained by capacity?	Prevents major subsidisers from sheltering behind provisions intended for Africa.
Do evidentiary standards prevent sustainability-based flexibility from becoming a loophole?	Responds to greenwashing concerns and protects the value of the disciplines.
Are notification formats simple enough for small support programmes?	Prevents governments from abandoning small-scale support rather than reporting it.
Is there a permanent Advisory Centre on WTO Law (ACWL) facility and active African participation in the Committee?	Turns transparency and dispute-settlement mechanisms into usable tools.
Are coastal exclusion-zone enforcement, stock assessment and Fish Fund applications financed and under way?	Delivers on the water the protection promised by the legal text.

Box 1. What a transition period does, and who it matters for

A transition period (Articles B.1 and B.3) does not create an obligation. It delays the point at which the prohibition on subsidies contributing to overcapacity and overfishing starts to apply, so its length matters only to a Member that will eventually have to comply. The draft exempts least-developed countries (Article B.1) and developing Members at or below 0.8% of global marine capture production (Article B.2), assessed over three consecutive years on FAO data.

Only Morocco (1.75%) and Mauritania (1.06%) exceed that share among African Members; the next highest, Angola, Senegal and South Africa, sit near 0.6%. Morocco is therefore the only African Member currently inside Article B.3. Mauritania is exempt today as a least-developed country, but its share is above the de minimis, so it would not fall back on Article B.2 on graduation: the blank duration in Article B.1 is Africa's second live interest.

Source: RD/TN/RL/181, compilation of FAO capture production statistics circulated by the WTO Secretariat; UN list of least-developed countries.

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This policy note presents preliminary findings from the 2026 continental consultation with African small-scale fisheries organisations. They are presented for discussion at a side event on the margins of the 3rd Small-Scale Fisheries Summit, held in Rome, Italy, from 4 to 6 September 2026, and at the 37th Session of the FAO Committee on Fisheries (COFI 37), held from 7 to 11 September 2026. The final report will be prepared for African WTO Members.

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